

CITY OF HANCOCK  
COUNCIL MEETING MINUTES  
WEDNESDAY, APRIL 21, 2021 6:00 PM  
CITY COUNCIL CHAMBERS/ZOOM

6:00 P.M

Public Hearing: Rural Development Police Car Grant

None

Council member Lytle mentioned he is at 411 Cooper Ave. in Hancock, MI and will be attending the meeting remotely.

Discussion on Resolution # 21-07 and making an amendment about the 18-hour notice, changing it to less for those that may become sick the day of.

Call to order and pledge of allegiance  
Roll Call and verification of quorum

Present: Blau, Lytle, Freeman, LaBine, Rickard, Haeussler  
Excused Absence: Warstler

Also present: Grant Dossetto, Linda, Mary Miller, Michael Markham, Joshua Visser, Michele Blau, Chris Jaehnig, Whitney Warstler, Susan Burak, Marcia Goodrich, Andy Lahti and other members of the community.

Motion by Councilor Rickard and supported by Councilor Haeussler to approve agenda.

Yes: All  
No: None  
Motion Carried

Communications-

Charter Communications  
State of Michigan Public Service Commission  
Kangas Family

Motion by Councilor Blau and supported by Councilor Freeman to put-on-file the communications

Yes: All  
No: None  
Motion Carried

Public Comment- Anyone wishing to address the council will be recognized by the Mayor at this time. Marcia Goodrich from 627 Lake Ave, thanked everyone for their support.

Review and Acceptance of Meeting Minutes

Motion by Councilor Rickard and supported by Councilor Haeussler to review and accept the meeting minutes of the Cemetery Board of Trustees from 10-13-2020, Planning Commission from 3-22-2021, and the PLWSA from 3-9-2021

Yes: All

No: None

Motion Carried

Administrative Report

Dog Park

Property Tax Value Analysis

PLWSA

Fruit trees planted around the City by Keweenaw Youth for Climate Action

New Business

Motion by Councilor Blau and supported by Councilor Freeman to approve accounts payable in the amount of \$471,660.08.

Roll Call:

Yes: Haeussler, Rickard, LaBine, Freeman, Lytle, Blau

No: None

Motion Carried

Motion by Councilor Rickard and supported by Councilor Blau to approve Resolution #21-08 to release lot 27 from the Spruce Haven Restrictive Deed Covenants.

Roll Call:

Yes: Blau, Lytle, Freeman, LaBine, Rickard, Haeussler

No: None

Motion Carried

Motion by Councilor Blau and supported by Councilor Haeussler to accept the Portage Health Foundation Grant for the Hancock Tori/Farmer's Market in the amount of \$5,000.

Yes: All

No: None

Motion Carried

Motion by Councilor Rickard and supported by Councilor Haeussler to award of Hancock Sewer Repairs Phase II, FEMA PW 157 and Tezcuco Street wall removal and restoration in the amount of \$199,444.00 to Portage Lake Construction.

Roll Call:

Yes: Haeussler, Rickard, LaBine, Freeman, Lytle, Blau

No: None

Motion Carried

Motion by Councilor Lytle and supported by Councilor Rickard to approve the language change for the purchase agreement for 201 East Franklin St. property to Red Jacket Construction from " Buyer Shall complete construction" to "buyer shall commence Construction" of the project within 1 year.

Motion by Councilor Haeussler and supported by Councilor Rickard to put an amendment on the motion that states a completion date of August 31<sup>st</sup>, 2022 shall be included in the contract.

Yes: All

No: None

Motion Carried

Original Motion

Yes: All

No: None

Motion Carried

Public Comment- Anyone wishing to address the council will be recognized by the Mayor at this time.  
None

Council Member Comments

Council Member Haeussler informed everyone what Marcia Goodrich spoke about at the 1<sup>st</sup> public Comment. She is a member of Wildwoods group and they received a partial grant to plant some Native trees along Tezcuco St, above Porvoo Park.

Motion by Councilor Rickard and supported by Councilor Haeussler to adjourn the meeting at 6:40 p.m.

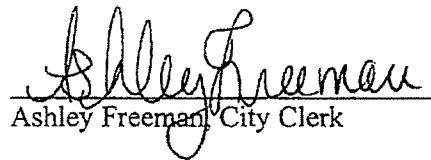
Yes: All

No: None

Motion Carried



Paul LaBine, Mayor



Ashley Freeman, City Clerk

**CITY OF HANCOCK**

**RESOLUTION 21-08**

**RE: LOT 27, SPRUCE HAVEN ESTATES**

WHEREAS, the City of Hancock owns 13 lots out of 27 lots of Spruce Haven Estates (formerly known as Bulldog Heights), a residential housing development established in the City (the "Development");

WHEREAS, the Development is subject to restrictive deed covenants that prohibit "business, trade, or enterprise" in the Development, recorded September 9, 2002, as MS 125/389 of Houghton County Records (the "Restrictive Deed Covenants");

WHEREAS, the City has received a purchase offer from a prospective buyer of Lot 27 contingent on the lot's ability to be used for commercial enterprise;

WHEREAS, the Restrictive Deed Covenants provide that they may be modified only upon the "written, recorded consent of the owners of at least 50% of the lots" in the Development;


WHEREAS, the City owns 48% of the lots in the Development, and the consent of an additional lot owner to the modification regarding Lot 27 would meet the 50% requirement;

WHEREAS, the owners of Lot 15 in the Development, Mark Dennis and Joy Dennis, would be willing to so consent, upon the consent of the City;

WHEREAS, upon the consent of the City and the Dennises, a Release of Restrictive Deed Covenants instrument, in substantially the form as Attachment A, executed and recorded, would release Lot 27 from the non-commercial provisions of the covenants and allow Lot 27 to be sold and developed as a commercial property;

NOW THEREFORE BE IT RESOLVED, that the City of Hancock, State of Michigan:

1. Consents to the modification of the Restrictive Deed Covenants by releasing Lot 27 of the Development from the covenants; and
2. The Mayor is authorized and directed, on behalf of the City, to execute and record the Release of Restrictive Deed Covenants instrument, in substantially the form as Attachment A; and
3. City staff is authorized and directed to pursue the purchase offer from the prospective buyer of Lot 27 and inform the buyer the lot has been released from the Restrictive Deed Covenants and may be used for commercial enterprise to the extent permitted by applicable law.

  
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Paul LaBine, Mayor

  
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Ashley Freeman, City Clerk