

**IRON RIVER CITY COUNCIL
REGULAR MEETING
WEDNESDAY, NOVEMBER 5, 2003
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.

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

Phil & Jane Butler, Tom Karvala, Tim Peruzzi, Brook Smith, Mark Gasperini, Roy Polich, Mike Gatzow, Tom Mayo, Rosalie King, Bernard St. Germain and George Treado also attended the meeting.

Additions to the agenda included under Financials 9 (d) Oct. legal fees and delete Old Business (a) Warning siren. Beber moved with Coates supporting to accept the amended agenda. All were in favor. Motion carried.

**APPROVAL
OF AGENDA**

Thompson moved with Coates supporting to accept the minutes of the regular meeting of 10-15-03 and special meeting of 10-22-03. All were in favor. Motion carried.

**APPROVAL
OF MINUTES**

PUBLIC COMMENT

Tom Karvala was present on behalf of the West Iron County Schools and shared interest about the tennis courts. The school has discussed long range plans to add tennis courts to Nelson Field.

**ADDITIONAL
TENNIS
COURTS**

Mr. Karvala explained that 10 out of the last 11 years tennis coach Brook Smith has taken the girls UP Tennis tournament locally which presents a problem, due to the lack of tennis courts. This past year they had to bus players to Forest Park to play on their tennis courts along with playing on the courts locally.

With the schools help, the city's contribution and help from Friends of Nelson Field", their hope was that each individual group would build a tennis court.

Mr. Karvala suggested a two man committee from the city work with two people from the school board and two representatives from the "Friends of Nelson Field", to look at the feasibility for developing Nelson Field tennis courts.

Thompson asked where the money is going to come from as the city is already obligated for approximately \$56,000 of in kind service for another project.

Coates asked if the city has the money to put the tennis courts back in at Bachman Park. Commenator said there is money budgeted for this spring for this.

**TENNIS
COURTS**

Commenator said the source of funding would be from the general fund and that the planning stage wouldn't cost the city any money.

Beber suggested going to the Recreation Committee and ask them to represent the city.

Commenator will contact the Chairman for the Recreation Committee and ask them to appoint two volunteers to meet with the school and "Friends of Nelson Field" regarding the tennis courts.

CONSENT AGENDA

Thompson moved with Beber supporting to approve the Consent Agenda which consisted of WICSA minutes of 9-29-03, Watershed Council minutes of 10-6-03, DDA minutes 9-15-03, Stambaugh Housing minutes 9-9-03, Zoning/Planning Board of 8-28-03 & 9-25-03, Iron River Housing minutes 9-9-03 and the October check register. All in favor. Motion carried.

**CONSENT
AGENDA**

Beber moved with Thompson supporting to approve the monthly reports from all departments. All were in favor. Motion carried.

**MONTHLY
REPORTS**

FINANCIALS

MDOT bill of \$14,705.81 for the 7th St. resurfacing was approved for payment on a motion by Beber with Zanon supporting.
Roll Call: Ayes: 5 Nays: 0 Motion carried.

**INVOICE
FOR 7TH
AVE.
RESURFAC-
ING**

Thompson moved with Beber supporting to approve payment for invoice #249465 from STS Consultants for \$5,606.78 for the construction/engineering services for the River/Allen Street project.
Roll Call: Ayes: 5 Nays: 0 Motion carried.

**INVOICE
FOR RIVER/
ALLEN ENGI-
NEERING**

Tom Mayo of STS Consultants, gave an update on the water project. The final paving is scheduled for next week along with restoration. Approximately 99% of the old water main is now turned off.

**WATER
PROJECT
UPDATE**

Mayo reported that there has been a dramatic drop in water pumping per day. Before the project started there was an average of 550,000/gals per day and presently it's pumping 108,000/gals per day.

Mayo also requested that joint checks be made out and said lien wavers will be requested.

Coates commended Mr. Mayo on a fine job overseeing the water project.

The letter that was sent to the contractor for substantial completion started the warranty phase and was also mentioned that the contractor will need to request any reduction in retainage. Along with that request they will have to have consent from the bonding company. The request to the city is for the city to consider how much retainage to release. Mayo suggested the city having a special meeting at a later date or possibly assign two council members to meet with the engineers to discuss the matter.

**IRON RIVER
WATER
PROJECT**

Mayo was concerned, due to the amount of problems experienced over the past couple of years, he felt it should be discussed what small amount of retainage be withheld from the contractor.

Beber moved with Coates supporting to approve pay estimate #22 for the water project for \$237,841.73.
Roll Call: Ayes: 5 Nays: 0 Motion carried.

**APPROVE
PAY
ESTIMATE
#22**

Coates moved with Thompson supporting to approve legal fees for October for \$1,763.34.
Roll Call: Ayes: 5 Nays: 0 Motion passed.

LEGAL FEES

Beber moved with Coates supporting to approve payment to STS Consultants for \$3,697.50 for construction engineering and material testing for 7th Ave. improvements (U.S. 2 to Franklin St). (if it hasn't been paid yet)
Roll Call: Ayes: 5 Nays: 0 Motion carried.

Attorney Tousignant informed the board that he received correspondence from Roy Polich in reference to Mark Gasperini's interest in renewing their request to purchase the city's interest in lots 7, 8 & 9 near his billboard sign.

**CITY
PROPERTY
NEAR MARK
GASPER-
INI'S
BILLBOARD
SIGNS**

Manager Commenator obtained a deed and the city may have other undivided interest in the property.

Gasperini is asking for a quit claim deed, but the city isn't clear on what they own within the lots in question.

Attorney Roy Polich noted that the percentages in the deed remain the same.

Tousignant was concerned that in regard to the city ordinance we have to put a value on property when we sell it and we don't know what we own, so we don't know the value. He also suggested that the city could put the property up for sale with restricted covenants.

Thompson moved to table any decision until the board gets a chance to review the site. Coates supported the motion.
Roll Call: Ayes: 1 – Thompson Nays: 4 Motion failed.

Beber moved with Coates supporting to put the city property in question up for bids with a minimum bid of \$300 plus cost of transferring sale, subject to existing easements and right-of-way.
Roll Call: Ayes: 3 Nays: 2 – Thompson & Soderbloom
Motion carried.

**MOTION TO
SELL
PROPERTY
NEAR M.
GASPERINI
BILLBOARD
SIGNS**

OLD BUSINESS

Next on the agenda was discussion on the sewer fund escrow in reference to the DEQ Consent Order. (see attached letter from Manager Commenator). There is some confusion regarding figures relating to the money the city is supposed to be setting aside in conjunction with the Consent Order. There is some question about the extra \$81,000 and where it's supposed to come from. The city doesn't have the money to date that was supposed to be set aside for sewer repairs according to the DEQ Consent Order.

**SEWER
ESCROW –
DEQ
CONSENT
ORDER**

Most of the members on the board felt that the \$5.84 that was added to the bills was the only amount the city had to come up with. Now the \$81,000 seems to resurface again.

Commenator explained that the city would have to raise it's sewer rates up \$3.35/month to raise the \$81,000 for this year.

Commenator said that by the end of the week he would have a report ready for Steve Casey of the DEQ and then he will get a meeting set up with them.

NEW BUSINESS

Phil Butler brought up the condition of Lalley Road. Commenator explained that it was supposed to be torn up this year with the water project, because we were going to extend the main from Ice Lake Road down to the car wash and tie into what the city did a few years ago. That will be done next year.

**LALLEY
ROAD**

He also complained about the drainage problem down the road from him, ends up backing up in his basement. Commenator will check it out.

Beber moved with Coates supporting to adjourn the meeting at 7:20 p.m. All were in favor. Motion carried.

Peggy Shamion, CMC
City Clerk