

CALUMET VILLAGE COUNCIL REGULAR MEETING MINUTES  
CALUMET VILLAGE TOWN HALL  
340 SIXTH STREET  
CALUMET, MICHIGAN 49913  
FEBRUARY 19, 2019 - 5:30 PM

**Present:** President David Geisler  
Trustees: Virginia Dwyer, Joshua Rowe, Nathan Anderson, Roxanne King  
Trustees attending via phone: Jeffrey Paul Mihelcich, Douglas Harrer (until 6:45 PM)

Also present from the Village: Administrator Joe Snow, outgoing Clerk Julie Dahlstrom, incoming Clerk Kevin Weir, Police Chief Keith Anderson, Village Attorney Jim Tercha, Superintendent Marc Klein, Historic District Commission Chair Chris Green, Historic District Commission Sandy Johnson, Planning Commission Darla Hane, Downtown Development Authority Rick Campioni, Fire Chief Jeff Kalcich, and Fire Department/Housing Commission Tim Gasperich

Public present: Peggy Germain, Graham Jaehnig, and 4 additional members of the public

**Absent:** Village Treasurer Stephani Camp

**I. 5:30 PM President David Geisler called the meeting to order and the pledge was recited**

**II. Review and Approval of Agenda**

Motion made by Nathan Anderson and seconded by Roxanne King to accept the agenda with the following changes:

Under Old & New Business:

- Appointment of a new Village Clerk
- Snow build up on the old Family Dollar on 5th Street

Move Street Report after Petitions, followed directly by the Resolution - Intent to Issue Capital Improvement Bonds, and the Public Safety Report

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

General clarification was provided by Attorney Jim Tercha and President Geisler after consultation with the Michigan League regarding voting by phone.

- All votes tonight will be roll call votes
- Phone attendees are on speaker, their votes and comments can be heard by the public
- As long as the votes are not close, voided phone votes would be unlikely to change a council decision

Motion made by Nathan Anderson and seconded by Roxanne King to allow Harrer and Mihelcich to vote and participate by phone and that all votes be roll call votes.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

A precautionary roll call re-vote was conducted regarding the previous motion to accept the agenda with stated changes.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

### **III. Agenda**

#### **1. Old & New Business**

Motion made by Nathan Anderson and seconded by Virginia Dwyer to accept the resignation of the Julie Dahlstrom, Village Clerk.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

Motion made by Nathan Anderson and seconded by Virginia Dwyer to suspend the rules and vote to appoint Kevin Weir as Village Clerk, and that he commences the duties of the clerk upon taking the oath immediately.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

President David Geisler appointed Kevin Weir as Village Clerk with the consent of the council

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

President David Geisler administered the oath to Kevin Weir

A discussion was held regarding concerns about excessive snow on the roof of the former Family Dollar on 5th Street, the potential for collapse, and whether the village should remove the snow and bill the property owner. Concerns regarding liability, public safety, taxable property loss, and precedence were expressed.

Administrator Joe Snow has contacted the real estate management group that owns the building regarding this safety issue. The village will continue to follow up on the issue and with the property owner.

Motion made by Nathan Anderson and seconded by Joshua Rowe to table discussion on the former Family Dollar roof.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

A discussion was had regarding oaths.

Darla Hane was recently appointed to the Planning Commission and will take the oath at the end of today's meeting.

The village clerk will administer the oath to firefighters at their next monthly meeting on March 7th.

## 2. Petitions from the Public

Sandy Johnson expressed support for the Village Police and Fire Department from future disbandment.

Former Clerk Julie Dahlstrom thanked the village for their support over the past several years.

## 3. Street Department and Committee Report

Street Superintendent Marc Klein informed the council that a "crater", approximately, 70 to 80 feet long and 10 feet deep opened up this fall under the sidewalk of the former Ben Franklin/Monkey Business Building (Elm Street side, also a school bus stop location). This is a public safety issue. The owners have been contacted by the administrator, the snow was removed and a barrel left as a hazard indicator.

Motion made by Nathan Anderson and seconded by Virginia Dwyer to barricade the “crater/cavern” under the sidewalk of the former Ben Franklin/Monkey Business Building and U.P. Engineers and Architect be contacted to access the structural integrity of the sidewalk and road and area remain closed until it is deemed safe.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

Superintendent Klein also expressed concern that the partial median on 4th street has damaged, and remains a risk to Village Road Equipment and inquired about potential removal. The issue will be discussed in committee and a recommendation brought forward.

Motion made by Nathan Anderson and seconded by Joshua Rowe to accept the Street Department and Committee Report

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

#### 4. Resolution - Intent to Issue Capital Improvement Bonds

Village Attorney Jim Tercha presented a resolution for intent to issue capital improvements bonds not to exceed \$500,000 in order to replace aging snow removal equipment.

The resolution is a first step and does not commit the village to borrow money at this time.

Motion made by Nathan Anderson and seconded by Doug Harrer to accept the Resolution - Intent to Issue Capital Improvement Bonds.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Harrer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

#### RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS

Village of Calumet  
County of Houghton, State of Michigan

WHEREAS, the Village Council of the Village of Calumet, County of Houghton, State of Michigan (the “Village”), intends to issue and sell general obligation capital improvement bonds, pursuant to Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”), in one or more series, in an aggregate amount not to exceed Five Hundred Thousand Dollars (\$500,000) for the purpose of paying the cost to acquire snow removal equipment and street maintenance equipment and to acquire, construct, furnish and equip a public works garage, together with site improvements, interests in land, appurtenances and attachments thereto (the “Project”); and

WHEREAS, a notice of intent to issue the bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 517 of Act 34.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Village Clerk is hereby authorized and directed to publish a notice of intent to issue bonds in *The Daily Mining Gazette*, a newspaper of general circulation in the Village.
2. Said notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the form set forth in Appendix A hereto and by this reference made a part hereof.
3. The Village Council does hereby determine that the form of notice of intent to issue bonds set forth in Appendix A to this resolution and the manner of publication directed is the method best calculated to give notice to the Village taxpayers and electors residing in the boundaries of the Village of the Village's intent to issue the bonds, the maximum amount of bonds to be issued, the purpose of the bonds, the source of payment for the bonds, and the right of referendum relating thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.
4. The Village makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:
  - (a) As of the date hereof, the Village reasonably expects to reimburse itself for the expenditures described in (b) below with proceeds of debt to be incurred by the Village.
  - (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were paid subsequent to sixty (60) days prior to the date hereof.
  - (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$500,000.
  - (d) A reimbursement allocation of the expenditures described in (b) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Project is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the Village's use of the proceeds of the debt to be issued for the Project to reimburse the Village for a capital expenditure made pursuant to this resolution.
5. The Village hereby approves the retention of Miller, Canfield, Paddock and Stone, P.L.C., as bond counsel in connection with the bonds.
6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

## 5. Public Safety Report

Police Chief Keith Anderson updated the council about:

- Service call trends.
- Meth use in the community and continued partnership with the Upper Peninsula Substance Abuse Enforcement Team on the issue.

- Chief Anderson will be attending a previously approved Medical and Legal Death Investigation Training.
- A MBT Computer Counsel was recently installed in a patrol car as part of a Houghton County Sheriff Department 911 Fund Grant, providing mobile database and record Access.

A discussion was had regarding law and ordinance discretion and enforcement.

A discussion was had regarding perceptions of the future state of the fire department. Clarification was provided by President Geisler that the council has no intention of dissolving the fire department at this time and any future decisions will be on the agenda and open to public comment.

Motion made by Roxanne King and seconded by Nathan Anderson to accept the Public Safety Report.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

## 6. Minutes

A motion was made by Nathan Anderson and seconded by Roxanne King to table meeting minutes from November 2018, December 2018, and January 2019 until the next meeting, and that individual trustees should submit all proposed changes to the clerk within in the next two weeks and the amended proposed minutes be provided back to the council no later than the Wednesday prior to the next regular meeting.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

## 7. Recording of Council Meetings

A motion was made by Nathan Anderson and seconded by Joshua Rowe to use the clerk's laptop to video record all regular and special meetings of the village council and be made available to the trustees, president, and anyone that should come and request them at the office.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King

No: Mihelcich

Motion Carried

8. FOIA (Freedom of Information Act)

Peggy Germain expressed concerns to the council regarding unfulfilled, delayed, or partially filled FOIA requests. The FOIA request procedure was clarified.

9. Resolution - Reinstatement of State Historic Tax Credits

Motion made by Nathan Anderson and seconded by Roxanne King to accept a Resolution - Reinstatement of State Historic Tax Credit.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

RESOLUTION IN SUPPORT OF THE REINSTATEMENT OF STATE  
HISTORIC TAX CREDITS  
SENATE BILL 54/HOUSE BILL 2100

Village of Calumet  
County of Houghton, State of Michigan

WHEREAS, the historic buildings, neighborhoods and places in Michigan villages, towns and cities distinguish each community and provide character and a sense of place that contribute significantly to the quality of life and the economic benefits enjoyed in and by each community; and

WHEREAS, the preservation and rehabilitation of historic buildings, places and neighborhoods contributes to the beauty, character, and economic vitality of Michigan communities; and,

WHEREAS, the labor-intensive nature of historic rehabilitation creates jobs and investment in local businesses and has been proven to generate more economic activity than equivalent investment in new construction; and

WHEREAS, demolition or destruction of historic buildings creates costs to Michigan and its communities by destroying the often-irreplaceable construction and ornamental materials of each structure and by adding significantly to landfills, whose makeup is estimated to be more than 40 percent building materials and waste; and

WHEREAS, development and redevelopment within established villages, townships and cities is encouraged by Governor Whitmer; and

WHEREAS, many public policies and financial and lending practices and policies create disincentives or barriers to the preservation, renovation and rehabilitation of historic buildings and resources and create a preferential financial environment for new construction; and

WHEREAS, Michigan has measured the economic impacts of the former Michigan Historic Tax Credit programs between their enactment in 1999 and their elimination in 2011 and seen significant positive direct impacts on the revitalization of neighborhoods and communities, the preservation and creation of affordable and market-rate housing, the creation of skilled local jobs, and the subsequent private investment in areas surrounding tax-credit-driven revitalization projects; and

WHEREAS, each \$1.00 of credit issued leverages \$11.37 in direct economic impact, such that the former Michigan Historic Tax Credit programs during their twelve-year history have leveraged \$251 million in Federal historic tax credits that otherwise would not have returned to Michigan, spurred \$1.46 billion in direct rehabilitation activity, and created 36,000 jobs; and

WHEREAS, the Michigan Legislature is presently considering Senate Bill 54 and House Bill 4100 that would

reinstate an up-to-25 percent investment tax credit for owners of historic residential and commercial properties who substantially rehabilitate their properties;

NOW, THEREFORE, BE IT RESOLVED that the Village Council of the Village of Calumet endorses and supports both Senate Bill 54 and House Bill 4100 and calls upon the Michigan Legislature to pass this important legislation and Governor Whitmer to sign it, in order to stimulate appropriate development and redevelopment and protect the historic character and quality of life of our communities.

BE IT FURTHER RESOLVED THAT a copy of this Resolution be forwarded to the Michigan Historic Preservation Network.

## 10. Office Report

Administrator Snow provided an update on budget development, Elm Street project Timeline, and the Administrator candidate search. The Administrator is seeking approval for renewal of accounting software in the amount of \$1608.90.

A motion was made by Nathan Anderson and seconded by Virginia Dwyer to approve an expenditure of \$1608.90 for renewal of accounting software.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

A discussion was had regarding the roles of the council and the administrator.

A motion was made by Nathan Anderson and seconded by Roxanne King that a log of complaints be kept in the office and be made available to village trustees.

President David Geisler polled the Council:

Yes: Anderson

No: Geisler, Dwyer, Rowe, King, Mihelcich

Motion Defeated

Administrator Joe Snow provided an update regarding the collapsed building on 7th Street that damaged the Public Works building. The owner has been contacted. Village Attorney Jim Tercha recommended repair bills related to the Public Works building be submitted to the insurance company.

Motion made by Joshua Rowe and seconded by Roxanne King to accept the Office Report.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

## 11. Finance & Personnel Report



President Geisler updated the council on recommendations to increase wages for part-time employees in the street department, as well as terms of employment for the Village Administrator to continue temporarily for an additional 60 days beyond the end of his current contract.

A motion was made by Nathan Anderson and seconded by Roxanne King to approve an increase for part-time employees from \$12 to \$14 per hour effective February 18, 2019.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

A motion was made by Nathan Anderson and seconded by Roxanne King to approve for the next 60 days the Administrator, Joe Snow will be reimbursed for his comp time at the amount \$2937.25 and will carry over 96 hours of sick time, and will work for the village at a rate of \$30 per hour for 35 hours per week.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

A motion was made by Roxanne King and seconded by Virginia Dwyer to accept the Finance and Personnel Report.

President David Geisler polled the Council:

Yes: Geisler, Dwyer, Rowe, Anderson, King, Mihelcich

No: None

Motion Carried

## 12. Ordinance Report

A motion was made by Nathan Anderson and seconded by Joshua Rowe that the ordinance committee begin work on drafting a Medical Marijuana (Marihuana) Ordinance to come before the council.

President David Geisler polled the Council:

Yes: Geisler, Rowe, Anderson, King, Mihelcich

No: Dwyer

Motion Carried

A motion was made by Roxanne King and seconded by Nathan Anderson to accept the Ordinance Report.

President David Geisler polled the Council:

Yes: Geisler, Rowe, Anderson, King, Mihelcich  
No: Dwyer  
Motion Carried

### 13. DDA Report

A motion was made by Nathan Anderson to nominate himself to sit on the DDA Steering Committee regarding the Sachs Property on 5th Street.  
No Second. Motion Failed.

A motion was made by Virginia Dwyer, and seconded by Roxanne King to deny the DDA from accepting the Sachs Property under the conditions currently set forth.

President David Geisler polled the Council:

Yes: Rowe, Anderson, King, Mihelcich, Dwyer

No: Geiser

Motion Carried

A discussion was had regarding DDA property development efforts. President Geisler will ask the the DDA Executive Director to attend the next regular council meeting.

### 14. HDC Report

No Report

### 15. Planning Commission

A motion was made by Virginia Dwyer that the Ordinance Committee consider drafting an ordinance possibly permitting short term rental (along the lines of Airbnb) in residential neighborhoods.

No second. Motion withdrawn.

### 16. Zoning Board of Appeals - Did not meet

### 17. Bills

President David Geisler presented bills:

New bills: \$20,017.16

Bills paid prior: \$40,327.66

A motion was made by Roxanne King and seconded by Virginia Dwyer to pay bills.  
President David Geisler polled the Council:

Yes: Geisler, Rowe, King, Mihelcich, Dwyer  
No: Anderson  
Motion Carried

18. Adjournment

A motion to adjourn was made by Nate Anderson and seconded by Roxanne King.

President David Geisler polled the Council:

Yes: Geisler, Rowe, Anderson, King, Mihelcich, Dwyer

No: None

Motion Carried, meeting adjourned at 9:15 PM

Respectfully Submitted,

Kevin P. Weir  
Calumet Village Clerk  
February 23, 2019