

**IRON RIVER CITY COUNCIL  
REGULAR MEETING  
WEDNESDAY, JANUARY 21, 2004  
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 Ray Coates, Roger Zanon, Virgil Thompson, Mayor Charlotte Soderbloom, City Manager Rick Commenator, City Attorney Mark Tousignant and City Clerk Peggy Shamion. (absent was Tom Beber – vacation)

John Archocosky, Jere Fritsche, Craig Richardson, Mary Mower, George Treado and Mark Gasperini also attended the meeting.

Amendments to the agenda included adding under Old Business 10(c) Previous motion on the sale of property: under New Business 11(c) SBC Application for permit regarding Metro Act; 11(d) Street Administration and other Committees; 11(e) Request from George Treado regarding using Legion Room for County meetings.

**AMEND-  
MENTS TO  
AGENDA**

Thompson moved with Coates supporting to approve the amended agenda as outlined above. All were in favor. Motion carried.

Thompson moved with Coates supporting to approve the minutes from the special meetings of December 31, 2003, January 5, 2004, January 9, 2004 January 14, 2004 and the regular meeting of January 7, 2004. All were in favor. Motion carried.

**APPROVE  
MINUTES**

There was no public comment at this time.

Coates moved with Thompson supporting to accept and file the Consent Agenda, which consisted of County Planning Commission minutes of 12/15/03, Watershed Council minutes of 12/1/03, Stambaugh Housing Commission minutes of 12/9/03 and Iron River Housing Commission minutes of 12/9/03. All were in favor. Motion passed.

**CONSENT  
AGENDA**

Manager Commenator reported that he has received a formal request from Alliance Construction for release of 2½% of the monies retained from the Water System Project. He said a meeting would have to be set up to discuss release of any retainage. Tentatively, Friday, January 30, 2004, in the morning is schedule for a meeting with Thompson, Commenator, Tousignant, Soderbloom and Tom Mayo.

**REQUEST  
FROM  
ALLIANCE  
FOR  
RELEASE OF  
SOME  
FUNDS**

Thompson moved to accept the manager's report and place on file with Coates supporting the motion. All were in favor. Motion carried.

**MANAGER'S  
REPORT**

**FINANCIALS**

Coates moved with Thompson supporting to approve payment to STS Consultants for engineering for the Mineral Hills drain field. (invoice #252223)  
Roll Call: Ayes: 4 Nays: 0 Absent: 1 – Beber Motion carried.

**PYMT TO  
STS FOR  
ENGINEER-  
ING I.R.  
NORTH  
DRAIN FIELD**

**OLD BUSINESS**

The Riverside 1<sup>st</sup> Addition property that was previously bid with one bidder and has indicated that he would like to establish a used car lot on the site, was discussed. Review of the Zoning Ordinance for general business requires a minimum lot area of 6,000 square feet; minimum width of 60 ft at all points and a minimum dept of 100 feet at all points. The parcel does not meet the requirements and Manager Commenator recommended to the board to reject the bid.

**RIVERSIDE  
1<sup>ST</sup>  
ADDITION  
PROPERTY –  
REJECT ALL  
BIDS**

Coates moved with Thompson supporting to reject the previous bid on the Riverside 1<sup>st</sup> Addition lot 14.  
Roll Call: Ayes: 4 Nays: 0 Absent: 1 – Beber Motion carried.

Next discussed was the 30 acres that was advertised in the James Location. Commenator received a quote from Gary Pisoni to provide a survey and legal description of the city's drain field for \$600. Commenator recommended that the Council authorize the survey. Because this will substantially change the size of the parcel, he also recommended that the board reject all bids and rebid the parcel in its new dimensions.

**JAMES  
LOCATION  
PROPERTY –  
30 ACRES –  
SELL TO  
MARY  
MOWER &  
ROBERT  
BRUCKNER**

Mary Mower, was one of the bidders on the parcel of property and wanted to make it clear to the Council that whatever the exclusion is, she is still interested in the parcel and will give whatever right-of-way that the city needs.

There was concern as the other bidder (Mr. Goldbach) has not withdrawn his bid.

After some discussion, Thompson moved to sell the 30 acres (NE ¼ of the NE ¼ of Section 23, T43N-R35W) in the James Location to Mary Mower/Robert Bruckner (they will pay for the survey by Gary Pisoni); remove from the sale, that portion which has the city drain field on it. They also have the right to withdraw their bid after the survey is completed and the city will reimburse the \$600 for the survey. Coates supported the motion.

Roll Call: Ayes: 4 Nays: 0 Absent: 1 – Beber Motion passed.

Mark Gasperini asked if he can review the deed before it gets recorded on the property that he is purchasing (Block 3 lots 7, 8, 9 & 10 in the Hammer Addition). The city will give him a draft for his review.

**MARK  
GASPERINI  
PROPERTY**

Zanon had concerns about the Waste Management Contract and wanted to table any discussion until the water rates are reviewed.

**WASTE  
MANAGE-  
MENT  
CONTRACT**

Commenator pointed out that the monthly pickup fee does not change for the first year of the three-year contract. The next two years of the contract, is subject to a cost of living increase.

Attorney Tousignant wants to review the previous resolution and see if Waste Management would be receptive to modify the contract at the city's request.

Thompson moved with Zanon supporting to have Attorney Tousignant contact Waste Management and see if they would agree to put a provision in the contract that the city can opt out if they decide to go to a bag system in the near future.

Roll Call: Ayes: 4 Nays: 0 Absent: 1 – Beber Motion carried.

**NEW BUSINESS**

Mayor Soderbloom moved to appoint the City Manager to the DDA for a four year term to expire 12-31-07. Coates supported the motion. All were in favor. Motion carried.

**APPT CITY  
MANAGER  
TO DDA**

Mayor Soderbloom moved to reappoint Ed Lindwall to a 4 year term on the DDA, to expire 12-31-07. Thompson supported the motion. All were in favor. Motion carried.

**APPT ED  
LINDWALL  
TO DDA**

Attorney Tousignant commented that there is a resolution identifying the City Manager as being one of the city's members on the WICSA. John Archocosky was appointed to fill the unexpired term of Rick Commenator on the WICSA.

**APPOINT  
CITY  
MANAGER  
TO WICSA**

Coates moved with Soderbloom supporting to appoint Rick Commenator to fill the vacancy on the Zoning Board/Planning Commission. All were in favor. Motion carried.

**APPT R.  
COMMENAT  
OR TO  
ZONING  
BOARD/PLA  
NNING COM.**

Allen Reitmeyer of 903 Sunrise Ave. has a delinquent bill of \$722.46. He is a Stambaugh Township water customer and is not delinquent with them.

Commenator has contacted Stambaugh Township asking them to secure collection for us and have been notified that they can't do that.

**903 SUNRISE  
DELINQT  
SEWER BILL**

Tousignant commented that he doesn't think the city has any authority to tamper with anyone's sewer outside of the city. He was concerned if the city went to small claims court, it would be an admission that Reitmeyer has the right to dump in the city sewer lines and the city has the right to bill him directly. This would be inconsistent with our position that it's a township problem and it's the township's responsibility to deal with customers that are dumping in our system.

**SUNRISE  
SEWER -  
PROBLEM  
WITH  
DELINQ'T  
CUSTOMER**

Tousignant summarized the dealings with Stambaugh Township as follows: Stambaugh Township approached the Sewer Authority and have been presented with a contract; they have not signed it; they have been presented with a proposal by the City of Iron River. They are having problems with the people that live in the subdivision not necessary inclined at this point to allow a special assessment put upon them. The residents have taken the position that this is a township problem and a City problem and not the resident's problem.

Coates moved with Zanon supporting that Commenator send a letter to Al Reitmeyer of 903 Sunrise Ave asking to meet with him and possibly the City Attorney, to discuss what the city's position is. All were in favor. Motion passed.

The city has received an application from SBC for ongoing use of public highways in regard to Metro Act –Public Act 48. Tousignant reviewed the application and recommended the board grant the application.

**SBC APPLIC-  
ATION FOR  
METRO ACT  
#48**

Coates moved to grant SBC application for a permit to use the city's right-of-way under Public Act 48 of the Metro Act. Soderbloom supported the motion.

Roll Call: Ayes: 4 Nays: 0 Absent: 1 – Beber Motion carried. The city will receive money every year with this.

Thompson moved with Soderbloom supporting to appoint John Archocosky as the Street Administration. All were in favor. Motion carried.

**STREET  
ADMINIST-  
RATOR  
APPTMNT**

Thompson moved with Soderbloom supporting to appoint John Archocosky as the Zoning Administrator. All were in favor. Motion carried.

**ZONING  
ADMINISTRA  
TOR  
APPTMNT**

A request was received from George Treado asked if the city would consider offering the county the use of the Legion Room to conduct their meetings, during renovations at the Court House. Commenator will write a letter to the County, offering use of the Legion Room to conduct their meetings.

Mark Gasperini asked for an explanation as to why his bid was rejected on the property in the Riverside 1<sup>st</sup> Addition. Commenator told him that the property doesn't meet zoning requirements, for which Gasperini was going to use it for.

Coates moved with Thompson supporting to adjourn the meeting at 7:08 p.m. All were in favor. Motion carried.

Meeting adjourned at 7:08 p.m.

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**Peggy Shamion, CMC**  
**City Clerk**