

Regular Meeting of the Common Council, City of Iron Mountain, County of Dickinson, Michigan held on Tuesday, September 2, 2008 at 6:30 p.m. in the Council Room:

Presiding: Mayor VanLaanen

Present: Council Members Burke, Tchokreff, Rosen, and Farragh

Also Present: City Attorney Pirkola

Agenda

It was moved by Rosen and supported by Farragh to approve the agenda as submitted with the following addition:

VI. New Business

5. Bid Opening for Line Striping of Streets

Minutes

The minutes of the Special Meeting of August 25, 2008 are approved as submitted.

The minutes of the Regular Meeting of August 18, 2008 are approved as submitted with a change as follows:

City Manager Consultant

Ayes: 3 (~~Rosen~~, Peterson, Farragh and Rosen)

Nays: 2 (Burke and ~~Rosen~~ VanLaanen)

Public Comment

Kyle Lindstrom – 913 Bluff Ave. – noticed and was concerned that the fire hydrants by Dickinson Area Catholic School are out of service. He asked if there was a plan to get the hydrants repaired.

Mark Woolard – Director of Planning and Community Development – discussed the proposed sign ordinance and requested Council feedback of the ordinance on behalf of the sign ordinance committee.

Old Business

City Manager Advertisement

Mayor VanLaanen started the discussion of the advertisement for a City Manager. Member Rosen felt that the ad placed an unnecessary emphasis on civil engineering. Member Farragh agreed and the Council will look to remove some of the references in the ad. The Council discussed running the ad locally first.

It was moved by Rosen and supported Burke to approve a budget for the advertisement of City Manager opening in an amount not to exceed \$5,000.

Motion prevailed unanimously.

New Business

Sign Ordinance Discussion

Mayor VanLaanen asked the City Attorney about including the sign ordinance in the zoning code. Mayor VanLaanen felt the advantage of this was the Zoning Administrator would have the initial latitude on interpretations and the petitioner could then appeal to the Zoning Board of Appeals. Planning and Community Development Director Woolard stated the sign committee would like to go over the sign ordinance and involve Council Members. Member Rosen has no issues with discussing the sign ordinance. Mayor VanLaanen is concerned that this ordinance was started a year ago and feels any significant changes

New Business(cont.)

would put it back to square one. Mayor VanLaanen asked who compromises the sign committee. Mr. Woolard responded that the sign ordinance committee is a couple of planning board members, a couple of DDA members, Mr. Woolard and Mr. Reagan the Main Street Coordinator. Mr. Woolard said the sign ordinance involves significant change and the committee would like the process to be as open as possible. The Council agreed to set a date and time for a public hearing to consider citizen input on the proposed ordinance. Member Farragh would like the sign ordinance to be updated prior to the public hearing to include concerns expressed in a memo by the City Attorney.

No action taken.

Harvest on Hughitt Street Closure

It was moved by Burke and supported by Farragh to approve the closure of Hughitt St. from Stephenson Ave. to Iron Mountain St. on September 27, 2008 from 7:30 a.m. to 12:30 p.m. for the "Harvest on Hughitt".

Motion prevailed unanimously.

Release of Easement Blomquist

It was moved Farragh and supported by Rosen to relinquish the easement rights on the alley that was vacated to Mark and Lisa Blomquist.

Motion prevailed unanimously.

TIFA Executive Session

Member Rosen discussed his removal from a recent TIFA Board executive session. He stated that the TIFA Chairman asked Mr. Mariucci if Member Rosen should be included in the Executive Session and Mr. Mariucci requested that Member Rosen not be included. Mayor VanLaanen stated that liaison positions are informal and set up for Council Members to split the duties. Mayor VanLaanen feels this issue should be brought before the TIFA Board. Member Rosen would like the Council to draft a letter stating the he is the liaison and should be included in all discussions. Member Burke felt that if the developers did not trust Member Rosen they did not need to include him in the Executive Session. Member Rosen feels the liaison's responsibility is to attend all of the meetings. Mayor VanLaanen feels it is up to the TIFA Board to decide who attends the Executive Sessions. Member Rosen takes exception to previous comments made by Mr. Varda and feels he was excluded from the Executive Session because his opinion differs on the Events Center project. Mayor VanLaanen feels that Member Rosen can stay as the liaison to the TIFA Board. Member Rosen would like a letter of recommendation supporting him as the liaison. Member Rosen stated that he has been witness to illegal Executive Sessions under the Open Meetings Act. Mayor VanLaanen and Member Farragh were in support of Member Rosen staying as the TIFA liaison.

No action taken

Bid Opening for Line Striping

Acting City Manager Stanchina stated that there were two bids for line striping with amounts as follows:

PK Contracting, Lake City, MI,	\$10,149
JCS Inc. Baraga, MI,	\$10,710

Member Farragh is not in favor of spending that kind of money at this time of the year. Member Farragh would like to refer this to the Streets Committee for further discussion.

It was moved by Burke and supported by Farragh to table any action on this item until further discussion takes place at a Streets Committee meeting.

Motion prevailed unanimously.

Financial Reports

Invoice Paid Through Automated Clearing \$26,446.94, MERS 08/15/08.

City Manager Report

Acting City Manager Stanchina stated that the repairs on the East A St. water tank were complete and the City would look at discontinuing chlorination of the water beginning next week.

Acting City Manager Stanchina addressed the hydrants and stated that a discussion took place today about the possibility of bidding out the hydrant repair because the City is short of employees in the water department. Member Rosen believed that more than 50 hydrants were out of service.

Chief Johnson said the fire department is aware of the hydrants that are out of service and plan for that when responding to a call. Member Rosen asked the Chief how many hydrants have been repaired. The Fire Chief responded that he did not know the exact number of repairs but knows that progress is being made. Chief Johnson thought a contractor could help in getting caught up with hydrant repair. Mayor VanLaanen thought the Streets Committee could come up with a work plan in conjunction with the water leak repairs. Member Rosen would like high priority hydrants repair addressed immediately. Member Rosen thought we should bid out the hydrant repairs so it can be completed in an appropriate time. Mayor VanLaanen recommended a Streets Committee meeting within the week to address this topic.

Mayor VanLaanen stated he would like to attend the annual MML Conference on Mackinac Island and that Acting City Manager Stanchina was looking at housing options for the conference.

City Attorney Reports

City Attorney Pirkola stated he has researched the avenues to recover expenses from the reassessment. He stated that the City's insurance policy would not cover any of the loss. Therefore, any monetary recovery would have to come from former Assessor Brook. He is not optimistic that the City would recover any expenses even if the City was successful in litigation. City Attorney Pirkola stated that would cost \$20,000 to get litigation up and running. Member Rosen would like to try and get back the approximately \$23,000 to \$29,000 overpayment from Mr. Brook and Member Rosen would like the City Attorney to draft a letter and try to recover some of this amount.

City Attorney Pirkola addressed the issue of having a three Council Member committee. He stated the Charter specifically states that a quorum of the Council is four members and therefore a three member committee does not create a violation.

Committee Reports

Finance Committee

Member Rosen stated that the committee discussed the budget and stated that a budget amendment will be looked at in a month when firm figures are available.

Park and Recreation Committee

Member Burke stated the Committee discussed the Bat Cave and Crystal Lake trails which are in the application phase for receiving funding. Acting City Manager Stanchina stated that the Bat Cave Trail would be ranked as the first priority to receive funding. Acting City Manager Stanchina stated that Mr. Dean Lefebvre, Youth Football Association, requested a drawing showing the possibility of having two soccer/football fields at City Park. The drawing and the support of the Council would allow Mr. Lefebvre the ability to pursue grants to create two fields where there is one currently.

Public Comment

Debbie Manderfield - Fairbanks St. – feels that everyone should be treated equally. She was disappointed to learn that Member Rosen was excluded from the TIFA Executive Session.

Bob Moraska – 224 West D St. – feels that as the Council Liaison, Member Rosen should have full access to the meetings. He stated that past practice of allowing Member Rosen to attend TIFA Executive Sessions should not have precluded him from attending the TIFA Executive Session discussed in New Business.

Council Member Privilege

None

Executive Session

It was moved by Farragh and supported by Rosen to adjourn to Executive Session for the purpose of discussing Collective Bargaining Strategies. (7:59 p.m.)

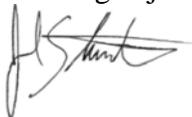
Roll call vote taken:

Rosen	Yes
Farragh	Yes
VanLaanen	Yes
Burke	Yes

Motion carried. (4 Y, 0 N)

Regular session resumed. (9:49 p.m.)

Meeting adjourned at 9:50 p.m.



Jordan Stanchina
Clerk-Treasurer