

Regular Meeting of the Common Council, City of Iron Mountain, County of Dickinson, Michigan held on Monday, February 4, 2008 at 6:30 p.m. in the Council Room:

Presiding: Mayor VanLaanen
Present: Council Members Burke, Peterson, Tchokreff, Rosen and Farragh
Excused: Council Member Caudell
Also Present: City Attorney Pirkola

The agenda was approved as submitted.

Agenda

The minutes of the previous meeting of January 21, 2008.

Minutes

Public Comment

Dale Alessandrini – 1120 Iron Mountain St. – asked questions pertaining to the Regional Excellence Grant and Anne Henricksen as the coordinator. Who hired her for the position? Was there a notice for this position in the newspaper? Did the Regional Excellence Committee meet before she was hired? What was her hourly wage or how was the compensation determined? Did the City get reimbursement from the State? Is the grant for Parks or what is it for? Does the City still have the grant and if so, what is it being used for? Why did his FOIA for the grant application need a ten day extension?

Mr. Alessandrini responded to not being appointed to the Planning Board due to his involvement with the former hospital site. Mr. Alessandrini apologized to the neighbors of the Newburg Clinic and then gave a detailed history of his family's ownership of the old hospital site and the Newburg Clinic. He stated the purchase of the site turned into an honest mistake. Also, he feels the City Council meetings should have open dialogue.

Old Business

None

New Business

It was moved by Farragh and supported by Tchokreff to appoint Ms. Theresa Guiliani to a three year term on the Board of Review.

Motion prevailed unanimously.

Board of Review Appointment

City Manager Marquart recommended that the options for the north side water tank be reviewed by the appropriate committee and provide a recommendation to the City Council. Mayor VanLaanen had suggested that the Planning Board and adjoining property owners discuss the future of the tank. Member Peterson asked if there was interest in purchasing the property from anyone other than the Kramer's. Mayor VanLaanen stated that it was City property and any sale of the property would require a public hearing and advertising. Member Farragh believed the tank was land locked with no public access.

North Side Water Tank

New Business(cont.)

It was moved by Farragh and supported by Rosen to refer the North Side Water Tank discussion to the Park and Recreation Committee for a recommendation.

Member Peterson asked if it was possible to place temporary barriers around the tank. The City Manager said the City could look at ways to secure the structure.

Motion prevailed unanimously.

Member Peterson asked where the estimates by DPW Director Becotte came from. City Manager Marquart stated the estimates came from the Dixon Report and other sources.

Member Peterson would like to see a comparison of the estimates. Member Farragh would like Mr. Becotte to get an estimate for a membrane roof on the water tank.

Member Farragh stated that Mr. Becotte said all of the work could be done in house except the crack and seal repair.

**East Side
Water Tank**

It was moved by Farragh and supported by Rosen to authorize the solicitation of bids for crack repair/sealant of the East Side Water Tank.

Member Peterson stated the DEQ stated that part of the problem was stagnate water and would require piping inside the tank to correct the problem.

Motion prevailed unanimously.

Member Farragh thinks the City should bid out or obtain competitive prices for the hatches because there a multiple metal fabricators in the area.

No action taken.

It was moved by Tchokreff and supported by Burke to approve a resolution transferring a liquor license from Sun Diversified Inc. (DBA Greenleaf's) to SFI Inc. (Scott Flaminio).

Motion prevailed unanimously.

**Greenleaf's
Liquor License
Transfer**

Member Farragh would like the City Attorney to review the legality of the City fees against the Bolt Decision. Member Rosen would like the City Attorney to look at the fixed charges levied by the City. City Attorney Pirkola clarified he could look at the Bolt Decision and give an analysis of the fees being charged by the City. He stated that he does not have financial expertise that may be required to analyze the rate structure. City Attorney Pirkola stated he can review the information and come back with a recommendation that may include utilizing an outside party to analyze the financial aspect of the fee structure. Member Peterson asked if there are requirements as to revenue being allocated to certain funds. City Attorney Pirkola said there could be but this would have to be part of an outside consultation. Mayor VanLaanen recommended that the Finance Committee could meet and take a look at the numbers. Member Rosen agreed with a meeting of the Finance Committee and then forwarding their information to City Attorney Pirkola for his review.

No action taken.

**Discussion of
City Fees**

City Manager Marquart stated the City was interested in purchasing a pump for a lift station located on the south side of Lake Antoine. He stated this was a sole source purchase estimated at \$5,163 because the lift station and pump go together. Member Farragh stated the pump has been a problem for years and needs to be replaced. He agreed with a sole source purchase because retrofitting the station for a different pump could be expensive.

It was moved by Rosen and supported by Tchokreff to approve the sole source vendor purchase of a lift station pump in the estimated amount of \$5,163.

Motion prevailed unanimously.

**Lake Antoine
Lift Station
Pump**

New Business(cont.)

Member Farragh stated the City was moving forward on the Millie Hill Estates subdivision and the developer will look at doing the project in phases. Member Tchokreff asked about the project being done in sequential phases and Member Farragh said the attorneys were working on the legal aspects of doing the project in phases.

**Millie Hill
Estates
Subdivision**

It was moved by Burke and supported by Rosen to allow Mr. LaFave to connect to City utilities and extend to the site of the Millie Hill Estates with the submission of a surety bond in the amount of this work which would be considered Phase I.

Motion prevailed unanimously.

Financial Reports

Invoice paid through automated clearing \$30,833.06 MERS 01/16/08.

City Manager Report

City Manager Marquart asked Council Members for input on any ideas that could be submitted for DNR Grants at Crystal Lake and City Park.

The City Manager responded to questions from public comment pertaining to the Regional Excellence Grant. He said Anne was hired by a consensus of the group which included Norway, Kingsford and Breitung Township. He stated there was an ad placed in the newspaper asking for individuals interested in the position. He said the Managers of the other communities were aware of Anne being hired and had spoken with her. The City Manager stated that compensation was budgeted in the grant and it was in the \$10 to \$12 an hour range. He said that the City has not been reimbursed by the State but are in the process of filing the paperwork. City Manager Marquart said the grant was originally for a regional approach to public safety but the group was more interested in a regional approach to Parks and Recreation. He said it was a two year grant and thought the City still had the grant. Finally, he said the City complies with FOIA requests and occasionally needs an extension for various reasons. Member Peterson spoke with Maxine Bermine of the Governor's Office, Ms. Bermine stated the City does not exist for this grant. Member Peterson said that Ms. Bermine said the City can reapply in the future but will not be receiving the current grant. Member Farragh spoke with Ms. Bermine and she said that the grant could not be used for parks. Mayor VanLaanen said he attended one of the first intergovernmental meetings for this grant and he agreed that it couldn't be spent on parks but felt the grant could be used for looking at cooperative ways to provide recreation. Member Peterson said the grant was for a specific purpose and the City tried to bend the rules on the use of the grant. She said Anne Henricksen was paid for park related research and nothing to do with public safety or code enforcement. Mayor VanLaanen would like the City Manager to get a definitive answer if the grant is still available. Member Rosen felt that Section 4.9 of the City Charter was violated with the payments received by Anne Henricksen because she is the mother of Council Member Caudell. Member Rosen would like the City Attorney to review this situation. Member Rosen said Member Caudell never stated that this was her mother or abstain from approving monthly claims with which payments to her mother appeared. Mayor VanLaanen asked the City Attorney to review and report back to the Council.

Member Burke asked when the Council would meet with the School Board to discuss the cable franchise fee. City Manager Marquart said he had a meeting scheduled with the Superintendent next week and that is one of the topics for discussion. Member Peterson asked who is meeting and the City Manager stated the he and the Superintendent will be meeting. The City Manager said part of the discussion will be setting up a meeting between the Council and the School Board.

City Manager Report(cont.)

Member Peterson asked about a report submitted from the Fire Chief pertaining to ISO. The City Manager stated that he has not had a chance to discuss the report with the Chief.

Member Peterson asked for an update on any MIOSHA correspondence. City Manager Marquart said the City is still working at abatement and is conducting the necessary training to avoid this issue in the future. Member Peterson asked if the fine had been paid and the City Manager responded not yet.

Member Rosen suggested at future meeting in Executive Session to perform an evaluation of the City Manager.

It was moved by Rosen and supported by Peterson to have a Special Meeting on Thursday, February 28th, 2008 at 6:30 p.m. for the annual performance review of the Manager per his contract.

Motion prevailed unanimously.

City Attorney Reports

None

Committee Reports

Member Farragh would like to make audio recordings of Committee meetings.

Member Rosen would suggest having an open dialogue period during meetings on a trial basis. He feels this is something the citizens want and it could be helpful with creating new ideas for the Council. Member Peterson feels open dialogue will make for a better relationship between residents and the City Council. Member Tchokreff felt questions could be answered during normal business hours the two weeks between Regular Council Meetings. He said the council meeting is to conduct the business of the City and public comment is available per the Open Meetings Act. Member Peterson believes the residents should be able to address the Council at any time.

Mayor VanLaanen stated a motion could be made for new rules during public comment. Member Burke suggested Town Hall meetings and Member Peterson stated she was going to suggest that. Member Peterson suggested putting together specific rules she would like to see and present them to the Council. Mayor VanLaanen agreed and asked for the specific rules before the next Council packet was delivered.

Public Comment

Joe LaFave – W8025 Millie Hill Estates. – thanked the Council for the utility hook up. He was pleased with the Streets Committee meeting pertaining to his development.

Dale Alessandrini – 1120 Iron Mountain St. – said no group ever met for the Regional Excellence Grant. He did not understand how Ms. Henricksen was paid \$10-\$12 p/hour based on the time sheets. He said the time sheets had to do with parks. He stated he spoke to Ms. Bermine and the grant was for public safety and code enforcement, not parks. Mr. Alessandrini asked about reimbursement for the grant on November 19, 2007 and if the City has not been reimbursed it doesn't seem likely. He said Mrs. Caudell approve payments of \$600 on two separate occasions, to her mother. Mr. Alessandrini stated that City Manager Marquart and Member Caudell violated Section 4.9 of the City Charter due to this action. He thinks the City should not foot the bill for the work completed by Ms. Henricksen.

Public Comment(cont.)

Mr. Alessandrini is still waiting to see what is going to happen with \$200,000 the former Assessor Brook received for the reassessment. He feels there should be an investigation of the reassessment.

Carol Schneider – 405 West D St. – stated that the Council works for the taxpayers and should respond to questions and concerns of taxpayers during the Council meetings.

Virginia Feleppa – 1136 Crystal Lake Blvd. – thanked the Council for listening to her on the issues of Crystal Lake. She stated she would take additional questions to the City Manager for answers.

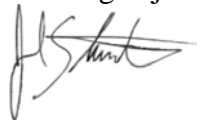
Council Member Privilege

Member Rosen asked for an update on the parking situation at DACS. City Manager Marquart said the school would remind parents to not line up in the alley and keep the flow moving as students are picked up and dropped off. He has not heard of any complaints since parents were notified.

Member Peterson would like a Town Hall Meeting in the near future. She was glad that Dr. Feleppa appreciates the help the City Council has given her on Crystal Lake but Member Peterson remembers it taking a lot of effort on Dr. Feleppa's part to get this accomplished.

Member Farragh asked for an update on the Crystal Lake project being conducted by Dr. Auer of Michigan Technological University. The City Manager had no update at this time. Member Farragh requested that all equipment purchases come before the Streets/Utilities/Equipment Committee prior to soliciting bids.

Meeting adjourned at 8:36 p.m.



Jordan Stanchina
Clerk-Treasurer