

**CITY OF IRON RIVER  
REGULAR MEETING  
Wednesday, March 18, 2015  
2 PM  
Minutes**

Mayor Terry Tarsi called the meeting to order at 2 p.m., in the Council Chambers at the Iron River City Hall.

Roll Call: Daniel Baumgartner, Rick Commenator, Jere Fritsche, Edward Marcell and Tarsi.

Absent: None.

Also present: Attorney Mark Tousignant, Manager Perry Franzoi, and Clerk Rachel Andreski.

Public in attendance: Paul VanMinsel, Larry Melstrom, Bill LaRock, Ray Coates, Jim Brennan, Craig Richardson (GEI Consultants), Ben Smith (Iron County Doings) and Nikki Mitchell (Iron County Reporter).

**APPROVE AGENDA**

Commenator moved with support from Marcell to approve the agenda with the following addition: Financials: g) Ex-Rae Transmissions - \$1,935. All in favor; motion carried.

**APPROVE MINUTES**

Marcell moved, Commenator seconded to accept the February 18, 2015 Public Hearing and Regular Meeting Minutes as written. All in favor; motion carried.

**PUBLIC COMMENT**

Ben Smith went on record to urge voters to vote no on the State's sales tax/road millage proposal on May 5<sup>th</sup> and feels the City should put to the voters their own road millage.

Paul VanMinsel asked for an update on his FOIA request and the status of bushes on Mr. Lovejoy's property and the blighted properties in his neighborhood. Franzoi responded that Mr. Lovejoy has applied for a variance that his claim that is a pre-existing condition and considered exempt from the zoning ordinance as the bushes were planted prior to the adoption of the ordinance. Franzoi further explained that he has responded to the FOIA requests that there is no information to release.

Commenator motioned to hire a surveyor to determine if the bushes in question are in the City's right-of-way. If they are indeed in the right-of-way, the department of public works removes the bushes as soon as the frost leaves the ground. Tarsi supported.

Roll Call: Ayes – 5: Baumgartner, Fritsche, Marcell, Commenator, and Tarsi. Nays – 0. Motion carried.

**CONSENT AGENDA**

Baumgartner moved; Fritsche seconded; all were in favor; to accept as written the Consent Agenda which included the following:

- a) February 24, 2015 WICSA Agenda Packet
- b) February 2015 DDA/TIF Financials
- c) January 14, 2015 Iron River Housing Commission Meeting Minutes

## **REPORTS**

**Manager's Report:** Franzoi met with Dan Camps and a representative from Marlowe gas in regards to a drainage ditch that MDOT had installed which went directly to the river. When the industrial park was formed, MDOT tied into the storm sewer manhole and installed piping. Franzoi will be working with the MDEQ to see if they will allow an open drainage system once again. Commenator moved to accept the Manager's Report. Tarsi seconded. All were in favor; motion carried.

**DPW Director's Report:** Commenator moved to accept the DPW Director's Report. Marcell seconded. All were in favor; motion carried.

**IRPD Chief's Report:** Commenator moved, Baumgartner seconded to accept the IRPD Chief's Report. All in favor; motion carried.

**Attorney:** Commenator moved to accept the Attorney Report. Fritsche seconded. All in favor; motion carried.

## **FINANCIALS**

**February 2015 Financials (Revenue/Expenditure Report):** Fritsche moved with support from Commenator to accept the February 2015 Financials (Revenue/Expenditure Report).  
Roll Call: Ayes – 5: Baumgartner, Marcell, Commenator, Fritsche and Tarsi. Nays – 0. Motion carried.

**February 2015 Check Register:** Commenator moved to accept the February 2015 Check Register. Baumgartner seconded.  
Roll Call: Ayes – 5: Fritsche, Marcell, Commenator, Baumgartner and Tarsi. Nays – 0. Motion carried.

**Michigan/Wisconsin Spring & Brake's Invoice:** An invoice from Michigan/Wisconsin Spring & Brake in the amount of \$1,406.58 for the replacement of rear springs for vehicle #62 was approved by Commenator and supported by Marcell.  
Roll Call: Ayes – 5: Baumgartner, Fritsche, Marcell, Commenator and Tarsi. Nays – 0. Motion carried.

**USA Bluebook's Invoice:** An invoice in the amount of \$2,794 from USA Bluebook was approved by Commenator and supported by Baumgartner for four new chlorination pumps.  
Roll Call: Ayes – 5: Fritsche, Marcell, Baumgartner, Commenator and Tarsi. Nays – 0. Motion carried.

**UP Office Equipment System's Invoice:** Marcell moved, Commenator supported to approve an invoice from UP Office Equipment System for the yearly service agreement in the amount of \$1,125.

Roll Call: Ayes – 5: Baumgartner, Fritsche, Commenator, Marcell and Tarsi. Nays – 0. Motion carried.

**Tousignant's Invoice:** Fritsche moved with support from Commenator to pay Tousignant's invoice in the amount of \$4,163.75.

Roll Call: Ayes – 5: Baumgartner, Marcell, Fritsche, Commenator and Tarsi. Nays – 0. Motion carried.

**Ex-Rae Transmissions Invoice:** Commenator moved with support from Fritsche to pay Ex-Rae Transmissions invoice in the amount of \$1,935 for transmission repair on vehicle #7.

Roll Call: Ayes – 5: Baumgartner, Marcell, Fritsche, Commenator and Tarsi. Nays – 0. Motion carried.

### **UNFINISHED BUSINESS**

**Former Coast to Coast Building – Bond Issue/Debt Service:** Franzoi informed the council that a bond resolution is needed for the sale of the Capital Improvement Bond for the demolition of the former Coast to Coast building. With this approved resolution, the bonds will be sold on April 1, 2015. Franzoi noted if the resolution is passed, a construction account will need to be opened from the First National Bank. Fritsche moved, Commenator supported to adopt the resolution as provided by Miller Canfield for the issuance of the 2015 Capital Improvements Bond.

Roll Call: Ayes – 5: Baumgartner, Marcell, Commenator, Fritsche and Tarsi. Nays – 0. Motion carried.

Commenator moved to open a new bank account from First National Bank designated the 2015 Capital Improvement Bonds – Construction Fund. Marcell seconded.

Roll Call: Ayes – 5: Baumgartner, Fritsche, Marcell, Commenator and Tarsi. Nays – 0. Motion carried.

**Spruce Street Alley Sanitary Sewer Bid Award Recommendation:** Craig Richardson of GEI Consultants reported that a total of five bids were received with Hebert Construction Company providing the apparent low Total Base Bid in the amount of \$59,993.02. Commenator moved to award the Spruce Street Alley Sanitary Sewer Project in the amount of \$59,993.02 to Hebert Construction Company. Fritsche supported.

Roll Call: Ayes – 4: Marcell, Fritsche, Commenator and Tarsi. Nays – 0. Abstain – 1: Baumgartner. Motion carried.

Commenator moved with support from Marcell to accept a proposal from GEI Consultants for resident engineering and construction administration services for Spruce Street Alley Sanitary Sewer project in the amount of \$5,500.

Roll Call: Ayes – 4: Fritsche, Marcell, Commenator and Tarsi. Nays – 0. Abstain – 1: Baumgartner. Motion carried.

**Street Sweeper Lease/Purchase:** Commenator moved with support from Baumgartner to purchase the 2006 Elgin Pelican Street sweeper in the amount of \$36,200.

Roll Call: Ayes – 5: Fritsche, Marcell, Baumgartner, Commenator and Tarsi. Nays – 0. Motion carried.

Tarsi requested Bell Equipment provide a warranty. Commenator moved with support from Fritsche to rescind the previous motion and table the purchase until more information is obtained along with a warranty.

Roll Call: Ayes – 5: Baumgartner, Marcell, Fritsche, Commenator and Tarsi. Nays – 0. Motion carried.

**Ice Lake Park Improvements – 2015 MDNR Trust Fund Grant Application:** Richardson explained as part of the application process, a resolution is required. Commenator moved to adopt the 2011-2016 Recreation Plan Amendment Resolution for the City of Iron River. Marcell supported.

Roll Call: Ayes – 5: Baumgartner, Fritsche, Marcell, Commenator and Tarsi. Nays – 0. Motion carried.

## **NEW BUSINESS**

**Iron River Housing Commission – Marilyn Pennanen:** Baumgartner moved with support from Commenator to appoint Marilyn Pennanen to the Iron River Housing Commission for a five year term ending April 1, 2020.

Roll Call: Ayes – 5: Marcell, Fritsche, Commenator, Baumgartner and Tarsi. Nays – 0. Motion carried.

**Appoint Deputy Mayor:** Baumgartner moved to re-appoint Rick Commenator as Deputy Mayor. Fritsche seconded. All in favor; motion carried.

**Public Comment Time:** Franzoi suggested reducing the public comment time from five (5) minutes to three (3) minutes. No action was taken.

**MDOT Resolution – Street Re-Naming:** Baumgartner moved to send the resolution confirming the street renaming of Lay Avenue to North Washington Avenue to MDOT. Commenator seconded. All in favor; motion carried.

**Maule Properties Litigation – Executive Session:** Commenator moved to enter into Executive Session at 3:18 p.m. to discuss Maule Properties Litigation. Marcell seconded.  
Roll Call: Ayes -5: Baumgartner, Fritsche, Marcell, Commenator and Tarsi. Nays – 0. Motion carried.

The Regular Meeting resumed at 3:50 p.m.

Roll Call: Baumgartner, Commenator, Fritsche, Marcell and Tarsi.

Absent: None.

Also present: Franzoi and Andreski.

Public Present: None.

Commenator moved with support from Fritsche to continue to defend tax tribunal litigations. All in favor; motion carried.

## **Council Member Comments:**

Baumgartner noted that at the next Regular Meeting members from the Ham Radio group will be present to give an update on their group and requested they be placed on the agenda.

Tarsi would like to see the former Cloverland parking lot sold. He requested a survey be conducted or Franzoi look into it to know what the legal description is.

**Adjournment:** Commenator moved to adjourn at 3:53 p.m. Fritsche seconded. All in favor; motion carried.

  
Rachel Andreski, Clerk