

City of Iron Mountain

501 S. Stephenson Ave
Iron Mountain, MI 49801
Telephone: 906-774-8530
Fax: 906-774-3774

Email: clerktreasurer@cityofironmountain.com

Website: www.cityofironmountain.com

Regular Meeting of the Common Council, City of Iron Mountain, County of Dickinson, Michigan held on Tuesday, July 5, 2011 at 6:34 p.m. in the Council Room.

Presiding: Mayor Rosen

Present: Council Members Alessandrini, Farragh, Corombos, Moraska & Villa

Absent: Council Member Jacobetti

Also Present: City Manager Stanchina

Approval of Agenda

Rosen conveyed that "Resolution of Acclaim Re: John Neinstaedt" be added as number fifteen under New Business. Alessandrini relayed that "Discussion of Tower Lease Re: North Side Cable" be added as number sixteen under New Business. Stanchina requested that "Approval of Street Closure Re: Zero Gravity Event" be added as number seventeen under New Business.

It was moved by Alessandrini and supported by Corombos to approve the agenda as amended.

Motion Prevailed Unanimously

Jacobetti entered at 6:36 p.m.

Approval of Minutes

Regular Meeting of June 20, 2011

It was moved by Villa and supported by Moraska to approve the Minutes of June 20, 2011, as presented.

Motion Prevailed Unanimously

Public Comment

Craig Canterbury - Vice President of the Dickinson County Compassion Club

He stated that his organization's mission is to educate the public and patients about the medical benefits and legal criteria of using medical cannabis. Canterbury proceeded to elaborate on his organizations goals. He requested that the proposed medical marijuana moratorium be tabled, as to permit additional discussion on the subject. Canterbury offered his assistance in the development of a medical marijuana policy.

Public Hearing

Amendment to Chapter 70 of the Code of Ordinances Re: Vegetation

Rosen opened the public hearing.

There were no comments

Rosen closed the public hearing.

Public Hearing for an Alley Vacation Request Re: 1118 Houghteling Street

Rosen opened the public hearing.

Julie Tass - Daughter of Gerry Kukuk of 1114 Houghteling Street

Tass expressed her disapproval of the proposed alley vacation due to reduced property and utility access.

Vance Uhazie - Owner of the lots located to the north of the proposed alley vacation

He stated that he would not wish to vacate the proposed alley as the reduced access would adversely affect his property value.

Ron Deuter - 1118 Houghteling Street

Deuter expressed his preference to vacate the proposed alley, but expressed his willingness to use the alley for its intended purpose. He detailed the discussion that had taken place over this vacation already.

Rosen closed the public hearing.

CITY OF IRON MOUNTAIN*COMMON COUNCIL*JULY 5, 2011

Old Business

Amendment to Chapter 70 of the Code of Ordinances Re: Vegetation

Stanchina reviewed the proposed changes to the ordinance. Alessandrini voiced his support for the strict enforcement of the city's vegetation policy.

It was moved by Alessandrini and supported by Farragh to approve the amendments to Chapter 70 of the Code of Ordinances.

Motion Prevailed Unanimously

Alley Vacation Request Re: 1118 Houghteling Street

Rosen conveyed that he does not support the proposed alley vacation as it would cause discord among the citizenry.

Jacobetti echoed Rosen's sentiments and expressed his disapproval for the manner in which Mr. Deuter wrote his letter.

Villa stated that she is not in favor of approving the proposed alley vacation. She conveyed the idea that the length of residency does not give one tax payer more priority than the other. Corombos relayed that it would be optimal for one who would wish to vacate a right of way to have all the effected neighbors sign off on the request.

It was moved by Moraska and supported by Farragh to deny the proposed alley vacation.

Motion Prevailed Unanimously

Council Committee and Liaison Appointments

Rosen presented and appointed the following committee appointments:

Committee and Delegate Assignments July 5, 2011

PARKS & RECREATION

Chair:

Villa
Moraska
Farragh

STREETS, UTILITIES
& EQUIPMENT

Chair:

Farragh
Alessandrini
Jacobetti

FINANCE

Chair:

Corombos
Villa
Moraska

LABOR RELATIONS

Chair:

Jacobetti
Corombos
Rosen

CONSOLIDATED SERVICES

Chair:

Alessandrini
Rosen
Corombos

SOLID WASTE AUTHORITY
ECONOMIC DEVELOPMENT ALLIANCE
MOUNTAIN VIEW BOARD
DCCCC
ACCESS MANAGEMENT
TIFA LIAISON
PLANNING COMMISSION LIAISON
DDA LIAISON

Farragh
City Manager Stanchina
Villa
Alessandrini
Jacobetti
Alessandrini
Moraska
Alessandrini

CITY OF IRON MOUNTAIN*COMMON COUNCIL*JULY 5, 2011

New Business

Approval of Resolution Re: Retirement of Mr. John Reynolds

Rosen read the proposed retirement resolution into the record.

It was moved by Alessandrini and supported by Villa to approve the retirement resolution for Mr. John Reynolds.

Motion Prevailed Unanimously

Approval of Resolution Re: Retirement of Mr. James Nelson

Rosen read the proposed retirement resolution into the record.

It was moved by Jacobetti and supported by Farragh to approve the retirement resolution for Mr. James Nelson.

Motion Prevailed Unanimously

Approval of Resolution Re: Medical Marihuana Moratorium

Stanchina read the proposed moratorium into the record. He expressed the opinion that the proposed moratorium would allow the city time to develop a more effective strategy to handle medical marihuana production and distribution. Rosen voiced his apprehension towards approving the proposed marihuana moratorium. Jacobetti requested a special meeting where the City Council and the City Attorney could meet to discuss the issue of medical marihuana. Farragh conveyed his support for the approval of the medical marihuana moratorium, based on the City Attorney's recommendation.

It was moved by Moraska and supported by Alessandrini to approve the proposed medical marihuana moratorium.

Moraska Aye

Jacobetti Aye

Corombos Aye

Rosen Nay

Alessandrini Aye

Villa Aye

Farragh Aye

Motion Prevailed (Aye-6, Nay-1, Abstain-0)

Approval of Pay Request #1 Re: MEDC ICE Project

Stanchina stated that the project engineer has recommended that the City pay request #1 in the amount of \$37,610.50.

It was moved by Alessandrini and supported by Farragh to pay request number one in the amount of \$37,610.50 to Bacco Construction.

Motion Prevailed Unanimously

Establish a public hearing Re: Hamilton Street & the alley encompassed in Block 2 of the Village of Lake Antoine Plat

Stanchina relayed that the public hearing for this alley must be re-established, as it was not held as required.

It was moved by Jacobetti and supported by Villa to set a public hearing for the vacation of Hamilton Street and the alley encompassed in Block 2 of the Village of Lake Antoine on August 1, 2011, at 6:30 pm.

Motion Prevailed Unanimously

Appointment to the Downtown Development Authority

Stanchina communicated that Brenda Burkett has expressed interest in becoming a DDA board member. He noted that she and her husband have recently opened a business in town.

It was moved by Farragh and supported by Alessandrini to appoint Brenda Burkett to the Downtown Development Authority.

Motion Prevailed Unanimously

Appointment to the Tree Board

Stanchina said that Fred Cheshire's term on the Tree Board has expired and that he is interested in serving another term. He noted that Mr. Cheshire's term, if approved, would expire on November 16, 2013.

It was moved by Farragh and supported by Corombos to reappoint Fred Cheshire to the Tree Board for a term to expire on November 16, 2011.

Motion Prevailed Unanimously

CITY OF IRON MOUNTAIN*COMMON COUNCIL*JULY 5, 2011

Appointment to the Iron Mountain Housing Commission

Stanchina relayed that Marilyn Schultz's term on the Iron Mountain Housing Commission has expired and that she is interested in serving another term. He noted that Ms. Schultz's term, if approved, would expire on January 9, 2015. It was moved by Corombos and supported by Alessandrini to appoint Marilyn Schultz to the Iron Mountain Housing Commission.

Motion Prevailed Unanimously

Appointments to the Zoning Board of Appeals

Stanchina stated that the following three people applied for the two open Zoning Board of Appeals (ZBA) positions: Wilfred Sauld, Rob Barkle and Rick Holland. Stanchina expressed his appreciation for Rick Holland's interest, but recommended that Wilfred Sauld and Rob Barkle be re-appointed to the ZBA based on their past performance on the board.

It was moved by Jacobetti and supported by Moraska to appoint Wilfred Sauld to the Zoning Board of Appeals for a term to expire on June 20, 2014.

Motion Prevailed Unanimously

It was moved by Alessandrini and supported by Jacobetti to appoint Rob Barkle to the Zoning Board of Appeals for a term to expire on June 20, 2014.

Motion Prevailed Unanimously

Authorization of the Help America Vote Act (HAVA) Grant Agreement

Stanchina conveyed that the City has been awarded funds to improve access to our facility by those who are disabled. He detailed the approved portions of the project. Stanchina stated that the City will receive \$8,048 toward the completion of the proposed projects.

It was moved by Alessandrini and supported by Jacobetti to approve the Help America Vote Act grant agreement.

Motion Prevailed Unanimously

Authorization of Agreement with Blue Cross Blue Shield Re: Early Retiree Reinsurance Program

Stanchina informed the City Council that the City has been selected to take part in the Early Retiree Reinsurance Program (ERRP). He noted that the City would be eligible to receive 80% of the health care costs between \$15,000 and \$90,000 for employees that are older than 55 years old but not eligible for Medicare. Stanchina projected that the City will receive 80% of \$85,000. He conveyed that the proposed contract would provide Blue Cross Blue Shield 10% of what the City receives from this program, up to \$50,000, in compensation for completing the required paper work. Stanchina estimated that the City will receive \$61,400 from the ERRP this year. He relayed that the proposed agreement has been reviewed by the City Attorney and that he found no legal deficiencies. Stanchina clarified that this program will continue until the funds expire. It was moved by Alessandrini and supported by Villa to approve the affordable retirement act Early Retiree Reinsurance Program contract with Blue Cross Blue Shield.

Motion Prevailed Unanimously

Approval of Wage Rate Adjustment Re: City Attorney

Stanchina requested that the City Attorney's contractual wage rate be increased from \$75 to \$90 per hour for non-litigation activities. He conveyed that the City Attorney's wage rate has not been increased in approximately ten years. Stanchina confirmed that the contractual wage rate for litigation would remain \$125 per hour. Corombos & Jacobetti expressed the opinion that it would be optimal to only have the City Attorney attend City Council Meetings, as it is difficult for a substitute to possess the required background information.

It was moved by Jacobetti and supported by Alessandrini to approve a wage rate increase for the City Attorney from \$75 to \$90 per hour for general services.

Motion Prevailed Unanimously

CITY OF IRON MOUNTAIN*COMMON COUNCIL*JULY 5, 2011

Consideration of Tiered Wage Structure Re: Part-Time Fire Fighters

Stanchina stated that the Fire Chief has requested the approval of a tiered wage structure for the part-time fire fighters. He estimated that if every part-time fire fighter was compensated at \$10.75 per hour and every eligible hour in the Fire Department was worked by a part-time fire fighter, the City would incur an increased cost of \$7,426. Moraska suggested that the City not approve the proposed tiered wage structure, as the City is currently negotiating the Fire Department's labor contract. Stanchina clarified that the intent of the tiered wage structure is to show appreciation for service rendered. It was moved by Moraska and supported by Jacobetti to table the proposed tiered wage structure for the part-time fire fighters.

Motion Prevailed Unanimously

Approval of MJ Electric Dunk Tank Usage Agreement Re: City Park Fundraiser

Stanchina stated that the City's Attorney and Insurance Company have reviewed the proposed dunk tank agreement and found it to be acceptable.

It was moved by Moraska and supported by Alessandrini to approve the MJ Electric Dunk Tank Usage Agreement.

Motion Prevailed Unanimously

Resolution of Acclaim Re: John Neinstaedt

Rosen read Mr. Neinstaedt's Resolution of Acclaim into the record. Alessandrini and Jacobetti voiced their appreciation of Mr. John Neinstaedt's efforts on the Planning Board.

It was moved by Alessandrini and supported by Moraska to approve the Resolution of Acclaim for John Neinstaedt.

Motion Prevailed Unanimously

Discussion of Tower Lease Re: North Side Cable

Alessandrini proposed that North Side Cable pay \$1,000 retroactively on their tower lease, for 2010, and \$2,000 a year with a 3% escalator clause going forward. Stanchina communicated that the proposed agreement matches what other tenants received.

No Action Was Taken

Approval of Street Closure Re: Zero Gravity Event

Stanchina noted that the previously approved parking lot closure will not work for this event, as there are overhead lines present. He instead requested that East A Street be closed from Iron Mountain Street, West, to the Easterly right-of-way boundary of the alley located between East A Street and Hughitt Street.

It was moved by Farragh and supported by Moraska to approve the closure of East A Street from Iron Mountain Street, West, to the Easterly right-of-way boundary of the alley located between East A Street and Hughitt Street.

Motion Prevailed Unanimously

Reports

Financial Reports

None

City Manager Reports

Stanchina reminded the City Council that a Special City Council Meeting will take place on Thursday evening to hold public hearings for the zoning changes to the property located at 1600 East Grand Boulevard and 440 Woodward Avenue. He noted that the restrictive covenant has been removed from the property located at 440 Woodward Avenue.

Stanchina conveyed that the City's Revenue Sharing will be reduced by \$21,000 due to the city's declining populations. He explained the method by which our population is calculated for Revenue Sharing.

Stanchina updated the City Council on the progress of the Michigan Economic Development Corporation Infrastructure Capacity Enhancement Project.

City Attorney Reports

None

CITY OF IRON MOUNTAIN*COMMON COUNCIL*JULY 5, 2011

Committee Reports

Villa stated that for the last two weeks in July a person will be able to donate a dollar to City Park while purchasing groceries at Super One. She relayed that a similar fundraiser for City Park may be taking place at Econo Foods.

Corombos conveyed his appreciation for the work that Teen Serve performed in our area.

Public Comment

Barb Kramer- 135 Bradley Street

She requested an updated on the Tornado Siren Test that took place on July 1, 2011. Stanchina relayed that the test was unsuccessful and that an update to the siren is being considered. He conveyed that the cost of installing a new siren system would be prohibitively expensive.

Craig Canterbury - Vice President of the Dickinson County Compassion Club

He communicated his disapproval for the adoption of the Medical Marihuana Moratorium. Canterbury detailed his objections to the moratorium.

Council Member Privilege

Jacobetti requested that he be updated on the required information for his new position on the Labor Relations Committee.

Alessandrini thanked Pat Nicometo for her efforts toward the planning of flowers in the parking lot islands.

Adjournment

It was moved by Corombos and supported by Alessandrini to adjourn.

Motion Prevailed Unanimously

Meeting adjourned at 8:21 p.m.



Isaac Micheau
Clerk-Treasurer