

Regular Meeting of the Common Council, City of Iron Mountain, County of Dickinson, Michigan held on Monday, July 16, 2007 at 6:30 p.m. in the Council Room:

Presiding: Mayor Tousignant
Present: Council Members Burke, Rigoni, Tchokreff, VanLaanen and Jacobs
Excused: Council Member Caudell
Also Present: City Atty. Pirkola

The agenda was approved as submitted with the removal and addition of the following: **Agenda**

- VI. New Business
 - ~~8. Appointment to the Police and Fire Civil Service Commission~~
 - 8. Sewer Policy
 - 9. Resignation of Rich Brook

The minutes of the previous meeting of July 2, 2007, and the Special Meeting of June 25, 2007, stand approved as submitted. **Minutes**

Public Comment

Bill Verette – CEO of Champion Inc. 180 Traders Mine Rd. – thanked the City Council and City Manager for their leadership to keep Champion Inc.’s headquarters in Iron Mountain. He presented a planned development of 90 acres of land on the north end of town, 20 acres in the City, and 70 acres that is currently in the process for annexation from the Township.

Robert Jayne – 1013 Stockbridge – had questions pertaining to the City Assessor that he would like answered in a public forum. Rich Brook’s contract required 30 days notice to resign, instead of the City Manager asking for Mr. Brook’s resignation, why didn’t the City Manager fire him to make it legal? Was the reassessment done in-house as approved at a previous Council meeting or not done in-house? Were David Legge, Brian Allen, Carl Little and others who appeared on the vendor’s reports independent contractors or not. If they are independent contractors, why are there no agreements on file? The contract calls for Brook to be paid \$50 per parcel, why were others paid by the City and not by Mr. Brook? The City has spent over \$200,000 on the reassessment. What will be the additional cost to finish the reappraisal? What percentage of the reappraisal has been completed? He said the City Council did nothing when the County Equalization director came and presented his concerns about the reappraisal. Also, he said the City Council approved the 2006/2007 budget and then a couple weeks later entered into a contract for a reappraisal at a cost of \$250,000 to \$300,000. There was no discussion on how to pay for this but a year later the Fund Balance was lowered by \$400,000 to pay for the expense.

Dale Alessandrini – 1120 Iron Mountain St. – asked about items #87 MIOSHA Penalty \$3,000, #115 Bob Perkins and #143 STS Consultants \$79,392. He said the Council has paid STS over \$376,000 and he thought that DPW Director Becotte was supposed to save engineering fees. He wanted to know if Mr. Becotte has engineered anything and why he didn’t do the survey for the sidewalks in front of the VA.

Old Business

None

New Business

Superintendent Dennis Chartier, Iron Mountain Public Schools, discussed keeping the School Liaison program and putting a request for .25 mills on the November ballot. Mr. Bob Strang, Central Principal, Mr. Scott McClure, East and North Principal and Mrs. Maryanne Boddy, High School principal, each made a presentation as to what a valuable resource Officer Mattson and the School Liaison program is to their respective schools. Superintendent Chartier wanted to reiterate the relationship built between the children and Officer Mattson. Council Member Tchokreff agrees that the School Liaison is a good program. Council Member Rigoni said he supports the program and would like to look into possibly putting the expense into the budget instead of having to vote on the millage every few years. Chief Flaminio gave the history of the School Liaison program, including that it was started by a grant. He said this is the ninth year of the program. Mayor Tousignant feels that the City Council is supportive of continuing the program.

**School Liaison
Officer**

No action taken.

Council Member VanLaanen asked if Norway and Kingsford have rescinded their Municipal Enforcement Agency status. City Manager Marquart said these cities have or are in the process. The Dickinson County Construction Code Commission will have the responsibility for issuing soil and sediment permits.

**MEA Soil and
Sediment**

It was moved by Rigoni and supported by Jacobs to relinquish the City's MEA status.

Motion prevailed unanimously

Council Member VanLaanen asked about tax exempt status in the past. City Manager Marquart stated that not for profit organizations have received tax exempt status in the past but this resolution makes it official. Council Member Rigoni clarified that the tax exempt status stays with the not for profit while they are rebuilding the home and then it goes on the tax roll when purchased from the not for profit.

**Tax-Exempt
Resolution**

It was moved by Burke and supported by VanLaanen to approve a resolution giving property tax exempt status to not for profit housing organizations.

Motion prevailed unanimously

City Attorney Pirkola explained that due to the City Charter, lease agreements must go through the ordinance process. Council Member Rigoni would like to remove paragraph #5, Options to Purchase, because he feels that decision should be left to future City Councils. Council Member VanLaanen agrees with Council Member Rigoni to leave out paragraph #5 (Exclusive Option to Purchase Land).

**Lease Agreement
North Star Industry**

It was moved Rigoni and supported by Tchokreff to have a public hearing for a real estate lease agreement in the form of an ordinance at the Monday, August 6, 2007 regular City Council meeting with the exclusion of paragraph #5 (Exclusive Option to Purchase Land).

Motion prevailed unanimously

Council Member Jacobs asked if the new sign ordinance would affect the Blomquist signage. City Manager Marquart does not believe the new sign ordinance will be approved before construction starts on the Blomquist development. Council Member VanLaanen asked if a time limit should be place on the Special Use Permit. Council Member Rigoni said concerns can be addressed when the purchase agreement is drafted. It was moved by Rigoni and supported by Tchokreff to approve the Special Use Permit

**Special Use Permit
Blomquist**

New Business(Cont.)

to Mr. Blomquist for two drive up windows as recommended by the Planning Board

Roll call was taken:

Ayes: (5) Rigoni, Tchokreff, Jacobs, Burke and VanLaanen

Nays: (0)

Abstain: (1) Tousignant

Motion Carried.

It was moved by VanLaanen and supported by Tchokreff to a renew a yearly membership with CUPPAD at a cost of \$1,631.

**CUPPAD
Membership**

Motion prevailed unanimously

Council Member VanLaanen would like an action plan with specifics from the Planning Board about what could be done with trails at this time. Council Member Jacobs would like to display the proposed trail plan at the City Park Pavilion open house. Mayor Tousignant would like to see a formalized trail plan. Council Member Rigoni said a committee of interested citizens could assist the Planning Board for a trail system. Council Member Burke asked if grants would be available. Mayor Tousignant thought that grants are available. Council Member VanLaanen stated the more detailed the plan, the easier it is to apply for grants. Mayor Tousignant noted the Community Excellence grant could be a place for a regional trail discussion.

**Trail System
Discussion**

No action taken.

The City Manager stated the policy was for non-resident access to the sanitary sewer system. Council Member Rigoni sees this policy as a way to help with development going through annexation or entering 425 agreements. Mayor Tousignant said the policy states there must be a pending 425 agreement or petition for annexation. He said the City desires to have 425 agreements with the Township. Council Member Rigoni stated that the sewer rate is doubled for non-residents.

**Non-Resident
Sewer Policy**

It was moved by Rigoni and supported by Jacobs to adopt the policy for sewer sales outside the City of Iron Mountain.

Motion prevailed unanimously

It was moved by VanLaanen and supported by Burke to accept the resignation of Mr. Rich Brook as City Assessor. Council Member Rigoni believes there are issues that the Council needs to answer. City Attorney Pirkola stated he received a letter from Mr. Brook requesting that any specific questions regarding his employment be held in closed session pursuant to the open meetings act but any general questions on the reassessment could be addressed in open session. Council Member VanLaanen asked how this applies to Mr. Brook when he was a contractor, City Attorney Pirkola stated he was an employee. City Attorney Pirkola suggests waiting until the next meeting to address any specific issues with Mr. Brook's employment.

**Resignation of
City Assessor**

Motion prevailed unanimously

Financial Reports

The Council reviewed the Payroll Report for the Month of June with regular wages in the amount of \$314,058.38 and OT in the amount of \$32,181.72. The Council also reviewed Claims in the amount of \$991,386.22. Council Member Rigoni asked for clarification on item #87 MIOSHA Penalty. City Manager Marquart stated that the penalty was for training police officers for fire duties and an officer entering a

**Claims and
Payroll**

Financial Reports (Cont.)

building without turnout gear on. It was moved by Tchokreff and supported by VanLaanen to approve claims and payroll in the amounts noted above.

Motion prevailed unanimously.

City Manager Report

City Manager Marquart reported on the following:

1. Hogwild is this weekend in downtown Iron Mountain.
2. Governor signed the Local Jobs Today legislation and the City of Iron Mountain received \$100,000 towards the realignment and utilities extension of Hydraulic Falls Rd.
3. Water quality and soil samples were taken the previous Wednesday at Crystal Lake and the results should be back in 7-10 days.
4. Construction of the ½ mile bike trail bordering Lake Antoine within the City limits should start no later than the middle of October.
5. City Park Pavilion open house will be held on Sunday July 29, 2007 at 2:00 p.m.

Council Member Rigoni asked if the Dickinson County Road Commission has asked for any additional money for the Lake Antoine trail than what the City approved and gave to the County 2 to 3 years ago. City Manager Marquart said the County did not ask for any additional funds. Council Member Rigoni feels that the Council needs to address the questions asked by Mr. Jayne at the next City Council meeting. Council Member Burke asked if businesses were found during the reappraisal that did not pay taxes. City Manager Marquart stated that property and buildings were found that were not on the tax roll and the value added was approximately \$10 million. Council Member Burke said he praised the assessor because of the additional value added. Council Member Tchokreff would like himself and Council Member VanLaanen to look at the rates charged for the current tower leases. Mayor Tousignant agreed to a Committee to look at the current leases and have a report for two meetings from now. Council Member VanLaanen received a call that landscaping on East D St. has not started, he would like that started in the next couple of days. VanLaanen asked if the plan for the Sewer Creek right-of-way had been received, the City Manager said no. Council Member VanLaanen feels the City must be asked for permission when dealing with the Sewer Creek right-of-way. Council Member Burke asked if Mr. Lafave has paid for the work done by the City on East D St. The City Manager stated that Mr. Lafave agreed to do extra work to make up for the work done by the City.

City Attorney Reports

None

Committee Reports

Council Member Jacobs would like a front page article about the City Park Pavilion open house.

Public Comment

Robert Bouche – 1012 Bluff Ave. 49802 – said Council Member Tchokreff never got back to him about the railroad crossing behind the Fire Department. Mr. Bouche believes this crossing will not be opened and the Police have limited space to get into their garage without going on private property. Mr. Bouche felt the Mayor should not have voted on

Public Comment (Cont.)

the sale of City property because of the Mayor's personal contacts with the developer's family. Also, Mr. Bouche has learned that the developer works for Stephens Real Estate and would like to know if this is a conflict of interest because the Mayor's mother owns Stephens and the Mayor has an interest.

Tina Peterson – 616 E B St. – said that a few meetings ago a lot of information was put forward concerning the reassessment and David Legge. People offered documents and information about their concerns of the reassessment and Ms. Peterson feels the Council treated it like it was not a big deal. Ms. Peterson said that Council Member Caudell stated that the people at the meeting that were concerned, was a tiny fraction and doesn't represent the entire community. She feels that something else is going on between Mr. Marquart and Mr. Brook. She just wants the truth of what is happening with the reappraisal. Ms. Peterson asked why we are paying so much to STS Consultants. She said STS Consultants claims on the vendors report show the same project on multiple months reports. Ms. Peterson read STS Consultants claim amounts and descriptions because she felt they were large amounts. The largest was for \$79,392 and no one on the City Council was questioning these claims.

Council Member Privilege

Council Member Tchokreff asked if the Road Commission has a plan for the bike trail. City Manager said the Road Commission has a plan but the DNR changed the rules for trails and has caused delays in the plan. The City Manager stated that the trail will only be in City of Iron Mountain limits.

Council Member Rigoni hopes the County and Township will extend the trail all the way around Lake Antoine. He stated that many of the STS Consultant engineering bills are beyond what DPW Director Becotte would be able to do. Council Member Rigoni said that three years ago the Council and City Manager interviewed local engineering firms for the purpose of retaining a firm as the City Engineers. In the past, projects had different engineers and none of the mapping seemed to come together. STS Consultants was the firm chosen among the firms interviewed based on having the best fee structure and best package for the City at that time. The \$3 to \$5 million in grant projects has resulted in an increase in engineering designs for grant funded projects.

Mayor Tousignant said that Mr. Becotte is not a licensed surveyor.

Meeting adjourned at 8:25 p.m.



Jordan Stanchina
Clerk-Treasurer