

Regular Meeting of the Common Council, City of Iron Mountain, County of Dickinson, Michigan to be held on Monday, July 20, 2009 at 6:30 p.m. in the Council Room.

Presiding: Mayor VanLaanen
Present: Council Members Corombos, Alessandrini, Farragh, Rosen & Peterson
Absent: Council Member Burke
Also Present: City Manager Stanchina, CFO Bartolameolli & City Attorney Gerald Pirkola

Approval of Agenda

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

New Business

6. Discussion of TIFA bid award

Motion prevailed unanimously

Approval of Minutes

Minutes of the Regular Meeting of July 6, 2009

Approved as prepared

Special Meeting of July 14, 2009

Approved as prepared

Public Comment (5 minute limit)

Richard Abraham – W8965 Frei Dr. – He noted that he is the President of the Americans for Constitutional Enforcement group. Abraham wanted to give each Council Member their own copy of the constitution so the Council Members can enforce it well. He conveyed the need to unite and take our country back. Abraham strongly urged the council members to maintain their oaths of office and to protect the constitution.

Public Hearing

Stanchina conveyed that the city has been urged to get rid of section 66-61, Industrial Cost Recovery Ordinance, per a recommendation by Bob Snyder from the Department of Environmental Quality. Stanchina relayed that the ordinance is now obsolete.

Old Business

Approval of amendment to the Zoning Ordinance RE: Chapter 14 Utilities

It is moved by Corombos and supported by Rosen to remove the ordinance as recommended by the state.

Motion prevailed unanimously

Approval of bid award RE: S2/SRF Infrastructure Improvement Project

Stanchina communicated that after all the bids were opened and reviewed by the project engineers, J. Peterson and Son were found to be the lowest bidder and were recommended. He noted that J. Peterson and Son's bid was for 978,800. Stanchina commented that the engineering estimate was for \$1,275,000, stating they are normally higher. He relayed that AECOM has used this contractor in the past and they have shown their work to be acceptable.

It was moved by Rosen and supported by Alessandrini to award the bid in the amount of \$978,800 to James Peterson and Sons as per bid received for the S2/SRF infrastructure improvement project.

Motion prevailed unanimously

Approval of Resolution RE: S2/SRF Infrastructure Improvement Project tentative award

Rosen asked Pirkola if he had an opinion on this issue. Pirkola conveyed that nothing seems out of the ordinary.

It was moved Alessandrini and supported by Farragh to approve the resolution

Motion prevailed unanimously

New Business

Approval of resolution supporting a military flyover

Stanchina stated that the veteran's administration hospital is looking for a resolution of support for a military fly over on September 18th for a POW recognition day.

It was moved by Peterson and supported by Farragh to offer a resolution of support

Motion prevailed unanimously

Approval of reappointment RE: TIFA Board

Stanchina communicated that after advertising this position, Mr. Elmer was the only interested person.

Stanchina recommended appointing him to a term that will end when TIFA concludes.

It was moved by Alessandrini and supported by Rosen to reappoint Mr. Elmer to the TIFA board

Motion prevailed unanimously

Approval of resolution RE: Millie Mine Bat View Trail agreement

Stanchina conveyed that the city must sign this agreement so construction can continue. He noted that this is a standard contract from the DNR trust fund. Stanchina also noted that Kevin Trevillian from Coleman Engineering reviewed the contract and agreed. VanLaanen noted the long term commitment to recreation and asked Pirkola if a resolution can create this commitment. Travilian relayed that only the area coved in the legal description would be included in this agreement; mostly the road leading up to the view site and the trial right of way. Pirkola conveyed that the contract is very reasonable.

It was moved by Alessandrini and supported by Peterson to approve the resolution to authorize the agreement

Motion prevailed unanimously

Authorization to vacate right of way RE: Alley adjacent to 1521 N. Stephenson Ave.

Stanchina reported that Mr. Al Dumais is requesting the vacation of an alley south west of the former square deal building, between Millie and Stephenson. Stanchina conveyed that the portion of property that would be vacated has never been used as an alley. VanLaanen asked if the neighbor is okay with this vacation. Alessandrini asked if each home owner gets half of the property. Stanchina communicated that vacations normally work that way, unless an alternated agreement has been made between the parties bordering the property.

It was moved by Rosen and supported by Alessandrini to support the alley vacation mentioned in the letter from Al Dumais and set a hearing for August 17 at 6:30 PM?

Motion prevailed unanimously

Approval of proposed ballot language RE: School Liaison Officer millage referendum

Stanchina reported that the proposed language is the same as last time: only a new amount and for five more years longer. Alessandrini asked if this was previously going to be funded by the cable franchise fee. Stanchina conveyed that Alessandrini was correct. Peterson asked if we covered some of the schools cost for a period of time. Bartolameolli stated that was correct for a short time when a replacement officer was in place; adding the arrangement will go back to 50/50. Peterson confirmed that our half of the city's cost will be covered by the millage with the other half being covered by the school. Peterson conveyed that the program should be reviewed.

It was moved by Rosen and supported by Corombos to support the proposed ballot language

Motion prevailed unanimously

Discussion on TIFA bid award

Peterson conveyed that the TIFA board did not accept the lowest bid due to using a local contractor, what is our policy on taking the lowest bid. Stanchina stated that the most we should discuss is that TIFA awarded to Bacco over Barley even though Barley was the low bid by 1.5%. Stanchina reported the City Attorney had looked at this matter. Rosen relayed that TIFA's function is autonomous from the commission. Peterson voiced a concern for the city getting in trouble due to TIFA actions. Rosen communicated that the city council has no impact on that decision due to autonomy and that TIFA did due diligence by checking with the City Attorney. Pirkola stated that as long as the municipality reserved the right to refuse all bids, they have flexibility. Peterson voiced her concern for setting unwanted precedence. Corombos stated that we could put this issue as a contingency in their budget for the future.

Reports

Financial Reports

Claims and Payroll for June 2009

Rosen reported that the finance committee recommends the approval of the claims and payroll for June 2009.

It was moved by Farragh and supported by Corombos to approve the claims and payroll as submitted.

Rosen	Abstain-due to item 124
Corombos	Aye
Burke	Absent
VanLaanen	Aye
Alessandrini	Abstain-due to item 50
Farragh	Aye
Peterson	Aye

Motion Prevailed (4-Ayes, 0-Nays, 2-Abstentions)

MERS Invoice Payment of \$25,066.55 on 7/17/2009

Presented for information only

City Manager Reports

Stanchina reported the paving bid went out. It is going to be opened on August 3rd

Peterson conveyed the Water Department did a great job containing a fire at the well house. Stanchina relayed that all the power was out to the well house. He added that MJ Electric and the city worked on the issue, adding that we are lucky to have places like MJ Electric a quarter mile away. Farragh supported the statement that everyone did well; MJ Electric was called at 11PM and was there at 11:30 PM. He noted the extra tanks kept the city with water. VanLaanen asked what caused the fire. Stanchina said that a short in the electrical was most likely the cause. Alessandrini asked what caused generator issues. Stanchina reported the damage was most likely incurred when trying to get the pumps going after the fire; the generator is being fixed. Peterson asked Bartolameolli if the garbage cost analysis adds in the fees for garbage removal. Stanchina reported that tipping fees are not in either analysis, creating a fair comparison. Peterson asked if this analysis was looked at by the finance committee. Stanchina stated that we are going to discuss this issue with the DPW employees. Peterson asked if the rates are locked in. Bartolameolli reported the contract can only grow at the published rate of CPI. Rosen communicated the rates have been reasonable so far. VanLaanen asked if we should be more restrictive on what GAD picks up. Rosen relayed that people enjoy the service they are getting and the system is not broken the way it is. Corombos communicated that if you get strict on what you pick up it tends to end up in the woods or by the road; needing to be picked up eventually.

City Attorney Report

Pirkola reported that he is working on a resolution to amend the city charter, allowing a council person to sit the first meeting they are voted in, not at a latter date. He reported that the ballot language will be done by the next meeting. Farragh asked if everything can be done by August 25th. Pirkola believed the change will be done by August 25th. VanLaanen also asked if the part of the charter that requiring bids to be opened at a council meetin should be changed. The majority of the council communicated they would rather open bids only at a council meeting.

Committee Reports

Committee Reports

Finance

Rosen relayed that the finance committee has discussed the tower fees and garbage analysis

Infrastructure

Stanchina reported that the sanitary sewer study had been discussed. Farragh detailed some results from the study: the C Street Pump Station can take an additional 20,000 – 30,000 gallons per day, North Milwaukee can handle more flow and Norway Street may have to be upgraded between Blaine to Main Street.

Parks and Recreation

Rosen asked about the possibility for holding a Park and Recreation meeting on Thursday night, not Wednesday. He detailed that the meeting will discuss the DNR trust fund grant. Rosen reported that we need to include the archery range in phase one of the project or the chances of getting the grant goes down, so any objections to archery range should be heard at this meeting.

Corombos reported that a meeting with the Fire Fighting Piece of the Police contract meeting took place

Public Comment (5 minute limit)

None

Council Member Privilege

Alessandrini reported that the planning board may be better if they were to adhere to their given mission. He noted there can sometimes be a tendency for topics to digress. Alessandrini noted the DPW is lifting the man holes. Stanchina reported that the ones for the paving project are being done now.

Peterson asked if we are responsible for the tall weeds at the hospital lot, they are getting really bad. Stanchina reported that some neighbors are okay with the long grass, working on a complaint basis.

Adjournment

It was moved by Rosen and supported by Alessandrini to adjourn

Motion prevailed unanimously

Meeting Adjourned at 7:24 PM



Isaac Micheau
Clerk-Treasurer