

Regular Meeting of the Common Council, City of Iron Mountain, County of Dickinson, Michigan held on Monday, April 21, 2008 at 6:30 p.m. in the Council Room:

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

## Agenda

It was moved by Caudell and supported by Rosen to approve the agenda as submitted.

## Minutes

The Minutes of the Regular Meeting of March 17, 2008 and the Regular Meeting of April 7, 2008 were approved as submitted.

## Public Comment

Joan Game – 709 7<sup>th</sup> Street – stated that sidewalks and trails are important to young families. She would like to see a City wide trail system.

Kay Villa – 909 East G St. – asked what was being done with an adult store in the basement of a building owned by a council member.

Barbara Kramer – 135 Bradley St. – addressed the Council concerning working together and moving the City forward.

Virginia Feleppa – 1136 Crystal Lake Blvd. - complimented the MTU students for their work on Crystal Lake. She said the problem of Crystal Lake is not going to disappear. She would like the City Council to create a comprehensive plan for cleaning Crystal Lake.

Kristine Trudell – 1110 S. Hemlock - would like to see the Council work toward cleaning Crystal Lake and thanked Council Member Peterson for voting against the trail around Crystal Lake. She said that May is wetlands month.

## Old Business

### FD Ladders and Pike Poles

It was moved by Farragh and supported by Caudell to table any action on the purchase of Fire Department ladders and pike poles.

**Motion prevailed unanimously.**

### Push Lawn Mowers

Member Farragh stated the Equipment Committee recommends the Lawnboy mowers from Rocconi's based on the one year warranty and location of Rocconi's.

It was moved Rosen and supported by Peterson to approve the purchase of six Lawnboy push mowers from Rocconi's in the total amount of \$3,534.

**Motion prevailed unanimously.**

### **Cargo Van**

It was moved by Rosen and supported by Farragh to authorize the purchase of a Cargo Van from Jorgensen Ford in the amount of \$15,950.

**Motion prevailed unanimously.**

### **Crown Victoria Squad Car**

It was moved by Farragh and supported by Rosen to authorize the purchase of a Crown Victoria squad car from Jorgensen Ford in the amount of \$20,496.

**Motion prevailed unanimously.**

### **New Business**

#### **July 4<sup>th</sup> Parade Route**

It was moved by Farragh and supported by Peterson to approve the street closure for the July 4<sup>th</sup> parade route.

**Motion prevailed unanimously.**

#### **DDA By-Laws**

Member Rosen was concerned about B. 7 of the DDA By-Laws. Also, he was concerned about B. 14 which allows a DDA to create a TIF District. Mayor VanLaanen stated that state statute allows for this but a new TIF would require approval from all governmental bodies. City Attorney Pirkola said the authority of the DDA is specified in a state statute and he believes the By-Laws are parroting state statute. Member Rosen would like to know if the By-Laws state that the DDA must operate with their own exclusive funds. City Manager Marquart said items in the By-Laws come from State statute that allows them this ability. He said many of the DDA's funding mechanisms require approval of the governing body. Member Farragh asked if there was any rush to approve the By-Laws. Mayor VanLaanen said they need to be passed for compliance with the Main Street Program requirements. City Manger Marquart stated the DDA has already approved these By-Laws. Member Peterson would like the City Attorney to review the By-Laws to see that they adhere to State statute. Member Caudell said the DDA Chairman requested the By-Laws were approved at this meeting. Member Rosen would like these types of agenda items to be reviewed by the City Attorney prior to the meeting.

It was moved by Caudell and supported by Rosen to adopt the By-Laws as presented with the condition that City Attorney Pirkola will review the By-Laws and report to the Council any discrepancies with State statute.

**Motion prevailed unanimously.**

#### **DDA Board Member Appointments**

City Manager Marquart recommended Ms. Ruth Timbrook-Frankini and Mr. Nate Alwine to serve a 4 year term on the Board of the Downtown Development Authority. Member Farragh and Member Peterson asked if other letters of interest were received. City Manager Marquart stated other letters were received. Mayor VanLaanen said the appointments are made by City Manager recommendation. Member Rosen would like to receive letters from all applicants.

It was moved by Rosen and supported by Peterson to table the DDA appointments until the City Council can see all of the applicants.

**Motion prevailed unanimously.**

#### **Chapin Pit Lease**

City Manager Marquart said this was a renewal of a lease between the City and CN Railroad for property on the west side of US 2 along the pit. He stated the lease was for 5 years and has a value of \$375.

It was moved by Member Farragh and supported Rosen to renew the lease between the City of Iron Mountain and CN Railroad for the Chapin Pit right-of-way lease in the amount of \$375 for 5 years.

**Motion prevailed unanimously.**

## **New Business(cont.)**

### **City Park Pavilion Use**

It was moved by Farragh and supported by Peterson to approve the use of the City Park Pavilion at no charge on September 13, 2008 for the Dickinson-Iron Great Start Collaborative.

**Motion prevailed unanimously.**

### **Red Hacker Street and Parking Lot Closure**

It was moved by Rosen and supported by Farragh to approve the closure of the parking lot located between West A and Hughitt Streets, and A St. from Carpenter Ave. to Stephenson Ave. for the Red Hacker basketball tournament to be held June 20 and 21, 2008.

**Motion prevailed unanimously.**

### **Appointment of Independent Auditor**

It was moved by Farragh and supported by Rosen to appoint Anderson, Tackman and Company PLC as the independent auditor for the City of Iron Mountain for FYE 2008 \$23,000 and FYE 2009 \$24,000.

**Motion prevailed unanimously.**

### **East A St. Water Tank Improvements**

Member Farragh said the DEQ recommended two 36" Bilco doors and a 24" mushroom vent on the East A water tank which he hopes will lead to no chlorine in the water.

**It was moved** by Farragh and supported by Peterson to purchase two 36" Bilco doors and fabrication of a 24" vent and additional fabrication as needed by R-C Fabricators as outlined in the recommendation memo from DPW Director Becotte.

Member Peterson asked about the draw pipe, increasing the size of the overflow pipe and increasing the 6" pipe to a 10" pipe. Mayor VanLaanen asked for an update during the City Manager's Report.

**Motion prevailed unanimously.**

### **Business Development Discussion**

Member Rosen stated that there have been complaints from business owners about the Planning Board. He distributed letters from local business owners stating how difficult it was to deal with requirements of the Planning Board when constructing a new building. He feels the Council needs to take this issue seriously and look at ways to improve the process. Member Tchokreff agrees that it takes longer for development of new businesses than it should. Member Caudell agreed that the City should review the procedures but any changes made must still protect the City. Member Peterson would also like the process for business development to be reviewed. Mayor VanLaanen stated the County wide Access Management Ordinance has added hoops to jump through for development on the US 2 corridor. He thinks the City Planning Department could improve their awareness of discussing ideas before developers spend money on engineering. Member Rosen discussed Mr. Soderburg not being able to open his greenhouse by Mother's Day because his attempts for a special use permit were put off. Member Rosen feels the City needs to rewrite the section of the B-1 Zoning Ordinance that describes uses in the district. Member Farragh stated Mr. Dennis Mattson had his special use permit recommended by the Planning Board and asked why it was not on tonight's agenda for approval by the Council. Member Farragh feels it is not acceptable that this was not on the agenda tonight. Member Caudell believes a business development check list as suggested by Member Rosen, would be helpful to potential developers. Member Farragh said there is a chance Mr. Soderburg's greenhouse will not be open until the end of May due to the timetable for Council approval. Mayor VanLaanen suggested having the City Manager look into this and check if the Council can take any action prior to Wednesday's Budget Workshop during a Special Meeting.

Member Peterson was concerned that some people have said it is difficult to have calls returned or questions answered. Member Rosen feels that there should be a Business Development Committee to help

### **New Business(cont.)**

look at and correct these issues. Member Tchokreff would agree with a checklist of items to complete for potential development. Member Rosen thinks the Committee could oversee the process and provide recommendations on how to streamline it. Member Peterson thinks people could represent each part of the process and meet with the potential developer and discuss what would be needed. Mayor VanLaanen will make a recommendation how to go forward with reviewing the process at the next Council meeting. Member Caudell would like to have Mr. Woolard receive the letters that were submitted by Member Rosen so that Mr. Woolard can see what is being talked about.

**No action taken.**

### **Financial Reports**

The Council reviewed the Payroll Report for the Month of March with regular wages in the amount of \$285,279.54 and OT in the amount of \$23,133.24. The Council also reviewed Claims in the amount of \$463,295.91. The Finance Committee reviewed the claims and had no questions at this time. Member Peterson asked if item #38 was the pager that Chief Johnson was testing for the Fire Department. She asked if 20 pagers at \$839 each were to be purchased as part of the plan for ISO. The City Manager said this will be part of further discussions and no additional pagers have been purchased at this point.

It was moved by Caudell and supported by Rosen to approve claims and payroll in the amount of \$463,345.91 which excludes item #42 on the claims report.

**Motion prevailed unanimously.**

It was moved by Rosen and supported by Caudell to approve item #42 in the amount of \$50.00 on the claims report.

Ayes: 5 (Rosen, Caudell, VanLaanen, Tchokreff and Peterson)

Nays: 0

Abstain: 1 (Farragh)

**Motion carried.**

Invoice paid through automated clearing \$27,705.81 MERS 04/17/08

### **City Manager Report**

City Manager Marquart stated that the Spring rubbish collection will start May 5<sup>th</sup> through May 30<sup>th</sup>.

City Manager Marquart discussed the report presented by Dr. Auer and the MTU students. He said when a copy of the report is received it will be sent to the Council and made available to the residents.

The City Manager replied to public comment stating the Police have investigated the accusation of an adult store and found no substance to the accusation.

### **City Attorney Reports**

None

### **Committee Reports**

#### Finance Department

Member Caudell said the Committee discussed bids and the Fire Department with Chief Johnson. Member Caudell felt that Dr. Auer and the students did a tremendous job with the Crystal Lake presentation. Member Rosen said there was a lively discussion about the Fire Department and he is encouraged that we can put forward a solution.

#### Streets Committee

City Manger Marquart stated that DPW Director Bob Becotte was developing specifications for East A St. water tank improvement. He said that DEQ would no longer require the City to change the pipe size. Member Farragh would like by the next meeting, a list of used equipment that can be disposed of.

### **Public Comment(cont.)**

Mary Couper – 630 Detroit Ave. – appreciated the work completed at Crystal Lake by Dr. Auer and the students from MTU. She stated that she is glad the ball is rolling on looking at the water quality of Crystal Lake. She asked the Council Members their feelings on the recall.

Barbara Kramer – 135 Bradley St. – asked about an unsightly pawn shop sign along the west Chapin pit. She would like the appointment of a Business Development Manager that would report to the City Manager concerning Business Development. She believes that sometimes committees perpetuate bureaucracy.

Dale Alessandrini – 1120 Iron Mountain St. – feels the B-1 District has poor wording related to uses allowed. He said that B-2 allows for general retail establishments. He thinks the Council should rewrite the ordinance. Mr. Alessandrini requested the Council look at the zoning fees because he feels they are too high. He feels the fees are higher than what it actually costs the City to review a site plan or issue a permit. Mr. Alessandrini believes it may be good idea to have the Director of Planning and Community Development be the Zoning Administrator to help speed up the process.

Kristine Trudell - 1110 Hemlock St. – described reasons that she likes to live here.

Debra Manderfield – 606 Fairbanks St. – thinks all greenhouses should be treated equal. She is tired of the three new Council members getting blamed for the recall.

Hillary Alwine – 527 S. Stephenson Ave. – agrees with Ms. Trudell that it is a great place to live but thinks we shouldn't just sit back and be content. She urged the Council to look for opportunities to make it a better place.

Joe LaFave – W8825 Millie Hill Estates – doesn't think business should be rejected without a strong reason. He said the Planning Board is trying to do the right thing but he feels they are not getting all the information they should get. He thinks the City is divided and we need to get rid of the City Manager to repair this.

Orice Walters – 211 Lehman Ave. – thanked all of the elected officials for their work and would like the City to move forward. She said the actions of Iron Mountain affect the entire area. She would like the Council to do the agenda of the City and not their own self-serving interests. Mrs. Walters stated that the City cannot afford to pay for insurances such as health and dental. She feels those working for the City must give up things also. She does not feel the answer is to get rid of the City Manager.

Susan Khoury – 518 W. Fleshiem St. – feels that the City Manager did not deserved the comments from Mr. LaFave. She wants the Council to work together and likes some of the new ideas coming out.

Joan Game - 709 7<sup>th</sup> Street – supports green space because it allows for natural absorption of rain, instead of entering the storm water drains.

Steve Soltis – 1104 Fairbanks Ave. – felt the Council could be more effective through negotiation and communication in a positive manner. He said businesses want to see a harmonious City Council. He believes the Council should have working sessions to outline goals for the City to achieve.

Ted Corombos – 1115 Wells St. – agrees with the concepts he heard tonight but never heard anybody ask where the money would come from to pay for these ideas. He would encourage people to attend the budget workshop. Mr. Corombos believes the funds have unraveled in the past four years. He

### Public Comment

stated the budget workshop and TIFA meetings will give people a better picture of the deteriorated finances of the City.

Gary Benjamin – 1025 East E St. – was encouraged by the conduct of the meeting but was appalled by personal attacks. He feels Mr. Corombos has a rear view mirror view but today the Council has to make decisions at the speed of business. Mr. Benjamin said the City Manager and the prior Council used creative ways to allow his company's corporate headquarters to be constructed in the City of Iron Mountain. This encouraged them to annex 70 acres of land from Breitung Township for future development. He thinks the Council should look at coming up with out of the box ideas on how to move forward.

### Council Member Privilege

Member Peterson finds that everything going to the Committee level makes it difficult to keep track of what is going on. She stated she is not against progress but is for being able to afford the progress. Member Peterson would like people to come to the budget meeting to get a clearer picture of the financial situation of the City. She stated it is not living in a rear view mirror for wanting to afford basic necessities for the City.

Member Rosen stated he did not start the recall petition and he cannot stop the recall. He said cleaning Crystal Lake would be a noble project but \$2.9 million is a lot of money to remediate Crystal Lake. Member Rosen believes streets and alleys must be a priority for the City.

Member Caudell is concerned that Iron Mountain wasn't perfect 30 years ago and there are still issues today. She thinks the Council needs to work together and work on future needs of the City. She said focusing on blaming Council Members for past actions is not an effective way for the Council to proceed.

### Executive Session

It was moved by Caudell and supported by Rosen to adjourn Regular Session for the purpose of entering Executive Session to discuss current litigation. (9:12 p.m.)

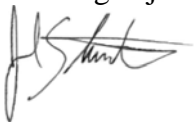
#### Roll call vote:

Peterson Yes  
Farragh Yes  
Caudell Yes  
Rosen Yes  
Tchokreff Yes  
VanLaanen Yes

**Motion prevailed unanimously.**

Regular session reconvened. (9:23 p.m.)

Meeting adjourned at 9:23 p.m.



Jordan Stanchina  
Clerk-Treasurer