

**IRON RIVER CITY COUNCIL
REGULAR MEETING
WEDNESDAY, APRIL 3, 2002
6:00 P.M.**

The meeting was called to order at 6:00 p.m. in the Legion Room of the Iron River City Hall, with Mayor Charlotte Soderbloom presiding.

The Pledge of Allegiance was recited.

Members present included Councilmen Tom Beber, Ray Coates, Virgil Thompson, Klint Safford, Mayor Charlotte Soderbloom, City Manager Rick Commenator, City Attorney Mark Tousignant and City Clerk Peggy Shamion.

Mike & Denise Loia, Bob Busakowski, Jim Duda, Arthur Sacke, Pete Korach, Bob Hagelin, Wilma Smith, Barb Bartel, George & Diane Treado, Mike Gatzow, Gerald DeVowe, Jim Sapletal and Mark & Nick Polley, also attended the meeting.

Beber moved with Safford supporting to amend the agenda to include the following: under Financial add to (a) STS invoice for Consent Order, add to (b) WDM bill for removing air handler and add (d) Attorney invoice; under Old Business add (c) WICSA – Tarsi representative and (d) Old Jean’s Floral building. All were in favor. Motion carried.

**APPROVAL
OF AGENDA**

The minutes of the previous meeting held on March 20, 2002 were approved on a motion offered by Thompson with support shown by Beber. All were in favor. Motion passed.

**APPROVAL
OF MINUTES**

PUBLIC COMMENT

Wilma Smith from the Library wanted to discuss “Meat Out Day” scheduled for April 11, 2002. She wanted to let the board know that everyone is invited to visit the library and see alternatives by not using meat. The demonstration is from 11:00 – 1:00 and 5:00 – 7:00.

**LIBRARY
“MEAT OUT
DAY”**

There were no other comments at this time.

Thompson moved with Beber supporting to approve the Consent Agenda which consisted of Stambaugh Housing minutes of 2-12-02, Iron River DDA minutes of 2-18-02, WICSA minutes of 2-25-02, Iron River Watershed minutes of 3-4-02, Wisconsin Electric Power service announcement and proposed Council Resolution 07-02 on nuclear waste. All were in favor. Motion carried.

**APPROVAL
OF BILLS**

The Public Works and Police reports were accepted and placed on file on a motion from Beber and support from Safford. All were in favor. Motion carried. (There was no Manager’s report at this time)

**DEPARTMT
REPORTS**

STS invoice for Wellhead Protection, Plat Mapping and Consent Order were all approved on a motion from Beber and support from Coates.

**APPROVAL
OF STS
INVOICES**

Roll Call: Ayes: 5 Nays: 0 Motion carried.

Two invoices from WDM Enterprises for the heating system repair and removal of air exchangers were approved on a motion from Beber with Safford supporting.

**APPROVAL
OF WDM
INVOICES**

Roll Call: Ayes: 5 Nays: 0 Motion passed.

The March disbursements were approved and placed on file by a motion from Beber with Coates offering support. All were in favor. Motion carried.

**MARCH DIS-
BURSEMENT**

Coates moved with Beber supporting to approve payment of the City Attorney's bill for the month of March.

**ATTORNEY
BILL
APPROVAL**

Roll Call: Ayes: 5 Nays: 0 Motion carried.

OLD BUSINESS

There are some concerns about the future plans of the library with use of the city parking lot and the problem with kids hanging out in the parking lot.

**PARKING
LOT
PROBLEMS
WITH KIDS
HANGING
OUT**

Manager Commenator had a couple ideas in hopes of solving the problem with the kids. He suggested allowing the kids to congregate on the eastside of the parking lot (behind City Hall). Another suggestion he had was to establish the position of a Code Enforcement Official. This position would be to patrol the parking lot as well as the whole community for civil violations such as junk cars, derelict buildings and tall grass. If the city would agree to the proposal, they would have to amend the Civil Infractions Ordinance and establish a local Civil Infraction Bureau.

Attorney Tousignant then handed out a preliminary amended Civil Infraction ordinance, for the boards review.

Attorney Tousignant interjected that the city wouldn't need it's own magistrate; the Manager or clerk would suffice. If the individual pleads not responsible or doesn't show up, it would get referred to the court system. The majority of the civil infractions accept responsibility and pay the fine, and the money stays within the city.

Mayor Soderbloom also read a report from the Police Dept. to Manager Commenator, regarding enforcement action in/about City Hall parking lot. Chief Goriesky listed the number of arrests in this particular area.

Safford commented that the Police Officers should enforce the ordinances.

Mark Polley came to the defense of the Police Dept. stated that they do their job and they can only do so much and stay within the law.

**PARKING
LOT
PROBLEMS**

Coates felt that Safford owes the Police Chief and the department an apology, as they have been doing their job within the law.

Jim Sapletal felt a solution might be to work with the kids instead of against them. He suggested maybe if the local clergy or social workers could work with the kids.

Gerald DeVowe, former Police Chief for the City of Iron River commented that when he had complaints regarding the kids (carving benches on main street, blocking entrances into businesses, swearing) he helped to initiate the city to get a Loitering Ordinance, due to the problem with the kids on main street. To his knowledge he didn't charge anybody with loitering. He said that enforcement is verbal warning or an arrest. DeVowe stated that anybody over two people can be charged with loitering, which is tough because if you stop to talk to a friend, you are loitering. This would apply to all ages, not just the teenagers.

Another problem is the officer can be sued for false arrest. The officer would have to hire an attorney if he is sued civilly, in addition to the city being sued. DeVowe pointed out that the parking lots are open to the public and you can't make an arrest until they violate the law.

Soderbloom then moved that in regard to the City Manager's recommendation, we look at establishing a Code Enforcement Official on a part time basis, separate from the Police Dept. It will include patrolling the parking lot and establish a local Civil Infraction Bureau. They will be responsible to the City Manager. Coates supported the motion.

**CODE
ENFORCE-
MENT
OFFICIAL**

Roll Call: Ayes: 4 Nays: Safford Motion carried.

The Manager was asked to have a job description for the position at the next city meeting.

The time/temperature clock maintenance was discussed next. The DDA would like the city to take the maintenance of the clock over. Manager Commenator has a copy of the former agreement with Don Hebert, but it isn't signed. He is working on getting the transaction completed.

**TIME/TEMP
CLOCK**

Commenator has spoke to Westphal's and they said they could provide maintenance on the clock and would show the DPW employees how to change the time.

Coates moved that the city accept the Manager's proposal and take over the maintenance on the time/temp clock. Thompson supported the motion.

Roll Call: Ayes: 5 Nays: 0 Motion carried.

DDA
TIME/TEMP
CLOCK
MAINTENANCE

Safford brought up Terry Tarsi's resignation from the WICSA Board. Safford felt there was some confusion with the letter Tarsi received from the city regarding getting a second opinion on the wording in the charter. Tarsi has been waiting to hear what the outcome is of checking with another attorney on their interpretation of the charter.

WICSA -
TARSI
RESIGNATION

Tousignant explained that he should receive a response within 30 days, from Plunkett & Cooney, in regard to the issue.

Safford moved to have the Mayor or Manager approach Terry Tarsi for clarification of the letter he received from the city. Beber supported the motion.

Roll Call: Ayes: 5 Nays: 0 Motion carried.

The former Jean's Floral Building was discussed. Previously, Manager Commenator informed the board that MDOT was not going to do anything with the corner at 4th Ave. & W. Adams St. this year.

JEAN'S
FLORAL
BLDG

After a short discussion, Safford moved that the city pursue getting the former Jean's Floral building for \$1.00, we tear it down, give the lot back to 3 Point Development with the exception of keeping whatever the state needs to widen the corner. The motion died for lack of support.

NEW BUSINESS

Beber moved with Soderbloom supporting to donate \$1.00 per capita under new census towards the Summer Recreation Program through Iron County Community Schools.

Roll Call: Ayes: 5 Nays: 0 Motion carried.

SUMMER
REC PROG

Safford moved with Beber supporting to purchase a 2002 Dodge Intrepid Patrol Car from Iron River Chrysler, Inc. at a cost of \$22,036.00.

Roll Call: Ayes: 5 Nays: 0 Motion carried.

NEW POLICE
CAR -
APPROVAL

Coates moved with Beber supporting to advertise the old Stambaugh Theater (Washington Ave.) lot with a minimum bid of \$2,500 plus cost of title preparation and filing fees

Roll Call: Ayes: 5 Nays: 0 Motion passed.

ADVERTISE
OLD STMBO
THEATER

Thompson adjourned the meeting at 7:35 p.m.

Peggy Shamion, CMC
City Clerk