

**IRON RIVER CITY COMMISSION
SPECIAL MEETING
MONDAY, AUGUST 19, 2002
2.00 P.M.**

The meeting was called to order at 2:00 p.m. in the Legion Room of the Iron River City Hall, with Mayor Charlotte Soderbloom presiding.

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

There were no other attendees at the meeting.

The purpose of the meeting was for clarification of Attorney Tousignant's bills. At a previous meeting, Safford and Coates questioned Tousignant's invoice and were concerned about various charges on it related to Stambaugh Township/Maple View (Division St.).

Tousignant then spoke and assured the board that he does not have a conflict of interest with Stambaugh Township. He is not on a retainer fee, he has taken no oath, nor has he been given any confidential information from them. Tousignant represented Stambaugh Cemetery Association before consolidation. Stambaugh Township does not have one attorney, they use several attorneys.

Secondly, Tousignant explained that the Maple View area has approximately 21 houses, which are hooked up to Iron River sewer lines since 1952. They had to pay the same rates as Iron River City residents did and the city has never done anything to the lines up there.

When the West Iron County Sewer Authority (WICSA) began, Iron River City was a member and could sell services to other municipalities. However, they need to have a contract with them and the city needs to enforce the ordinance.

Stambaugh Township however, does not have a sewer ordinance. In 1998 a sewer service agreement was signed between Stambaugh Township and Iron River City, which allowed the people from the Maple View area to discharge their sewage through the city sewer lines.

Tousignant pointed out problems with this agreement, is that Maple View can dump anything they want into the city system because there is no ordinance in place for them. Secondly, their lines are deteriorating.

The city could have a potential lawsuit with the Maple View residents. They are claiming that they have been paying their fees and they want the city and township to fix their lines.

The city needs to have Stambaugh Township adopt an ordinance that prohibits residents from dumping toxic waste, etc into our sewer system.

Eugene Pellizzaro drafted an ordinance, which he gave to Tousignant for review. Tousignant then critiqued the ordinance and forwarded it to Steve Polich, who is the attorney for WICSA. The ordinance has to satisfy the city and WICSA.

Stambaugh Township does not have to become a member of WICSA.

Safford and Coates felt that Tousignant is doing legal service for Stambaugh Township but the city is paying for it. Tousignant told the board that whether the ordinance was drafted by Mr. Pellizzaro or an attorney, he would still have to review the ordinance that was given to him.

Beber moved with Coates supporting to adjourn into executive session to consult with the City Attorney.

Roll Call: Ayes: 5 Nays: 0 Motion carried. Meeting adjourned into executive session at 2:47 p.m.

Meeting reconvened at 3:10 p.m.

Beber moved with Thompson supporting to pay the attorney fees for July.

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

Coates moved not to seek attorney proposals and Beber supported.

Roll Call: Ayes: 4 Nays: 1 – Safford Motion carried.

Beber moved with Coates supporting to adjourn the meeting at 3:15 p.m. All were in favor. Motion carried.

Peggy Shamion, CMC
City Clerk