

**IRON RIVER CITY COUNCIL
REGULAR MEETING/PUBLIC HEARING
WEDNESDAY, AUGUST 21, 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, Virgil Thompson, Klint Safford, Ray Coates, Mayor Charlotte Soderbloom, City Manager Rick Commenator, City Attorney Mark Tousignant and City Clerk Peggy Shamion.

A standing room only crowd attended the meeting.

Additions to the agenda included under Approval of the Minutes the special meeting minutes of 08-19-02; Old Business (e) Update on skateboard, (f) I & I, (g) Update on Maple View (Sunrise/Division) and New Business (d) Purchase of Quick Coupler for loader.

**APPROVAL
OF THE
AGENDA**

Beber moved to accept the amended agenda and Thompson supporting. All were in favor. Motion carried.

The minutes of the regular city meeting of August 7, 2002 and the special meeting minutes of August 19, 2002 were approved on a motion from Thompson with Safford supporting. All were in favor. Motion carried.

**APPROVAL
OF MINUTES**

The Public Hearing on cemetery issues began at 6:03 p.m.

Mayor Soderbloom opened the Public Hearing asking for public comment regarding the cemetery.

**PUBLIC
HEARING ON
CEMETERY
ISSUES**

Don Gurchinoff wanted to know what the board has done to resolve the issue of former Stambaugh residents who have purchased lots in the Stambaugh Cemetery, but are considered non-residents for burial.

Soderbloom responded that the city has attended several meetings with the Cemetery Association that have not gone anywhere.

Beber gave a synopsis of the breakdown between the Stambaugh Cemetery Association and the consolidated City of Iron River. The final decision was when Iron River submitted a proposal offering to pay \$6.00 per capita, \$10,000 of in-kind service, Gaastra wanted to take over the bookkeeping, they would perform the landscape management (cutting the grass and burials) at the old Iron River

Cemetery and the ownership of the Iron River Cemetery shall remain with the Iron River City Cemetery (so they are not involved with any legal problems).

**CEMETERY
ISSUES**

The answer from the Stambaugh Cemetery Association was, "We reject your proposal".

Wayne Wales asked the board to consider appointing a separate committee of citizens to negotiate with the Cemetery Association, to keep the politics out of the discussion.

Tousignant said that an adhoc or advisory committee could be appointed.

Wales felt that another issue, is the people who have lived in the former Stambaugh City all of their life want to be buried there; besides just the people who have already purchased lots.

Safford suggested that one resolution could be that the people who have already purchased lots and have deeds to them, band together and file a class action suit against the Stambaugh Cemetery Association.

Alfred Perlongo asked if the city has ever received anything in writing stating the residential status. Perlongo then suggested that the city send a letter to both the Stambaugh Cemetery Association and Iron River Township Cemetery Association requesting that the people who have lots now (and live in Iron River City) be given residential status.

Commenator said that there is a letter in the file from the Cemetery Association stating that they rejected the offer and not to come back with another one.

Rich Frighetto suggested that the board try again to resolve the issues with the Stambaugh Cemetery Association.

There were no other comments and Mayor Soderbloom adjourned the Public Hearing at 6:48 p.m.

PUBLIC COMMENTS

Peter Korach voiced his concerns about cracks in the road in the former Mineral Hills being repaired; also two roads in the new location have been ruined by the plows; a culvert is almost exposed between Collins & Pisoni St. on the north side. He also questioned whether the city obtained a permit from the DNR, to dump into the Forbes pit. Finally, he asked when the fencing is going to be repaired around the abandon mine properties.

**PETE
KORACH-
CULVERT,
ROADS, DNR
PERMIT &
FENCING**

Commenator will check into Korach's concerns.

Greg Cramer asked if the board would reconsider amending the Hunting Ordinance to reflect, that if permission is granted from the owners of property of 5 acres or more, others can bow hunt deer. He felt that there are going to be to many deer in the city limits.

**AMENDING
HUNTING
ORDINANCE**

The board will take Mr. Cramer’s suggestion under advisement.

Beber moved with Coates supporting to accept & file the Consent Agenda, which consisted of Stambaugh Housing Commission July 9, 2002 minutes, Stambaugh Housing Annual Organization Meeting and Iron River Housing Commission minutes of July 9, 2002. All were in favor. Motion passed.

**APPROVAL
OF
CONSENT
AGENDA**

The Manager’s report was accepted by a motion from Thompson and Beber supporting. All were in favor. Motion carried.

**MANAGERS
REPORT**

FINANCIALS

MDOT has submitted a bill for the Stambaugh Bridge project for \$1,779.93. Beber moved with Coates supporting to approve payment of the \$1,779.93 to MDOT.

**MDOT BILL
FOR STMBO
BRIDGE
APPROVED**

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

Beber moved with Coates supporting to approve payment for a bill from STS Consultants for the 7th St. Road Project.

**APPROVE
TO PAY STS
7TH ST.
ROAD PROJ**

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

OLD BUSINESS

Sewer relocation at Westphal’s Inc. was discussed. Manager Commenator told the board that he and the clerk have researched the minutes and deeds, but have been unsuccessful in locating any documents/easement to service the house located at 122 Hunter Road.

**WESTPHALS
SEWER
RELOCA-
TION**

The service line needs to be moved to allow Westphal’s to construct a building.

Tousignant told the board that the city would acquire eminent domain after 15 years.

Possibly under the new sewer project we could relocate the line in Hunter Road to accommodate the house located at 122 Hunter Road. If we can’t, we could put a pump in their basement and force main out to Hunter Road to service the house. At some point, Commenator said that the city could abandon the majority of the line.

The city would have to secure an easement for the new line.

Commenator explained that the sewer could be relocated. He felt that it is neither the city nor Westphal's fault for the situation and neither party should have to pay the full amount to relocate the line.

**WESTPHALS
INC. SEWER
LINE**

Coates moved to follow the Manager's recommendation of sharing the cost to relocate the sewer line between the city and Westphals, with the Manager to meet with Westphal's and work out the details. Beber supported the motion.

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

One bid was received for property located in the Minckler Addition from Brian Wilson. Beber moved with Coates supporting to sell Lots 13 – 16 Block 11 of the Minckler Addition to Brian Wilson for \$500/lot plus the deed preparation and transfer.

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

**ACCEPT-
ANCE OF
PROPOSAL
FOR
PROPERTY
IN
MINCKLER
ADDITION**

Commenator informed the board that the city has been awarded a 50/50 grant from the National Park Service under the Land and Water Conservation Fund Program for improvements to Nelson Field (construct a barrier free access and construct a new barrier free concession stand building). The council must adopt a resolution and authorize the signing of the project agreement, to secure the grant. Federal share is not to exceed \$80,300 and the city is to make up the like amount. The grant application called for \$54,500 of the city's share to come from Force Account Labor, that is that we would be doing a lot of the demolition and site preparation work with Public Works Crews.

**NELSON
FIELD
GRANT**

This is a reimbursement grant so the city would have to fund the project "up front" and apply for reimbursement. The project period runs from July 11, 2002 to June 30, 2004.

Beber moved with Coates supporting to table any decision on the Nelson Field grant until the Recreation Board review the resolution.

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

After some discussion, Beber moved with Coates supporting to send a letter to both the Stambaugh Cemetery Association Board and the Iron River Township Cemetery Board, inviting them to a meeting for an explanation of resident and non-residential status, and proceed from there.

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

**SEND
LETTER TO
STMBO
CEMETERY
& I.R. TWP
CEMETERY**

Mayor Soderbloom updated the board on the presentation to the Hockey Association regarding the concept of a skateboard park. The Skateboard Committee met with the City of Caspian informing them what the kids were doing and that they are raising money for the skateboard park. Caspian City offered property by the Ice Area (outside) for the park.

Commenator prepared a one page request for funding from a foundation for the skateboard park.

When Mayor Soderbloom was questioned why the plan has changed from building the park in Bachman Park to tentatively being built in the City of Caspian, she responded, "there were concerns about having the park near young children and the language factor".

SKATE-BOARD PARK

Beber asked the Manager if he could take a look at the city's I&I at the Senior Citizen Center and the RV Park. Commenator said he would check into it.

I&I

Terry Tarsi, city's representative of WICSA asked when the city is going to start doing something with the I&I in the city. He stated that the city collects money each month, but nothing is being repaired.

Tarsi reminded the board that they are under a consent order by the DEQ to repair city sewer lines.

Safford asked if the board was going to proceed like they are with the Maple View/Sunrise Division St issues or change plan. Thompson commented that everything is at a stand still until the hold harmless agreement is signed by all residents.

MAPLEVIEW/SUNRISE SEWER ISSUE

The board agreed to proceed as we are.

Beber asked for a short recess at 8:25 p.m.

The meeting reconvened at 8:30 p.m.

NEW BUSINESS

Craig Tarsi spoke at the meeting regarding charges for 2 users on the water bills. On page 12, section 4.9, Tarsi wondered if the board had reviewed the rates as specified in the ordinance. Mayor Soderbloom noted that this had not been done.

CRAIG TARSİ - 2 USER CONCERNS ON WATER BILL

Tarsi was concerned about the structuring of the billing and that he was being charged double. He owns a building which had a business downstairs and an apartment upstairs; he was being billed \$21.00 for water for each and questioned why.

He then referred to page 6 in reference to section 2.5-meters; he wondered if the city charges using that meter. Commenator said that is how the water going through the meter is billed. Tarsi felt that he only has one meter, but is being billed for two places. Commenator explained to Tarsi that he has two users in the building.

On page 4, it refers to a monthly connection charge and Tarsi argued that he only has one connection through one meter.

Commenator stated that Mr. Tarsi has raised some interesting questions, and he suggested referring the matter over to the City Attorney for review and comment if there are deficiencies and if there is an inadequacy in our ordinance, then we have to address it.

With that, Mayor Soderbloom moved to take Manager Commenator's recommendation and refer the issue to the City Attorney for review and comment and if there are any deficiencies in the ordinance address them. Beber supported the motion.

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

**DEFICIEN-
CIES IN
WATER
BILL/WATER
ORDINANCE**

Tousignant commented that the philosophy of the board at the time of adopting the ordinance was to bill by entity or dwelling unit.

Soderbloom moved to set up a meeting for the council to conduct their annual review of water/sewer rates and charges as outlined in the ordinance. Safford supported the motion. All were in favor. Motion carried.

Craig Tarsi questioned why he hasn't been reimbursed for bills submitted for cleaning costs due to city sewer problems. Manager Commenator will check on the situation.

Commenator has been contacted by two different sources in Minckler Addition. One individual wants lots 5 thru 8 Block 10 and the other is interested in lots 5 thru 12, block 12 or lots 5 thru 12, block 8. The City Assessor paced a per lot minimum price of \$500. The lots are only 50 ft wide and there are no utilities on the property, but could be extended to the property.

**PROPERTY
IN
MINCKLER
ADDITION
TABLED**

Tousignant said that with regard to the sizing, you could put a restricted covenant on the deed, which would say that they can build on the lots, but cannot further subdivide them.

Tousignant cautioned the board about letting individuals develop the city right-of-way.

Beber moved to table the request on the property in the Minckler Addition, until the next meeting. Safford supported the motion. All were in favor. Motion carried.

Commenator also received an inquiry about two lots on the old site of the Stambaugh Water Tower on Cherry Street. These being lots 22 & 23 block 13 of the Plat of the Village now City of Iron River (Stambaugh assessor's) minimum value per lot is \$875.

**ADVERTISE
PROPERTY
ON CHERRY
ST.**

Safford moved to advertise for bids the property located on Cherry St. lots 22 & 23 of Block 13 of the Plat of the Village now City of Iron River (Stambaugh) Assessor's minimum value per lot is \$875, plus deed and transfer costs. Beber supported the motion.

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

Previously the city advertised property in the Chalet Addition for a minimum bid of \$5,000. We receive no bids at the time but a new party is interested in the east half of lot 11 and 12 of the Chalet Addition and Commenator wondered if the city could sell the property now or if we have to advertise again.

**APPROVAL
TO SELL
PROPERTY
IN THE
CHALET
ADDITION**

Tousignant said that it is legal for the city to sell the property without advertising, if they choose.

Beber moved with Safford supporting to sell the property to Bob Warner for \$5,000 (the advertised price) plus costs of the deed and transfer.

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

Coates moved with Soderbloom supporting to have a Committee (Rick, Dick Anderson, Tom Beber and school officials) meet to review agreement for Nelson Field.

**NELSON
FIELD
AGREEMENT**

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

Beber moved with Soderbloom supporting to purchase a quick coupler for the Cat Loader for \$4,725.00 from Nortrax.

**PURCHASE
QUICK
COUPLER
FOR CAT
LOADER**

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

Thompson moved with Coates supporting to adjourn the meeting at 9:20 p.m. All were in favor. Motion carried.

**Peggy Shamion, CMC
City Clerk**