

**IRON RIVER CITY COUNCIL MINUTES  
PUBLIC HEARING ON BUDGET/REGULAR MEETING  
WEDNESDAY, MAY 16, 2007  
1:45 P.M.**

The Public Hearing/Regular Meeting was called to order at 1:48 p.m. in the Council Chambers in the Iron River City Hall, with Mayor Charlotte Soderbloom presiding.

The Pledge of Allegiance was recited.

Council members present included: Edward Marcell, Ray Coates, Thomas Beber, Roger Zanon and Mayor Soderbloom. City Manager John Archocosky, City Attorney Mark Tousignant and Deputy Clerk Kathy Anderson were also present.

**OPEN PUBLIC HEARING**

Mayor Soderbloom opened the Public Hearing on the 2007-2008 Budget. There was no public comment or questions on the 2007-2008 Budget.

**OPEN PUBLIC  
HEARING ON  
07-08 BUDGET**

Coates moved to approve the agenda. Beber supported. All were in favor. Motion carried.

**APP AGENDA**

Marcell moved to approve the minutes from the April 18, 2007 Regular Meeting, the April 24, 2007 Special Meeting/Public Hearing/ Budget Workshop, and the May 10, 2007 Special Meeting. Coates supported. All were in favor. Motion carried.

**APP MINUTES**

**PUBLIC COMMENT**

There was no public comment.

**CONSENT AGENDA**

Coates moved with support from Zanon to approve the Consent Agenda. All were in favor. Motion carried.

**APP CONSENT  
AGENDA**

**FINANCIALS**

Zanon moved with support from Coates to accept the April 2007 Financial.

**APP  
FINANCIALS**

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

**REPORTS**

Attorney Tousignant presented an oral report.

**TOUSIGNANT  
ORAL REPORT**

The land exchange with Hebert Construction is completed. The contract with Tri-media for the Cloverland Hotel has been signed. The Iron River North sewer easements issues have been resolved. Edward Marcell granted the City easement at no charge.

No word has been received from the US Department of Housing and Urban Development concerning the consolidation of the Stambaugh

and Iron River Housing Commissions. Correspondence was sent on January 29, 2007 and again on May 8, 2007.

American Legal has requested annual updates for codification of city ordinances. The changes will be submitted after the water rate increase.

He reported he had also been working on the City Manager agreement.

**APP ATTORNEY  
REPORT**

Zanon moved to accept the Attorney's Report. Coates supported. All were in favor. Motion carried.

**CLOSE PUBLIC  
HEARING**

No public comments or questions were forthcoming on the 2007-2008 Budget.

Mayor Soderbloom closed the Public Hearing on the 2007-2008 Budget at 2:07 p.m. Coates supported. All were in favor. Motion carried.

**APPROVE 07-08  
BUDGET**

### **UNFINISHED BUSINESS**

The 2007-2008 Budget was approved on a motion from Coates and support from Beber.

Roll Call: Ayes: 5 Marcell, Zanon, Beber, Coates, Soderbloom. Nays: 0. Motion carried.

**TABLE  
INDUSTRIAL  
PARK SIGNAGE**

The Industrial Park signage was tabled until the next regular meeting on a motion from Beber. Coates supported. All were in favor. Motion carried.

The homes on the alley directly south of the 200 block of East Genesee Street have been experiencing water and sand in basements due to a drainage issue since Lay Avenue was repaved. A proposal has been submitted by Fayas and Sons Inc., to attempt to correct the issue. Also included in the proposal: Repairs to Kofmehl Road, 5<sup>th</sup> Avenue and Ross Street, and Adams Street and 8<sup>th</sup> Avenue.

**APPR FAYAS  
PROPOSAL  
REPAVE AREAS**

Zanon moved to accept the proposal from Fayas and Sons Inc., in the amount of \$8,280.00. Beber supported.

Roll Call: Ayes: 5 Coates, Marcell, Beber, Zanon, Soderbloom. Nays: 0. Motion carried.

**ACCEPT  
RESIGNATION  
STAMBO  
HOUSING  
BOARD  
MEMBER**

### **NEW BUSINESS**

Coates moved to accept the resignation of Robert Mattson, resident board member of the Stambaugh Housing Commission. Beber supported. All were in favor. Motion carried.

Coates moved to accept the resignation of Jane Giuliani, resident board member of the Iron River Housing Commission. Marcell supported. All were in favor. Motion carried.

**ACCEPT  
RESIGNATION  
IR HOUSING  
BOARD  
MEMBER**

Coates moved to grant a request from the West Side Veterans Council to sponsor this year's Memorial Day and Fourth of July observances in the amount of \$250.00. Zanon supported.

**APPROVE WEST  
SIDE VETERANS  
SPONSORSHIP**

Roll Call: Ayes: 5 Beber, Marcell, Zanon, Coates, Soderbloom. Nays: 0. Motion carried.

## **GRIEVANCE**

A grievance filed on April 17, 2007, by Robert Dobson of the Department of Public Works was addressed. Union Steward Edward Rauterkus and Union Local 1424 representative Todd Flath were also in attendance. Dobson has been receiving Assistant foreman pay in the absence of the Assistant foreman. The payroll clerk questioned the rate of pay requested by Dobson. Leadman position is a contracted 40 hour a week position. Apparently past practice allowed Dobson to receive Assistant foreman pay in the absence of the Assistant foreman. On November 12, 2001, Dobson bid on and was given the Leadman position. (See attached).

**ROBERT  
DOBSON  
GRIEVANCE**

Flath felt a precedent had been set, that money was not an issue, and contract language states employees who are assigned to work in a higher paid classification shall be compensated for all hours worked.

Archocosky stated that the posting for the position stated that one of the responsibilities of the leadman was to fill in for the Assistant foreman when warranted.

Zanon asked Dobson if he was willing to perform all of the duties of the Assistant-foreman. Dobson stated he does not feel that office work should be part of the assistant foreman job and at the time the agreement was executed, office duties were not part of the job.

Coates questioned whether Dobson didn't care to perform the duties or did not want to perform the duties. Dobson does not feel the street department should sit in an office. He does however assume the duties on the street.

Marcell asked what was in the contract and if an employee is required to fill in, why the agreement had been executed at all.

Soderbloom felt the position should be updated due to strides in technology.

Archocosky stated that the DPW Foreman Richard Anderson does not get City Manager pay when he is away from the office, and the Assistant foreman does not get Foreman pay in the absence of the Foreman. Dobson, referencing the contract, stated it (wage schedule) is the contract.

Archocosky said the Assistant foreman has assumed some of duties the office staff have done in the past pertaining to water; i.e. meter installation, meter reading and work orders.

Zanon asked what takes precedence, the job description or the signed agreement.

Beber does not see a reason for a leadman position as seldom is there a big crew to oversee.

Flath asked who would execute job descriptions if the foreman and Assistant foreman were out and the leadman position was eliminated. Archocosky stated he would.

Zanon asked about the agreement executed on November 12, 2001 between Dobson and the City of Iron River again, referring to #2) "shall assume those duties."

Zanon moved to table the grievance and set up a Special meeting for Wednesday May 23, 2007 at 10:30 a.m. Coates supported.

Roll Call: Ayes 5 Beber, Marcell Coates, Zanon, Soderbloom.  
Nays: 0. Motion carried.

**TABLE ROBERT  
DOBSON  
GREIVANCE**

### **ACT 88**

Archocosky has been researching Act 88, which is essentially a retirement plan for public servants. More information will be forthcoming.

**TABLE PA 88**

Coates moved to table Act 88. Beber supported. All were in favor. Motion carried.

### **EXECUTIVE SESSION**

At 3:27 p.m. Beber moved to adjourn the Regular meeting and go into Executive Session to discuss possible and pending litigation. Zanon supported.

Roll Call: Ayes: 5, Coates, Marcell, Zanon, Beber, Soderbloom.  
Nays: 0. Motion carried.

**EXECUTIVE  
SESSION**

At 4:00 p.m. Coates moved to go out of Executive Session and back to the Regular Meeting, Mayor Soderbloom supported.

Roll Call: Aye: 5 Marcell, Coates, Beber, Zanon and Soderbloom.  
Nays: 0. Motion carried.

### **LITIGATION**

Marcell moved to authorize Tousignant to attempt to settle litigation with Stafford. Beber supported.

Roll Call: Ayes: 5 Coates, Zanon, Beber, Marcell, Soderbloom.  
Nays: 0. Motion carried.

**STAFFORD  
LITIGATION**

Beber moved to formally reject the I&I flow limits assigned by the West Iron County Sewer Authority in the "Member Community Flow Allocation" for the Department of Environmental Quality. Zanon supported.

**REJECT SEWER  
AUTHORITY I&I  
FLOW LIMITS**

Roll Call: Ayes: 5 Coates, Marcell, Zanon, Beber, Soderbloom.  
Nays: 0. Motion carried.

**MANAGER AGREEMENT**

After some discussion Marcell moved to accept the manager's agreement as presented, for an annualized salary of \$88,108.80, based on 2,496 hours of work annually. Beber supported.

**ACCEPT CITY  
MANAGER  
AGREEMENT**

Roll Call: Aye: 5 Coates, Zanon, Beber, Marcell, Soderbloom.  
Nays: 0. Motion carried.

**COUNCIL MEMBER COMMENTS**

Beber has met with Bill Vajk. Mr. Vajk is very enthusiastic about the trolley system he is proposing. The cost is estimated to be 30 million.

Soderbloom reminded members of the MML Region 7 meeting scheduled for June 6-8, 2007. The City will cover the registration fee of \$25.00 per person. All members requested to be registered.

Marcell asked if the City would be borrowing the County tar machine to fix Homer Road. Archocosky has been unable to get in touch with Doug Tomasoski. He will continue to try and reach him.

Coates moved to adjourn at 4:25 p.m. Soderbloom supported. All were in favor. Motion carried.

Submitted by:

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Kathy L. Anderson, Deputy Clerk

Reviewed by:

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John A. Archocosky, City Manager