

**CITY OF IRON MOUNTAIN \*COMMON COUNCIL \*JUNE 4, 2012**

*City of Iron Mountain*

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

Email: [clerktreasurer@cityofironmountain.com](mailto:clerktreasurer@cityofironmountain.com)

Website: [www.cityofironmountain.com](http://www.cityofironmountain.com)

Regular Meeting of the Common Council, City of Iron Mountain, County of Dickinson, Michigan held on Monday, June 4, 2012 at 6:30 p.m. in the Council Room.

Presiding: Mayor Rosen

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

Absent: None

Also Present: City Manager Stanchina & City Attorney Pirkola

**Approval of Agenda**

Moraska requested that "Discussion of Rental Housing Ordinance" be added as item number four under New Business.

Alessandrini asked that "Approval of a Letter of Recognition Re: Pat Nicometo" be added as item number five under New Business.

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

**Motion Prevailed Unanimously**

**Approval of Minutes**

*Minutes of the Regular Meeting of May 21, 2012*

It was moved by Moraska and supported by Farragh to approve the Minutes of May 21, 2012, as presented.

**Motion Prevailed Unanimously**

*Minutes of the Special Meeting of May 31, 2012*

It was moved by Farragh and supported by Alessandrini to approve the Minutes of May 31, 2012, as presented.

**Motion Prevailed Unanimously**

**Public Comment**

None

**Public Hearing**

**Amendment to the Code of Ordinances Re: Consumer Fire Works**

Rosen opened the public hearing.

*Kraig Soderberg - 1001 North Stephenson Avenue*

He communicated the opinion that fireworks should not be prohibited as there is a user fee that is paid by the purchaser and that they do not pose a significant public safety hazard.

*Steve Branz - 110 Lehman Avenue*

He voiced the opinion that fireworks could be controlled through the noise ordinance.

Rosen closed the public hearing.

**Old Business**

**Code of Ordinances Amendment Re: Consumer Fireworks**

Alessandrini suggested that a time be placed on the usage of fireworks. Moraska and Jacobetti noted their support of this amendment.

It was moved by Farragh and supported by Moraska to approve the proposed amendment to the Code of Ordinances concerning fireworks.

**Motion Prevailed Unanimously**

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**Bid Opening Re: Cemetery Lawn Mower**

Stanchina read the following bids into the record.

Outdoor Yard Equipment - Escanaba, MI  
2012 Walker - No Price

Rocconi Ace Hardware - Iron Mountain, MI  
2012 John Deere 997 - Without Trade       \$15,700  
  With Trade               \$14,500

It was moved by Alessandrini and supported by Farragh to refer this matter to the Infrastructure Committee.

**Motion Prevailed Unanimously**

**Bid Opening Re: Used Backhoe**

Stanchina opened the used backhoe bids.

*Roland Machinery - Escanaba, MI*  
2004 Komatsu - 3300 hours  
Without Trade       \$31,100  
With Trade           \$29,600

*Nortrax Equipment - Escanaba, MI*  
1996 John Deere 310D - 3100 hours  
Without Trade       \$39,000  
With Trade           \$34,000

*Breitung Township*  
1998 John Deere 310SE  
Without Trade       \$30,000  
With Trade           N/A

*Fabco Equipment - Marquette, MI*  
2010  
Without Trade       \$79,537  
With Trade           \$73,537

2007 Volvo - 1900 hours  
Without Trade       \$39,555  
With Trade           \$33,555

It was moved by Alessandrini and supported by Jacobetti to refer this matter to the Infrastructure Committee.

**Motion Prevailed Unanimously**

**Bid Opening Re: Sale of Former Zephyr Station Canopy**

Stanchina announced the following bids.

Green Acres Camp Ground - Marinette, WI - \$353

It was moved by Farragh and supported by Villa to approve the bid of \$353 by Green Acres Campground for the removal of the canopy at the former Zephyr Station, pending verification of liability insurance.

**Motion Prevailed Unanimously**

## CITY OF IRON MOUNTAIN \*COMMON COUNCIL \*JUNE 4, 2012

### **Establish a Public Hearing Re: Vacating of Woodward Ave. from Milwaukee Ave. East to Railroad Tracks**

Stanchina presented Eagle Tools request to vacate the portion of Woodward Ave. right-of-way from Milwaukee Ave. East to the railroad tracks for the purpose of a business expansion.

It was moved by Alessandrini and supported by Farragh to set a public hearing for the requested vacation on July 2, 2012, at 6:30 p.m.

**Motion Prevailed Unanimously**

### **Discussion of Noise Ordinance Amendment**

Pirkola outlined the proposed Noise Ordinance Amendment. He conveyed the opinion that the reasonability standard meets the necessary constitutional requirements. Rosen noted that he would prefer to see a different legal limit for each zoning district. Pirkola relayed his confidence in utilizing the reasonability standard.

### **New Business**

#### **Approval of Donation Re: July 4<sup>th</sup> Fireworks Show**

Stanchina stated that \$500 had been budgeted for the requested donation.

It was moved by Alessandrini and supported by Villa to approve a \$500 donation to the Son's of the American Legion for the July 4<sup>th</sup> fireworks.

**Motion Prevailed Unanimously**

#### **Approval of Resolution Re: One Day Liquor License for City Park Fundraiser**

Stanchina communicated that the City Council must approve a resolution in order for a one day liquor license to be obtained for the July 28, 2012, City Park fundraiser.

It was moved by Farragh and supported by Villa to approve the resolution for a one day liquor license for the City Park fundraiser on July 28, 2012.

**Motion Prevailed Unanimously**

#### **Approval of July 4<sup>th</sup> Fireworks Display Permit Re: Spielbauer Fireworks Company**

Stanchina presented Spielbauer's request for a display permit.

It was moved by Rosen and supported by Alessandrini to approve the July 4, 2012, Spielbauer fireworks display permit.

**Motion Prevailed Unanimously**

### **Discussion of Rental Housing Ordinance**

Moraska claimed that the Fire Department is not complying with the Rental Housing Ordinance. He detailed his objections to the manner in which rental housing inspections are being conducted. Jacobetti and Alessandrini voiced their support for the enforcement of the rental housing ordinance, as it affects safety. Rosen and Moraska conveyed the concern that the requirements for a rental property in the City are being more stringent. Stanchina explained the rationale for the volitions Moraska referenced. It was concluded that the City Manager would follow up on Moraska's concerns.

#### **Approval of a Letter of Recognition Re: Pat Nicometo**

Alessandrini requested that Pat Nicometo be given a letter of recognition. Rosen suggested that Home Depot also be given one for their recent efforts to improve the downtown landscaping.

It was moved by Alessandrini and supported by Rosen to award a letter of recognition to both Pat Nicometo and Home Depot for their contributions to the City.

**Motion Prevailed Unanimously**

### **Reports**

#### **Financial Reports**

None

#### **City Manager Reports**

Stanchina updated the City Council on the status of the proposed rezoning of the 425, Area II, property.

It was moved by Farragh and supported by Alessandrini to direct the City Attorney to determine the City of Iron Mountain's ability to nullify the utility services agreement with Breitung Township.

**Motion Prevailed Unanimously**

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Stanchina informed the City Council of a possible tax refund that is being requested by M.J. Electric.

The City Council discussed the current regulatory status of synthetic cannabinoids.

**City Attorney Reports**

None

**Committee Reports**

None

**Public Comment**

*Barb Kramer - 135 Bradley Street*

She announced an upcoming event at the Braumart Theater.

William Toedter - 631 East C Street

He noted his objection to including the inspection of grounded plugs as a criterion of the rental housing inspection.

**Council Member Privilege**

Alessandrini suggested the idea of hiring an outside contractor to perform the rental housing inspections.

Executive Session Re: Collective Bargaining

It was moved by Farragh and supported by Alessandrini to move into Executive Session at 8:14 p.m.

Jacobetti           Aye

Rosen               Aye

Moraska           Aye

Villa                Aye

Corombos         Aye

Alessandrini      Aye

Farragh            Aye

**Motion Prevailed (Aye-7, Nay-0, Abstain-0)**

Executive Session ended at 8:29 p.m.

**Adjournment**

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

**Motion Prevailed Unanimously**

Meeting adjourned at 8:30 p.m.



Isaac Micheau  
Clerk-Treasurer