

CITY OF HANCOCK COUNCIL MEETING & PUBLIC HEARING MINUTES
WEDEDSDAY, SEPTEMBER 18, 2024 AT 6:00 PM
HANCOCK CITY HALL, 399 QUINCY STREET

Public Hearing 6:00 P.M.– Ordinance 314 to amend Chapter 53 Cross Connection of the Code of Ordinances.
City Manager, Babcock gave an overview of the ordinance.

No Public Comments

Regular Meeting - 6:07 P.M.

Call to order and pledge of allegiance led by Mayor Kurt Rickard

Roll Call and verification of quorum

Present: Blau, McKenzie, Freeman, Rickard, Tanner, Lounibos, Warstler

Absent: None

Also Present: Mary Babcock, Linda Kalinec, John Erickson, Kyle Forsman; John Zurcher; Jim Quinlan; Phi Kappa Tau representative, Michael Markham, Garrett Neese, John Jaehnig, Bethany Jaehnig, Glenn Anderson, Carolyn Dekker and other members of the public.

Review and approval of agenda

Motion by Councilor Tanner and supported by Councilor Freeman to approve the agenda as presented.

Yes: All

No: None

Motion Carried

Public Comment

- Carolyn Dekker, 1014 N. Elevation St. – commented in support of Ordinance 316.
- John Jaehnig, 708 Ryan St. – commented on the water rate increase and in support of Ordinance 316.
- Kyle Forsman, lives on Quincy hill, - addressed the City Council he would like to purchase a parcel of land owned by the City of Hancock located in Franklin Township, parcel # 31-011-310-069-00.

Communications

Canal Run Thank you

EGLE Cross Connection Pamphlet

Motion by Councilor Warstler and supported by Councilor McKenzie to place on file the communications as presented.

Yes: All

No: None

Motion Carried

Review and acceptance of meeting minutes

Motion by Councilor McKenzie and supported by Councilor Tanner to accept and place on file the Portage Lake Water and Sewer Authority August 13, 2024 meeting minutes and the Recreation Commission Regular meeting minutes of July 9, 2024 as presented.

Yes: All

No: None

Motion Carried

Review and approval of City Council meeting minutes

Motion by Councilor Blau and supported by Councilor Tanner to approve and place on file the City Council Regular Meeting Minutes of August 21, 2024 and the Joint City Council, Planning, DDA Meeting Minutes of September 9, 2024 as presented.

Yes: All

No: None

Motion Carried

Administrative Reports

City Manager, Babcock, gave update on the following:

- Congratulations to the City of Houghton for winning the Michigan Municipal League's Community Excellence Award.
- Resident calls regarding political signs at different locations in the City. The property above the Front Street wall is privately owned and signs along US41 are allowed for any party. If there are signs on City of Hancock property they are removed.
- End of Summer Celebration was a success. The many volunteers and the Fire Department were instrumental in the success of the event.
- Michigan Tech's cardboard boat races will be held at Hancock Beach on October 4th.
- Make-A-Difference Day in Hancock will be held on October 26th, more information to follow next month.
- The Hancock Business Association is busy planning the Annual Christmas Walk for November 29th.
- Heikinpäivä will be on January 25th.
- Both Category B projects have been completed and are open to traffic. We will be working on getting the Prospect St. lots ready to put on the market.
 - North and Prospect Street came in \$17,000 under budget.
 - Minnesota Street came in as budgeted.
- We have an open position on the Cemetery Board.
- Bette Chavis will be presented with a key to the City on September 28th in celebration of her 90th birthday.

DPW Director, Erickson, gave updates on the following:

- DWAM work is continuing, have located a couple of cracked lines during the process, will work on repairing those.
- Garbage pickup, reminder garbage needs to be out at 6:00 am, they are working on the best route.
- HOCO Arena ice rink is up and running for the season and there will be open skating again.
- The Disc Golf course baskets and tees are in place.

Clerk/Treasurer, Kalinec, gave updates on the following:

- Election preparations – Overseas ballots to go out by this weekend, AV ballots are to be available on or around 9/26.
- Mary DeMarois, our summer intern is continuing to work part-time, she has been working on scanning and organizing property record cards to the server and has labeled and organized our maps we have stored in the back.

New Business

1. Motion by Councilor Blau and supported by Councilor McKenzie to approve the current accounts payable in the amount of \$7,673,016.84.

Roll Call:

Yes: Warstler, Lounibos, Tanner, Rickard, Freeman, McKenzie, Blau

No: None

Motion Carried

2. Motion by Councilor McKenzie and supported by Councilor Tanner to approve the Superior Sand and Gravel bid for 2024/2025 winter snow hauling bid at \$98.00 per hour.

Roll Call:

Yes: Blau, McKenzie, Freeman, Rickard, Tanner, Lounibos, Warstler

No: None

Motion Carried

3. Motion by Councilor McKenzie and supported by Councilor Warstler to approve the Superior Sand and Gravel bid for 2024-2025 winter sand at \$13.45 per ton delivered plus stacker rental at \$46/hour plus \$675 for mobilization.

- a. Motion by Councilor McKenzie and supported by Councilor Warstler to amend the motion and remove “plus stacker rental at \$46/hour plus \$675 for mobilization.”

Yes: All

No: None

Motion Carried

Motion by Councilor McKenzie and supported by Councilor Warstler to approve the Superior Sand and Gravel bid for 2024-2025 winter sand at \$13.45 per ton delivered.

Roll Call:

Yes: Warstler, Lounibos, Tanner, Rickard, Freeman, McKenzie

No: Blau

Motion Carried

4. Motion by Councilor McKenzie and supported by Councilor Tanner to approve the Portage Lake Construction quote to complete the Wright Street retaining wall repair construction at \$32,550.

Roll Call:

Yes: Blau, McKenzie, Freeman, Rickard, Tanner, Lounibos, Warstler

No: None

Motion Carried

5. Motion by Councilor Blau and supported by Councilor Tanner to approve change order #2 for the 2022 Sewer Improvements in the amount of a decrease of \$12.54.

Roll Call:

Yes: Warstler, Lounibos, Tanner, Rickard, Freeman, McKenzie, Blau

No: None

Motion Carried

6. Motion by Councilor Warstler and supported by Councilor Lounibos to approve MJO Contracting, Inc. payment application #6 for the 2022 Sewer Improvements in the amount of \$116,332.49.

Roll Call:

Yes: Blau, McKenzie, Freeman, Rickard, Tanner, Lounibos, Warstler

No: None

Motion Carried

7. Motion by Councilor Blau and supported by Councilor Tanner to approve change order #1 for the North & Prospect Streets Category B project in the amount of a decrease of \$17,378.50.

Roll Call:

Yes: Warstler, Lounibos, Tanner, Rickard, Freeman, McKenzie, Blau

No: None

Motion Carried

8. Motion by Councilor McKenzie and supported by Councilor Warstler to approve FA Industrial Services, Inc. payment application #2 for the North & Prospect Streets Category B project in the amount of \$102,793.39.

Roll Call:

Yes: Blau, McKenzie, Freeman, Rickard, Tanner, Lounibos, Warstler

No: None

Motion Carried

9. Motion by Councilor Warstler and supported by Councilor Tanner to approve B&B Contracting, Inc. payment application #2 for the Minnesota St. Category B project in the amount of \$291,003.34.

Roll Call:

Yes: Warstler, Lounibos, Tanner, Rickard, Freeman, McKenzie, Blau

No: None

Motion Carried

10. Motion by Councilor McKenzie and supported by Councilor Tanner to adopt Ordinance 314 to amend Chapter 53 Cross Connection of the Code of Ordinances.

Roll Call:

Yes: McKenzie, Rickard, Lounibos, Warstler

No: Blau, Freeman, Tanner

Motion Carried

11. Motion by Councilor Warstler and supported by Councilor Tanner to introduce Ordinance 316 to amend Chapter 91 of the Code of Ordinances.

Roll Call:

Yes: Warstler, Lounibos, Tanner, Rickard, McKenzie

No: Freeman, Blau

Motion Carried

12. Motion by Councilor Blau and supported by Councilor Tanner to schedule a special meeting and public hearing for October 2, 2024 at 6:00 pm.

Yes: All

No: None

Motion Carried

Public Comment

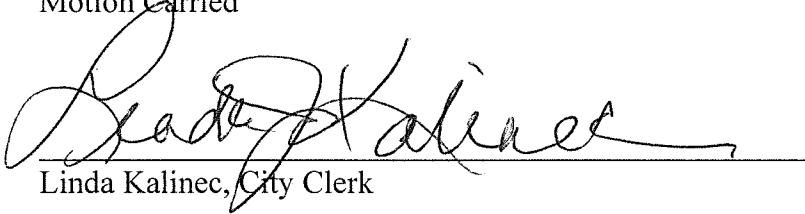
- Bethany Jaehnig, 708 Ryan St. – commented on the closure of White Street for and why the school wasn't notified, the bus dropped her daughter off at a different location due to the closure, she was called after they had dropped her off.
 - DPW Director, Erickson responded, normally the school is notified, the street wasn't scheduled to be closed that day. In the future we will do a better job of making sure the school is notified of street closures.
- Jim Quinlan, Navy St. Condominiums – will the Navy St. extension be on the October 2nd special meeting agenda?
 - Manager, Babcock, responded that it would not be on the agenda.

Council Member Comments

Time was provided for council members to promote, discuss and/or comment on items not on the agenda.

Motion by Councilor Blau and supported by Councilor Warstler to adjourn the meeting at 7:15 p.m.

Yes: All
No: None
Motion Carried



Linda Kalinec, City Clerk

~~CHAPTER 53: WATER SUPPLY CROSS CONNECTION~~

~~Section~~

~~53.01 Adoption of state water supply cross connection rules~~

~~53.02 Inspection of possible cross connections~~

~~53.03 Right of entry for inspection purposes~~

~~53.04 Discontinuance of water service~~

~~53.05 Labeling of water outlets~~

~~53.06 Supplementary to state codes~~

~~53.07 Device testing~~

~~53.99 Penalty~~

~~§ 53.01 ADOPTION OF STATE WATER SUPPLY CROSS CONNECTION RULES.~~

~~The city adopts by reference the water supply cross connection rules of the Michigan Department of Public Health being R325.11401 to R325.11407 of the Michigan Administration Code; and each and all of the regulations, provisions, penalties conditions and terms of the said water supply cross connection rules of the Michigan Department of Public Health are hereby referred to, adopted and made a part hereof, as if fully set out in this chapter.~~

~~(Ord. 104, passed 1-10-73; Am. Ord. 290, passed 2-18-15)~~

~~§ 53.02 INSPECTION OF POSSIBLE CROSS CONNECTIONS.~~

~~It shall be the duty of the City Manager to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the City Manager and as approved by the Michigan Department of Public Health.~~

~~(Ord. 104, passed 1-10-73)~~

~~§ 53.03 RIGHT OF ENTRY FOR INSPECTION PURPOSES.~~

~~The representative of the city shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the city for the purpose of inspecting the piping system or systems thereof for cross connections. On request the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.~~

~~(Ord. 104, passed 1-10-73) Penalty, see § 53.99~~

~~§ 53.04 DISCONTINUANCE OF WATER SERVICE.~~

~~The city is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this chapter exists, and to~~

~~take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this chapter.~~

~~(Ord .104), passed 1-10-73)~~

~~§ 53.05 LABELING OF WATER OUTLETS.~~

~~(A) The potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this chapter and by the state and city plumbing code.~~

~~(B) Any water outlet which could be used for potable or domestic purposes, and which is not supplied by the potable system must be labeled in a conspicuous manner as:~~

~~WATER UNSAFE FOR DRINKING~~

~~(Ord. 104; passed 1-10-73) Penalty, see § 53.99~~

~~§ 53:06 SUPPLEMENTARY TO STATE CODES.~~

~~This chapter does not supersede the state plumbing code and plumbing ordinance but is supplementary to them.~~

~~(Ord. 104, passed 1-10-73)~~

~~§ 53.07 DEVICE TESTING;~~

~~All testable backflow prevention assemblies shall be tested at the time of installation or relocation and after any repair. Subsequent testing of devices shall be conducted (by owners of devices) every three years and in accordance with Michigan Department of Environmental Quality requirements. Only individuals that hold a valid Michigan plumbing license and have successfully passed an approved backflow testing class shall perform such testing. Each tester shall also be approved by the City of Hancock. Individuals(s) performing assembly testing shall certify the results of his/her testing.~~

~~(Ord, 290, passed 2-18-15)~~

~~§ 53.99 PENALTY.~~

~~Any person or customer found guilty of violating any of the provisions of this chapter, or any written order of the (name of inspection agency or name of water utility), in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$100 for each violation. Each day upon which a violation of the provisions of this act shall occur shall be deemed a separate and additional violation for the purpose of this chapter.~~

~~(Ord. 104, passed 1-10-73)~~

ORDINANCE 314
TO AMEND CHAPTER 53 CROSS CONNECTION OF THE CODE OF ORDINANCES

An ordinance regulating cross connections with the public water supply system, i.e., a connection or arrangement of piping or appurtenances through which water of questionable quality, wastes or other contaminants can enter the public water supply system.

Be it ordained by the City of Hancock (City) State of Michigan:

That the City adopts by reference the water supply cross connection rules of the Michigan Department of Environmental, Great Lakes, and Energy (EGLE) being R325.11401 to R325.11407 of the Michigan Administration Code

That it shall be the duty of the City Manager to cause inspections to be made of all properties served by the public water supply where cross connections with the public water supply is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the City Manager and as approved by EGLE.

That the representative of the city shall have the right to enter at any reasonable time any property served by a connection to the public water supply system of the city for the purpose of inspecting the piping system or systems thereof for cross connections. On request the owner, lessees or occupants of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when requested, shall be deemed evidence of the presence of cross connections.

That the City of Hancock Water Department is hereby authorized and directed to discontinue water service after reasonable notice to any property wherein any connection in violation of this ordinance exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water supply system. Water service to such property shall not be restored until the cross connection(s) has been eliminated in compliance with the provisions of this ordinance.

That all testable backflow prevention assemblies shall be tested at the time of installation or relocation and after any repair. Subsequent testing of devices shall be conducted (by owners of devices) every three years and in accordance with EGLE requirements. Only individuals that hold a valid Michigan plumbing license and have current ASSE S110 Certification and each tester shall also be approved by the City. Individual(s) performing assembly testing shall certify the results of his/her testing.

That the potable water supply made available on the properties served by the public water supply shall be protected from possible contamination as specified by this ordinance and by the state and Houghton County plumbing code.

(A) Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous manner as:

WATER UNSAFE FOR DRINKING

This chapter does not supercede the state plumbing code and plumbing ordinance but is supplementary to it.

That all testable backflow prevention assemblies shall be tested at the time of installation or relocation and after any repair. Subsequent testing of devices shall be conducted (by owners of devices) every three years and in accordance with EGLE requirements. Only individuals that hold a valid Michigan plumbing license and have current ASSE S110 Certification and each tester shall also be approved by the City. Individual(s) performing assembly testing shall certify the results of his/her testing.

That any person or customer found guilty of violating any of the provisions of this ordinance, or any written order of the City of Hancock Water Department, in pursuance thereof, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$100 for each violation. Each day upon which a violation of the provisions of this act shall occur shall be deemed a separate and additional violation for the purpose of this chapter.

This ordinance was adopted and enacted by the City Council of the City of Hancock, Houghton County, Michigan on the 18th day of September 2024. Effective the 18th day of October 2024.



Kurt Rickard, Mayor



Linda Kalinec, City Clerk