

City of Kingsford  
Regular Council Meeting, City Hall Council Chambers  
Tuesday, September 5<sup>th</sup>, 2023

A regular meeting of the Kingsford City Council was held on Tuesday, September 5<sup>th</sup>, 2023 at 6:30 p.m. in the council chambers at City Hall.

**Roll Call:** **Present:** Freeman, Baldinelli, Flaminio, Groeneveld, Dixon-Miller  
**Absent:**

Also present were: City Manager Mike Stelmaszek, City Attorney Bruce Brouillette, City Assessor Kyle Mulka, Maggie Lanthier [Daily News], DPW Superintendent Jeff DeMuri, Lieutenant Tim Olsen, Derek Collar, Phyllis Rappi, Scott Rappi, Nancy LaFleur, Tracy LaFleur, Kurt Lehman

The pledge of allegiance was recited by all.

**Approval of the Minutes:**

A. Regular Council Meeting – August 21<sup>st</sup>, 2023

**Motion** by Baldinelli; **second** by Dixon-Miller to approve the minutes of the regular meeting on August 21<sup>st</sup>, 2023 as amended.

**Vote: Unanimous, Motion carried.**

**Approval of Agenda:** **Motion** by Freeman; **second** by Flaminio to approve the agenda as amended.

**Vote: Unanimous, Motion carried.**

**Approval of Invoices:** **Motion** by Dixon-Miller; **second** by Baldinelli to approve the invoices from 8/22/2023 thru 9/5/2023 for payment in the amount of \$241,694.70

**Vote: Unanimous, Motion carried.**

**Consent Agenda:**

A. Public Works Report –

1. Request authorization to go out for bids for the annual stump grinding before winter. There are 15 stumps to grind before the end of fall.

**Motion** by Flaminio, **second** by Baldinelli to request bids for annual stump grinding before winter.

**Vote: Unanimous, Motion carried.**

**Motion** by Baldinelli; **second** by Flaminio to receive and place on file the consent agenda.

**Vote: Unanimous, Motion carried.**

**Public Comment:** None.

**Communications:**

A. Thank you letter for \$800 Fireworks Contribution from the Sons of the American Legion.

**Motion** by Flaminio; **second** by Dixon-Miller receive and place on file the letter from the Sons of American Legion

**Vote: Unanimous, Motion carried.**

**Manager's Report:**

1. It has been reported to me that healthcare costs for the city and our employees will be going up by 7.2% starting in January of 2024. I have notified both union stewards of the upcoming increase. Both contracts are due to expire in July of 2024.
2. Tanya Hiltonen is requesting to go to a Master's Academy being conducted by the Michigan Association of Municipal Clerks (MAMC) in Mt. Pleasant on November 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup>, 2023. She will be sharing the hotel costs with another clerk. Attending this conference will get her continuing education points needed to maintain her certification. Continuing education in election issues is also very important right now. Stelmaszek requests council approval for Tanya to attend this training and for the city to pay for the associated costs to send her to it.

**Motion** by Freeman; **second** by Baldinelli to approve training for Tanya Hiltonen and associated costs.

**Vote: Unanimous, Motion carried.**

3. Director Rutter is requesting to send Sergeant Brian Adams to a hostage negotiators school on October 9<sup>th</sup> through the 13<sup>th</sup>, 2023. Upon completing this training, he will be certified to provide this needed service for our Public Safety Department. CAP grants will pay for almost half the cost and the other half is the departments training budget. I am respectfully requesting your approval to send Sergeant Adams to this training and pay for the associated costs.

**Motion** by Flaminio; **second** by Baldinelli to approve training for Sergeant Adams.

**Vote: Unanimous, Motion carried.**

**Motion** by Baldinelli **second** by Dixon-Miller to receive and place on file the manager's report.

**Vote: Unanimous, Motion carried.**

#### Old Business

A. Bid Opening for Sanitary Sewer Line and Watermain Replacement Projects in Ford Addition –

1. Morin Excavating - \$209,000.00
2. Payne & Dolan - \$188,585.00
3. FA Industrial - \$263,875.00

\*\*6:45pm Hearing

**Motion** by Freeman; **second** by Dixon-Miller to adjourn as the City Council and Reconvene as the Zoning Board of Appeals for Variance hearing.

**Vote: Unanimous; Motion carried.**

#### Public Hearing:

- A. 6:45 Hearing for Variance Request for Mostly Constructed Garage at 486 Riverhills Rd. – Contractor submitted a variance request for a garage that was constructed 12ft into the right of way. The site plan was not submitted this way. Stelmaszek included the initial approved site plan that had the garage in the correct location. Stelmaszek went over the 2 letters that were against the variance along with 1 letter that was in favor of granting the variance. Groeneveld opened the floor to anyone who would like to address the Zoning Board. Kurt Lehman, owner of the garage, approached the council and voiced his frustration with Dickinson Homes stating he did not know the garage was not constructed according to the site plan as he was out of the country while it was being built. He only found out there was an issue after the cease-and-desist letter had been sent to him and the contractor. He explained that this was just one of the issues he has run into utilizing this contractor. He went into detail of the hardship he would incur if he had to move the garage and asked for consideration to grant the variance. Stelmaszek commented that he understands Mr. Lehman's predicament but approving the variance would set a precedent when reviewing other variances. He stated that if it is the wishes of the board to accept the variance there needs to be stipulations that any damage that may occur from city plows will not be paid for by the city and will be the responsibility of the homeowner. A lengthy discussion took place with questions asked by Freeman and Groeneveld. Phyllis Rappi approached the board to question if Dixon-Miller would abstain from the vote due to being a neighbor of Mr. Lehman. Dixon-Miller confirmed she would abstain from the vote. Dixon-Miller asked various questions about the location of the garage and the site plan. Tracy LaFleur approached the council stating the issue resides with Dickinson Homes not with the homeowner as he was out of the country while the garage was being constructed. Baldinelli echoed the same. Flaminio explained that variances have been granted in the past and that he saw no issue granting this variance and relieving Mr. Lehman from further hardship.

**Motion** by Baldinelli; **second** by Flaminio to grant the variance for the mostly constructed garage on 486 Riverhills Rd.

**Roll Call:**

**No – Freeman.**

**Yes – Baldinelli, Flaminio, Groeneveld**

**Dixon-Miller abstained from the vote.**

**Motion carried.**

**Motion** by Baldinelli; **second** by Freeman to adjourn as the Zoning Board of Appeals and reconvene as the City Council.

**Vote: Unanimous, motion carried.**

\*\*Continued with 4<sup>th</sup> and final bid submitted.

4. BACCO - \$235,457.70

**Motion** by Flaminio; **second** by Dixon-Miller to authorize the accept the lowest bid that meets specifications.

**Vote: Unanimous, Motion carried.**

New Business

A. Request to Use the Kingsford City Hall for Early Voting for 2024 Elections – Stelmaszek went over the memo Tanya Hiltonen submitted explaining the need and requeste to have early voting at the Kingsford City Hall. No questions were asked by council. Baldinelli stated that Tanya was one of the most experienced clerks in the area and that County Clerk, Carol Bronzyk, is still learning the ropes and he thinks it would be a good idea for us to have early voting here.

**Motion** by Baldinelli; **second** by Freeman to approve having early voting at the Kingsford City Hall for the 2024 elections.

**Vote: Unanimous, Motion carried.**

B. Introduction of Ordinance #298 (set a Hearing Date for 6:45pm on 10/2/2023) – Stelmaszek went over the ordinance that drafted by the City Attorney, and reviewed and approved by the planning commission. Stelmaszek requested a hearing date be set for October 2<sup>nd</sup>, 2023 at 6:45 and introduced Ordinance #298.

**Motion** by Baldinelli; **second** by Flaminio to set a hearing date at 6:45pm on October 2<sup>nd</sup>, 2023

**Vote: Unanimous, Motion carried.**

C. KPSD Centennial Event Resolution #2023/9/5.1

**Motion** by Baldinelli; **second** by Dixon-Miller to adopt resolution # 2023/9/5.1

**Roll Call: Yes – Freeman, Baldinelli, Flaminio, Groeneveld & Dixon-Miller**

**No – None.**

**Motion Carried.**

D. DPW Centennial Event Resolution #2023/9/5.2

**Motion** by Baldinelli; **second** by Flaminio to adopt resolution # 2023/9/5.2

**Roll Call: Yes – Freeman, Baldinelli, Flaminio, Groeneveld & Dixon-Miller**

**No – None.**

**Motion Carried.**

E. Centennial Committee Resolution #2023/9/5.3

**Motion** by Baldinelli; **second** by Freeman to adopt resolution # 2023/9/5.3

**Roll Call: Yes – Freeman, Baldinelli, Flaminio, Groeneveld, Dixon-Miller**

**No – None.**

**Motion Carried.**

F. Rick Lagina Centennial Resolution #2023/9/5.4

**Motion** by Baldinelli; **second** by Dixon-Miller to adopt resolution # 2023/9/5.4

**Roll Call: Yes – Freeman, Baldinelli, Flaminio, Groeneveld, Dixon-Miller**

**No – None.**

**Motion Carried.**

G. Marty Lagina Centennial Resolution #2023/9/5.5

**Motion** by Baldinelli; **second** by Groeneveld to adopt resolution # 2023/9/5.5

**Roll Call: Yes – Freeman, Baldinelli, Flaminio, Groeneveld, Dixon-Miller**

**No – None.**

**Motion Carried.**

Public Comment: None.

Councilmember's Privilege: Freeman asked if we could get a coversheet for the bids going forward. Freeman clarified his reasoning for the variance was not to set a precedent stating that the rules are very clear and are expected to be followed. He also stated that the issue remains with Dickinson Homes and that there were avenues the homeowners could take against Dickinson homes. Dixon-Miller & Flaminio did not have a comment. Baldinelli mentioned he donated 2 tickets to the Democratic party for the raffle and this year the person who won was Senator Ed McBroom. Groeneveld agreed with Freeman regarding the variance and felt that the homeowner could have gone through litigation because the contractor made the mistake but, in the end, he didn't want to burden the homeowner. Groeneveld also stated he continues to receive praise for the Centennial event but stated that the people listed in the resolutions deserve all the praise for the event being such a success.

Adjournment: **Motion** by Baldinelli **second** by Dixon-Miller to adjourn the meeting. Meeting adjourned at 7:51pm

**Vote: Unanimous, Motion carried.**

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Mayor, Joseph Groeneveld

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City Manager, Michael Stelmaszek