

Crystal Falls, Michigan

April 9, 2007

A regular meeting of the Council for the City of Crystal Falls was held in the Council Chambers of the City Hall on Monday, April 9, 2007, at 5:00 P.M. Central Time.

Roll Call: Mayor Hendrickson, Councilors Heikkinen, Smokevitch, Bicigo, and Valesano.

Absent: None

Also Present: City Manager Nordeman, City Attorney Lawrence, and City Clerk/Treasurer Olson.

In attendance in the audience were: Jeff Sjoquist, Lynn Perry, Ron Basso, Julie Melchiori, Larry Bicigo, Charlie Sandstrom, Pete Nocerini, Gerard Valesano, and John Lortie.

Mayor Hendrickson led the reciting of the Pledge of Allegiance and immediately following asked for a moment of silence in honor of Joseph Clark Schwedler, a Navy SEAL, killed in action in Al Anbar province, Iraq, on April 6, 2007.

Councilor Bicigo seconded by Councilor Smokevitch moved to accept a bid from John Deere for a John Deere X300R Tractor with a 42" Rear Discharge Deck for \$3,289.19 for use at the cemetery.

Motion carried.

(There was one other bid from U.S.2 Rental, Inc. for a Toro 5xi Series lawn tractor in the amount of \$5,699.00.)

Charles Sandstrom presented the annual report from the Crystal Theatre Board.

Mayor Hendrickson seconded by Councilor Heikkinen moved to accept the Crystal Theatre annual report and release the City's annual contribution to the theatre in the amount of \$2,200.00.

Motion carried.

Councilor Valesano seconded by Councilor Heikkinen moved that the items on the Consent Agenda be approved as noted below:

1. The minutes of the regular meeting of March 12, 2007 and the special meetings of March 22, 2007 and April 3, 2007 as written.
2. The following reports for the month of March 2007:
 - A. Police report, as submitted by Police Chief Sherwin, indicating 274 complaints, of which 9 were closed by arrest, and logging of 2,577 miles on patrol duty.
 - B. Joint Fire Authority report, as submitted by Fire Chief Ahola, indicating answering three (3) fire calls; spending approximately 23 man-hours fighting fires;

and holding no practice and training sessions.

- C. Electric Dept Report as submitted by Chief Electrician David Graff.
- D. Public Works Dept report as submitted by Foreman Kelly Stankewicz.
- E. Treasurer's Revenue Report as submitted by Clerk/Treasurer Dorothea Olson.
- 3. Payrolls and Disbursements in the amount of \$306,116.09, and instructed the City Clerk/Treasurer to draw checks on the City Treasury in payment of same.
- 4. Resolutions of Recognition for the Forest Park Volleyball and Basketball Teams as follow:

*CITY OF CRYSTAL FALLS
RESOLUTION*

WHEREAS, the 2006-2007 Forest Park Trojan Volleyball Team has completed a successful season as reflected by their outstanding record of wins, and

WHEREAS, this Trojan Volleyball Team, through a combination of determination, hard work, loyalty, and teamwork, went beyond the regular season in pursuit of, and captured, the Class D District Championship, and

WHEREAS, the Lady Trojan spikers continued on even further to capture the Class D Regional Championship, and

WHEREAS, even though the Lady Trojans were stopped in the State Class D quarterfinal they have given everyone in the Crystal Falls area even something more to be proud of, and

WHEREAS, the Council for City of Crystal Falls is desirous of recognizing these fine young women and their coaches,

NOW THEREFORE BE IT RESOLVED, that the Crystal Falls City Council hereby extends its thanks and congratulations to these amazing people, who have proven to be wonderful ambassadors of this community, and fine examples of the City's slogan "City of Community Pride".

and

*CITY OF CRYSTAL FALLS
RESOLUTION*

WHEREAS, the 2006-2007 Forest Park Trojan Basketball Team completed a successful season as reflected by their outstanding record of wins, and

WHEREAS, this Trojan Basketball Team, through a combination of determination, hard work, loyalty, and teamwork, went beyond the regular season to capture the Class D District Championship, and

WHEREAS, this Trojan Basketball Team continued their winning ways to also capture the Class D Regional Championship, and

WHEREAS, even though this team was defeated in a quarterfinal game while in pursuit of the state championship they displayed outstanding sportsmanship, and

WHEREAS, the Council for City of Crystal Falls is desirous of recognizing these fine young men and their coaches,

NOW THEREFORE BE IT RESOLVED, that the Crystal Falls City Council hereby extends its thanks and congratulations to these remarkable people, who have proven to be first-rate ambassadors of this community, and further, have brought this "City of Community Pride" even more reason to be proud.

Ayes: Mayor Hendrickson, Councilors Heikkinen, Smokevitch, Valesano, and Bicigo. Nays: none

Motion carried.

The Planning Commission appointments were pulled from the consent agenda and will be considered at a future meeting.

Mayor Hendrickson reported on the DDA meeting held earlier in the day.

Councilor Valesano seconded by Councilor Heikkinen moved to approve the DDA expenditure of \$12.92 to Standard Printing for printed postcards.

Motion carried.

Julie Melchiori reported on the submission of the Notice of Intent for the downtown façade program.

Ron Basso reported that Hovey Companies has submitted an application to MSHDA for funding the manor project and has had positive feedback from MSHDA so far.

Councilor Valesano seconded by Councilor Bicigo moved to approve the billing from STS Consultants for the Phase I ESA Update to MSHDA in the amount of \$8,629.64.

Motion carried.

Action on the proposed Architect Agreement with Hovey Companies has been postponed pending clarification.

Jeff Sjoquist of Coleman Engineering updated the Council regarding the water project. He advised the Council that Bacco Construction of Iron Mountain is the apparent low bidder on the City's Water Main Transmission project and expects to award the bid in the near future.

Councilor Valesano seconded by Councilor Bicigo moved to approve the Family Medical Leave Act policy as follows:

FAMILY MEDICAL LEAVE POLICY

Under the Family Medical Leave Act of 1993 (FMLA), eligible employees are entitle to take up to twelve (12) weeks of unpaid leave each year for specific family and medical reasons. The City will not interfere with, restrain, or deny the exercise of any right provided by the FMLA and will not discharge, discriminate, or retaliate against any individual for exercising those rights. The City has posted notices explaining the rights and responsibilities of employers and employees under the FMLA and has provided an FMLA policy to each employee through its employee handbook. This policy; is intended to generally advise employees of their rights under FMLA and does not create additional rights beyond those enumerated in the act.

Eligibility - to be eligible you must:

1. Have worked for the city a total of 12 months;
2. Have worked a minimum of 1,250 hours in the previous 12 months.

Family and medical reasons for leave:

1. The addition of a child through birth, adoption, or foster care;
2. To care for an immediate family member (spouse, child or parent) with a serious health condition;
3. Your own serious health condition which prohibits you from working;

"Serious Health Condition: defined:

An illness, injury, impairment, or physical or mental condition that involves either:

1. Any period of incapacity or treatment connected with impatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical-care facility, and any period of incapacity or subsequent treatment in connection with such inpatient care; or
2. Continuing treatment by a health care provider which includes any period of incapacity (i.e., inability to work, attend school or perform other regular daily activities) due to a health conditions as defined in the Act.

"Health Care Provider" are those providers as defined in the Family Medical Leave Act of 1993.

Intermittent Leave: FMLA provides for the use of intermittent leave, which allows the employee to take leave in blocks of time or by reducing their normal daily or weekly work schedule, as MEDICALLY NECESSARY, to care for a seriously ill family member or due to their own serious health condition and associated inability to work subject to the following:

1. Intermittent leave for the addition of a child is subject to city approval.
2. Employees must attempt to schedule treatment/leave so as not to unduly disrupt business operations.

Requesting FMLA and Related Notices:

1. Employees must notify their immediate supervisor as soon as they become aware of their need for FMLA, or with a minimum of 30 day advanced notice when the need for leave is foreseeable.
2. If the City acquires knowledge that a leave is being taken for what may be a qualified FMLA reason, it will notify the employee within two business days (absent extenuating circumstances) that the leave is designated as FMLA leave.
3. Medical certification of the serious health condition (yours or the immediate family member you are going to care for) is required.

- 4. Second and third medical opinions or re-certification from the health provider may be required.
- 5. Periodic reports on prognosis and intent to return to work may be required.

Use of Paid Time off for FMLA leave

- 1. Employees may use up to five (5) of their accumulated sick leave days per calendar year for family medical leave.
- 2. Any employee granted FMLA leave may opt to use his/her vacation time to cover the leave period. Once such benefits have been exhausted, the leave will be without pay.

Health Insurance and Other Benefits

- 1. The city will maintain group health insurance for an employee on properly approved FMLA at the same level and on the same terms as if the employee continued to work.
- 2. If an employee fails to return from FMLA leave, the City will recover insurance premiums paid on the employee's behalf from the employee.

Restoration of Employment

- 1. Return to work or fitness for duty certificate is required.
- 2. Employees will be returned to their original job or an equivalent position with equivalent pay and benefits.
- 3. "Key" employees (salaried employees among the highest paid 10% within the organization) may be denied restoration of employment if it would cause substantial, grievous economic injury to the organization as designated in the Act.

Employees may obtain a complete copy of the Family Medical Leave Act from the City Clerk.

Motion carried.

Mayor Hendrickson seconded by Councilor Heikkinen moved to adopt the Health Insurance Portability and Accountability Act policy as follows:

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA) POLICY

The City of Crystal Falls will comply with the Health Insurance Portability and Accountability Act (HIPAA). The City requires that employees provide personal health information in order to receive reimbursements for deductibles, co-pays, and prescription drugs.

The City Clerk/Treasurer will serve as the HIPAA Privacy Official. The HIPAA Privacy Official is responsible for the security of any health information provided by the employees to the City and will develop written procedures for the handling of this information.

Motion carried.

Clerk Olson will incorporate the above two policies into the City of Crystal Falls Employee Handbook and distribute copies to all departments.

Manager Nordeman suggested the annual spring clean up be conducted at the Bristol Mine site on Friday, June 1st, and Saturday, June 2nd, from 8:00 am to 3:00 pm each day. The Council agreed.

Councilor Bicigo seconded by Councilor Valesano moved to accept a bid from Nordstrom Tree Service of Iron River in the amount of \$1,201.00 for the Vermeer Stump Grinder.

Motion carried.

The following is a list of all stump grinder bids received:

Nordstrom Tree Service	\$1,201.00
Zelinski Bros. Logging & Excavating	\$1,011.00
Kasbohm Custom Drilling, Inc	\$1,002.00
Larry Oss	\$375.00
Chris Ponchaud	\$355.00
Gregg Schiavo	\$257.00
Ray Niemi	\$202.99
William Porter	\$177.77

Crystal Falls, Michigan

April 9, 2007

Mayor Hendrickson seconded by Councilor Heikkinen moved to approve the 2007 Runkle Lake Park rates as follows:

CAMPING:

Sites #1-#17 \$22.00/day (Electric/Water/Sewer) or \$630/month*

Sites #18-#57 \$17.00/day (Electric/Water) or \$495/month*

*MONTHLY RATES REQUIRE 31 CONSECUTIVE DAYS OF CAMPING.

Motion carried.

Mayor Hendrickson seconded by Councilor Valesano moved to set the starting wage of seasonal/part-time employees at \$6.95/hour with an increase on July 1, 2007 to \$7.15/hour.

Ayes: Mayor Hendrickson, Councilors Smokevitch, Valesano, and Bicigo. Nays: Councilor Heikkinen.

Motion carried.

Councilor Valesano seconded by Councilor Heikkinen moved to allow request of Marietta Farrell (Frizzo) and Robert Hartung to use the Paint River Walkway for a wedding ceremony on June 30th at 10:00 am.

Motion carried.

Mayor Hendrickson seconded by Councilor Bicigo moved to offer the 325 John Deere lawn tractor for sale on bids with the minimum bid set at \$1,500.00.

Motion carried.

Councilor Heikkinen seconded by Mayor Hendrickson moved to adjourn this meeting of the City Council.

Motion carried.

Meeting adjourned at 6:45 pm.

PRESIDING OFFICER _____

PRESIDING CLERK _____