

REGULAR MEETING - HOUGHTON CITY COUNCIL
WEDNESDAY, MARCH 12, 2008 - 5:30 P.M.
CITY COUNCIL CHAMBERS, CITY CENTER

PRESENT: Mayor Eric Peterson, Mayor Pro-Tem Robert Backon, Councilors Rachel Lankton, Robert Megowen, Craig Kurtz, Gernot Joachim and Lee Hauswirth.

ABSENT: None.

Also present for the City were City Manager Scott MacInnes, Acting Deputy Clerk Paul Sorlie, Director of Public Works Mark Zenner, and Police Chief John Donnelly.

ALSO PRESENT: Representatives from the Daily Mining Gazette and WMPL, Derek Bradway, Jason Miller.

REGULAR MEETING: Mayor Peterson called to order a Regular Meeting of the Houghton City Council and the Pledge of Allegiance was recited.

APPROVAL OF PREVIOUS MINUTES: A motion was made by Lankton and seconded by Megowen to approve the minutes of February 27, 2008 as presented.

Yes: All

No: None

Motion carried.

REVIEW AND APPROVAL OF AGENDA: City Manager MacInnes added under New Business – Item F – Check Signatures and Item G – Personnel Committee.

OPPORTUNITY FOR PUBLIC TO ADDRESS COUNCIL: No one addressed the Council.

PETITIONS AND COMMUNICATIONS: None.

NEW BUSINESS: City Manager MacInnes reported on a request made to transfer a liquor license from the former Mancino's building to the new Mine Shaft/Rock House Hardwood Grille which will locate next to the Country Inn and Suites on Razorback Drive. Derek Bradway is one of the owners of the business under the name of Copper Country, Inc. and supplied the Council with a letter regarding his permit request. He is seeking an after-hours

permit which will allow him to provide all-night events for church groups and youth groups. He said that he will run this business with an above-board reputation of a high-quality nature providing food, entertainment and jobs to the community. There is a small outside patio on the building. Mr. Bradway said there are no plans to put outdoor entertainment on the patio beyond a speaker with some music.

A discussion was held about the after-hours license and how it will work. Mr. Bradway said it is illegal to allow anyone to bring their own alcohol onto the premises. No one is allowed to leave the premises with an open container. Under a regular license a bar must stop serving by 2:00 a.m. and must have everyone out of the bar by 2:30 a.m.

Police Chief Donnelly said that if anyone is having entertainment after 2:00 a.m. the police department would enforce this and not allow live music or entertainment after 2:30 a.m.

Mr. Bradway said the Rock House Hardwood Grille will be open for breakfast at 6:00 a.m.

Councilor Joachim reminded Mr. Bradway of the City of Houghton noise ordinance which goes into effect at 11:00 p.m. He also asked how often the after-hours entertainment would take place. Mr. Bradway said these would be organized events and would not be done on a weekly basis. He needs the permit so that these groups can karaoke.

The posted hours of operation for the food and beverage section will be from 6:00 a.m. to 10:00 p.m. The bar could stay open until 2:00 a.m. The bar will stay open after midnight as demand needs.

Scott MacInnes would like to add the following to the Resolution:

No outdoor entertainment/music will occur after 11:00 p.m.

Jason Miller, General Manager of the Country Inn and Suites told the Council that he welcomes the business as long as it is done in a responsible manner. He guarantees each of his guests a good night's sleep and expects that the noise level will decrease at 11:00 p.m.

City Manager MacInnes said that with the possible 24 hour open schedule, it will be difficult for the City to manage the problem if the Motel takes issue with noise after 11:00 p.m. The police can use their decibel meter; however, there was a problem with the Downtowner Bar and Downtowner Motel where the noise was a problem at night with patrons outside the bar making noise late at night.

Police Chief Donnelly said that there are always problems with 24-hour

restaurants because of the after bar customers. There were problems at Perkins during the night when they were open 24 hours. He said that the police department can absorb the restaurant and bowling part of the business as long as it is not an after-hours entertainment place for gatherings.

Jason Miller said he is comfortable with the situation and will work with Mr. Bradway if there are complaints by the Motel. He believes that they will be able to resolve their problems with minimal input from the police department.

Mr. Bradway did not apply for a topless license and it is not on the permit. The business will be non-smoking.

A motion was made by Kurtz and seconded by Megowen to adopt **Resolution 2008-1230** with attachment and add in Section 1 “music”. The Resolution will say “Including Attachment Letter Dated March 12, 2008.”

The Acting Deputy Clerk polled the Council:

Yes: Kurtz, Megowen, Backon, Peterson, Lankton, Joachim, Hauswirth

No: None

Motion carried.

REPORTS:

Director of Public Works Mark Zenner reported that crews hope to have the Nara Recreation sign installed this week. Crews are putting up the rough framing inside the building. The building should be completed this summer. Crews have been opening up blocked storm drains. They will be patching potholes as weather permits. There have been some frozen water lines which were thawed by a local contractor. The water plant was inspected by the DEQ and passed the inspection.

Police Chief John Donnelly reported that the department responded to 133 complaints. They had 12 accidents, 5 misdemeanor arrests, zero felony arrests, and 15 civil infractions. The parking officer left her employment for physical reasons. Chief Donnelly will come up with ideas to structure parking enforcement before the next meeting.

OLD BUSINESS:

City Manager MacInnes said the State Treasury Department notified him that there is a DDA Deficit in the audit. A motion was made by Lankton and seconded by Hauswirth to adopt **Resolution 2008-1231** – DDA Deficit Elimination Plan.

The Acting Deputy Clerk polled the Council:

Yes: Lankton, Hauswirth, Joachim, Peterson, Backon, Megowen, Kurtz

No: None

Motion carried.

City Manager MacInnes is discussing with Michigan Tech possible payments in lieu of taxes on the UPPCO building which they recently purchased.

NEW BUSINESS:

A motion was made by Joachim and seconded by Backon to approve the Accounts Payable for March 1-15, 2008 as presented.

The Acting Deputy Clerk polled the Council:

Yes: Joachim, Backon, Kurtz, Megowen, Peterson, Lankton, Hauswirth

No: None

Motion carried.

City Manager MacInnes reported that City Attorney Dave Mechlin reviewed the TV Franchise Agreement with Charter. It does continue the 3% franchise fee that the City collects. A motion was made by Megowen and seconded by Hauswirth to authorize the City Manager to sign the Franchise Agreement with Charter Communications.

The Acting Deputy Clerk polled the Council:

Yes: Megowen, Hauswirth, Joachim, Lankton, Peterson, Backon, Kurtz

No: None

Motion carried.

The homeowner of 101 E. Houghton Avenue has a rental license for four students. He would like to increase this license for six students. He has enough parking for six students. A public hearing will be scheduled for April 9, 2008 at 5:30 p.m.

The Budget Work Sessions will be scheduled as follows and will start at 5:00 pm:

April 2, 2008
April 30, 2008
May 6, 2008
May 21, 2008

A motion was made by Lankton and seconded by Joachim to authorize Deputy Treasurer Jodi Reynolds to sign checks.

The Acting Deputy Clerk polled the Council:

Yes: Lankton, Joachim, Hauswirth, Peterson, Backon, Megowen, Kurtz

No: None

Motion carried.

The Union Contracts require the City to have a Personnel Committee. A motion was made by Hauswirth and seconded by Kurtz to create a Personnel Committee and appoint Eric Peterson, Rachel Lankton and Robert Backon to it.

The Acting Deputy Clerk polled the Council:

Yes: Hauswirth, Kurtz, Megowen, Backon, Peterson, Lankton, Joachim

No: None

Motion carried.

Councilor Lankton asked that the entrance to the Carnegie Museum be cleaned.

A motion to adjourn was made by Lankton and seconded by Kurtz.

Yes: All

No: None

Motion carried.
Adjourned 6:40 p.m.

Paul Sorlie
Acting Deputy Clerk

