

**IRON RIVER CITY COUNCIL
REGULAR MEETING
WEDNESDAY, DECEMBER 18, 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 Tom Beber, Ray Coates, Virgil Thompson, Klint Safford, Mayor Charlotte Soderbloom, City Manager Rick Commenator, City Attorney Mark Tousignant and City Clerk Peggy Shamion.

Others attending the meeting were George Treado, Jere Fritsche, Steele Magnet and Sam Safford.

Additions under Old Business (e) Iron River Cable Franchise and under New Business (a) property complaint (trailer). With that Beber moved with Coates supporting to approve the amended agenda. All were in favor. Motion carried.

**AMEND-
MENTS TO
THE
AGENDA**

The regular minutes of the meeting held on December 4, 2002 were approved on a motion offered by Thompson with Beber supporting. All were in favor. Motion carried.

**APPROVAL
OF MINUTES**

PUBLIC COMMENT

Jere Fritsche was present and wanted to enlighten the board as to his dissatisfaction with removing him from the city sewer and installing a septic tank for him. Discussions have taken place between Fritsche, the City and Westphals, as Westphals would like to construct a new building on there premises and the sewer line that feeds Mr. Fritsche is in the way. They wanted to have the line abandoned so they could begin construction on their new building.

**JERE
FRITSCHÉ –
SEPTIC
TANK AT 153
E. HUNTER
ROAD**

At one point Fritsche said he would consider being hooked up to a septic tank, if Westphal's would upgrade his electrical service to 100 amps and when/if the city sewer project gets developed, he go back on the city sewer line. Fritsche had not heard anymore and the next thing he knew, his sewer service was severed from the city line and a septic tank was put in, which he never firmly agreed to. Fritsche stated that the city is supposed to maintain the septic tank and he is not to be billed for sewer until he is connected to the city sewer.

After some discussion, Coates moved to table any decision but have the Manager and City Attorney meet and come up with a solution for Mr. Fritsche. Thompson supported the motion.

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

Steele Magnet was also present and wanted information about the proposed meter based rates and how it's going to affect him, regarding the water/sewer/garbage bill.

**STEELE
MAGNET
WATER
RATES**

Commenator told Magnet that he doesn't have all the figures yet, but when he gets all the information compiled, he will let him know.

Thompson moved with Beber supporting to accept the Consent Agenda, which consisted of the Zoning Board of Appeals minutes of November 12 and December 3, 2002 and the Stambaugh Housing Commission minutes of November 12, 2002. All were in favor. Motion carried.

**CONSENT
AGENDA**

Beber moved to accept and file the Manager's report and Coates supported the motion. All were in favor. Motion passed.

**MANAGER'S
REPORT**

Beber moved with Safford supporting to pay Jim Spicer, Inc. \$29,388.25 for sanitary sewer interceptor replacement on 4th Ave. (city will withhold \$1,546.75 in addition to the payment) Also, transfer \$29,000 temporarily from the water account to the sewer account to cover the payment. (A lien waiver will be provided from the contractor before payment is given to Spicer)

**APPROVAL
TO PAY JIM
SPICER FOR
SANITARY
SEWER
INTERCEPT
OR WORK
ON 4TH AVE.**

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

OLD BUSINESS

The city has received an opinion from the Attorney General regarding establishing a death benefit to city residents in lieu of getting involved in cemetery burials. Her opinion was that she is not going to rule on the issue and to discuss it with our Attorney.

**DEATH
BENEFITS**

Tousignant doesn't think this is something the city can do. If they were to try to proceed, they would have to draft an ordinance and specify who exactly would get the benefit, when, how much, etc.

Beber moved to receive and file the Attorney General's opinion and Soderbloom supported the motion.

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

Tousignant received correspondence from Attorney Steve Polich of the West Iron County Sewer Authority, requesting copies of a Township Ordinance and/or agreements the city has with Stambaugh Township.

**SUNRISE
AVE**

Tousignant explained that the city has only received the ordinance that Eugene Pellizzaro drafted and that is all. There has not been any agreement made. He wanted direction from the board on how they wanted him to proceed.

Beber moved to have Attorney Tousignant advise Mr. Polich that we are waiting until the Stambaugh Township sewer lines get televised

Beber moved with Soderbloom supporting to pay 2/3 of the City Manager's additional moving expenses (the additional amount was \$3,479) less \$500 due to an error the Manager made when settling with the movers. (total to be paid will be \$1,818.00)

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

**APPROVAL
TO PAY 2/3
OF ADDT'L
MOVING
EXPENSES**

Jere Fritsche was appointed to fill the vacancy of Bob Hagelin on the Planning/Zoning Board with a term to expire 7-1-03, on a motion from Beber with Coates supporting. All were in favor. Motion carried.

**APPOINT J.
FRITSCH
E
TO
PLAN/ZON
E
BOARD**

Rich Bekkala was appointed to fill the vacancy of Bob Hagelin on the Zoning Board of Appeals until 7/1/04, on a motion from Beber with Coates supporting. All were in favor. Motion passed.

**APPT R.
BEKKALA
TO ZBA**

Tousignant explained that he has had his first discussion with representatives from the Iron River Cable Company and they are asking for an extension, retroactive to June 03.

**APPROVAL
TO GRANT
EXTENSION
TO I.R.
CABLE
REGARDING
FRANCHISE**

Beber moved with Soderbloom supporting to grant an extension to Iron River Cable Company for the Iron River Cable Franchise to be retroactive to June 2003.

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

NEW BUSINESS

A problem has aroused at a residents property located at 601 Harding Ave. Originally the owner was granted permission to place a trailer on the property, but now it is being used as a storage facility. Neighbors are complaining about the property.

**ZONING
VIOLATION
AT 601
HARDING
AVE.
REGARDING
TRAILER**

Coates moved with Thompson supporting to have the Manager and Attorney meet and resolve the mobile home trailer complaint at 601 Harding Ave. If it involves monetary fees, inform the council before proceeding.

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

COMMISSIONER COMMENTS

Thompson asked that a post be installed at the corner of Forbes and Homer Road, due to a drop off on the side of the road.

Soderbloom moved with Beber supporting to recess the regular meeting and go into executive session (upon request of Manager Commenator) to discuss his job evaluation.

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

**EXECUTIVE
SESSION –
MGRS
EVALUA-
TION**

Meeting adjourned at 7:07 p.m.

The meeting returned to open session at 7:18 p.m.

Motioned by Safford, supported by Beber to conduct the City Manager's evaluation at the January 22nd meeting, as originally scheduled. All were in favor. Motion carried.

Regular meeting adjourned at 7:21 p.m.

Peggy Shamion, CMC
City Clerk