

Proceedings of the Ironwood City Commission

A Regular Meeting of the Ironwood City Commission was held on July 23, 2007 at 5:30 P.M., along with a Public Hearing at 5:15 P.M. and two (2) Board of Zoning Appeals Public Hearings (BOZA) at 5:20 P.M. and 5:25 P.M. in the Commission Chambers, Second Floor of the Municipal Memorial Building in the City of Ironwood, Michigan.

1. Mayor Noren opened the Public Hearing at 5:15 P.M.
2. Public Hearing: To hear comment amending Ordinance No. 461, Book 4, by removing Section 2 which states:
The City of Ironwood hereby reserves an easement in the portions of said public alley and street hereby vacated for public utility purposes within the right-of-way of said portions of said alley and street so vacated, as provided by law.
The utility easements may be relocated within the property boundaries as needed.

City Manager Erickson addressed the City Commission regarding the property owner's request to revise the current Ordinance No. 461, Book 4 removing Section 2 which reserves an easement in the portions of said public alley and street hereby vacated for utilities. He further noted the Walgreen's Building would be built over the vacated alley and would relocate the utilities. Mr. Erickson stated the developer felt with the utilities being relocated there wasn't a need for the City of Ironwood to reserve an easement for utilities under the Walgreen's Building. Further discussion of this matter took place.

3. Mayor Noren closed the Public Hearing at 5:22 P.M.
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1. Mayor Noren called the Board of Zoning Appeals to order at 5:22 P.M..
2. Recording of the Roll.

PRESENT: Commissioner Adams, Kasieta, Koivisto, Toth, and Mayor Noren.
ABSENT: None.

3. Mayor Noren opened the Public Hearing at 5:22 P.M.
3. Public Hearing: To hear comment relative to an application for permission to place a single family dwelling unit in the Downtown Commercial District (C-2). The Use Variance request is for 222 Vaughn Street, Property Code 2752-22-401-090.

Community Development Director Patrick Merrill addressed the City Commission regarding Dr. Stan Gresham's request to move an existing home from Ironwood Township to 222 Vaughn Street providing a home for his daughter. Mr. Merrill further noted Dr. Gresham would be placing a basement under the home. Mr. Merrill also noted that the following conditions should be attached to the variance: 1) Minimum square footage must meet Residential I (R-1) zoning requirement of 850 s.f.; 2) House to be resided; 3) All appropriate permits and fees are the owner's responsibility; and 4) All lot set back requirements to be met.

4. Mayor Noren closed the Public Hearing at 5:26 P.M.
5. Consider Action on the Gresham Use Variance.

***Motion** was made by Koivisto, seconded by Toth to grant an application for permission to place a single family dwelling unit at 222 Vaughn Street (Property Code #2752-22-401-090) in the Downtown Commercial District (C-2) with the minimum square footage being 850 s.f., reside the home, meet all set back requirements, and obtain the proper permits and fees. Unanimously passed by roll call vote.*

1. Mayor Noren opened the Public Hearing at 5:26 P.M..
2. Public Hearing: To hear comment relative to a 600 S.F. addition on the west side of an existing dwelling thirty feet from the public right of way, a variance of five feet. The dimensional variance request is for 742 Leonard Street, Property Code 2752-15-477-080.

Community Development Director Patrick Merrill noted Tina Shepski was present for any questions. He further stated the addition would be located even with the foundation of the existing home (not the porch). Mr. Merrill noted notices were mailed and no comments were received for or against this variance.

3. Mayor Noren closed the Public Hearing at 5:27 P.M..
4. Consider Action on the Shepski, Dimensional Variance.

Motion was made by Adams, seconded by Kasieta to approve the dimensional variance request for a 600 S.F. addition on the west side of an existing dwelling at 742 Leonard Street (Property code #2752-15-477-080) thirty feet from the public right of way, a variance of five (5) feet. Unanimously passed by roll call vote.

5. Mayor Noren adjourned the Board of Zoning Appeals at 5:28 P.M.
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- A. Mayor Noren called the Regular Meeting to order at 5:30 P.M..
- B. Recording of the Roll.

PRESENT: Commissioner Adams, Kasieta, Koivisto, Toth, and Mayor Noren.
ABSENT: None.

- C. Approval of the Consent Agenda.*

- *1) Approval of Minutes – July 9th Regular City Commission Meeting.
- *2) Review and Place on File:
 - a) Ironwood Planning Commission Meeting Minutes of May 9th.
 - b) Gogebic-Ontonagon Community Action Agency Meeting Minutes of June 21st.
 - c) Downtown Ironwood Development Authority Meeting Minutes of June 28th.
- *3) Approve 2007-2011 Five Year Capital Improvement Plan (CIP) pursuant to Planning Commission's recommendation.
- *4) Authorize advertisement requesting bids for new Water/Sewer Department vector truck.
- *5) Approve Resolution declaring the following as blighted properties:
 - 712 Sutherland Street
 - 110 Mill Street
 - 144 Ridge Street
- *6) Scheduling a Public Hearing for Monday, August 13th at 5:00 p.m. on a \$100,000 Revolving Loan Fund Application submitted by Josephson's Nursing Home.
- *7) Authorize advertisement for bids for the 2007 Street Crack Sealing Project.
- *8) Set Special City Commission Meeting for 5:30 p.m., Tuesday, July 24, 2007 to discuss and consider action to amend Ordinance No. 461, Book 4 – Abandon alleys at the Northeast corner of US 2 and Lake Street.

Steven Frank of 212 E. Oak Street requested item 5 be removed from the consent agenda along with a request from City Attorney Cossi removing item 8 to allow introduction of Ordinance No. 462, Book 4 and Ordinance to Amend Ordinance No. 461, Book 4.

*Motion was made by Adams, seconded by Koivisto to approve the Consent Agenda as amended removing item *5) Approve Resolution declaring the following as blighted properties: 712 Sutherland St., 110 Mill Street, and 144 Ridge Street and place it on the regular agenda under item H1, along with placing item *8) Introduce Ordinance No. 462, Book 4 an Ordinance to Amend Ordinance No. 461, Book 4 removing Section 2 of the vacation of an alley at the Northeast corner of US2 and Lake Street and set it for a Special City Commission Meeting at 5:30 p.m. on Tuesday, July 24, 2007 under K1. Unanimously passed by roll call vote.*

- D. Receive and Place on File from Finance Director.
 - 1. Monthly Cash Reports.

Motion was made by Kasieta, seconded by Toth and carried to receive and place on file the Monthly Cash Report.

- E. Approval of the Agenda.

Motion was made by Kasieta, seconded by Adams and carried to approve the regular Agenda with the addition of M1. Approve Snow Country Contracting Inc.'s quotation for sanitary sewer improvement repairs just south of U.S. 2 and west of Curry Street not to exceed \$8,000 from the sanitary sewer utility fund, the removal of item F. and the tabling of item K. until the next regular meeting on August 13, 2007.

- F. AUDIENCE: Kathy Richards
(RE: Housing Issues).

This item was removed from the regular agenda.

- G. Citizens wishing to address the Commission on Items on the Agenda. (Three Minute Limit).

Steven Frank, of 212 E. Oak Street reserved his right to address the City Commission under items H1, J, K1, and L.

OLD BUSINESS

- H. Update on blight enforcement efforts in the Downtown Business District.

Blight Enforcement Officer Travis Smee addressed the City Commission with an update on the Downtown Business District's blight enforcement efforts. Mr. Smee noted three (3) vehicles were removed and several letters were sent out along with second letters to the Rat's Nest, Videoland, and Rainbow Gardens. Further comment was received.

Commissioner Adams thanked Blight Enforcement Officer Travis Smee for the great job he is doing.

Commissioner Kasieta suggested the City Manager and Blight Enforcement Officer meet regarding the use of his vehicle. City Manager Erickson noted Travis Smee has been doing a great job and he can take a look at his contract.

- H1. Approve Resolution 07-008 declaring the following as blighted properties for abatement: 712 Sutherland St., 110 Mill Street, and 144 Ridge Street.

Steven Frank questioned what determines blight and the time limits on removal of the blight. Blight Enforcement Officer Smee stated the City Commission has to declare the properties as blighted properties given the approval to have the blight removed at the owners expense. Further comment was received.

Motion was made by Koivisto, seconded by Toth to adopt a Resolution 07-008 declaring the following blighted properties for abatement: 712 Sutherland St., 110 Mill St., and 144 Ridge St. Unanimously passed by roll call vote.

I. Review of 2007 Public Works Utilities Projects.

Utilities Manager Robert Tervonen addressed the City Commission regarding the upcoming 2007 Public Works Utilities Projects. Mr. Tervonen noted Coleman Engineering and Greenbay Pipe and TV televised miles of defective pipe in the City of Ironwood. Mr. Tervonen passed out an updated calendar of scheduled work by the water and sewer crews for review by the City Commission. He also reviewed with the City Commission several of the problem areas and informed them a more complete list of work would be furnished to them in the future. Further comment was received.

J. Approve location for proposed Skateboard Park.

After a lengthy discussion the Ironwood City Commission agreed to approve the site north of the Hiawatha Indian as recommended by the Park and Recreation Committee.

City Manager Erickson noted the youth are not so much concerned with the location as they are about being involved in the development and design of the Skateboard Park.

Mayor Noren questioned if the decision on the location of the Skateboard Park could wait. City Manager Erickson felt with the close of the construction season and the coordination of donated services with several contractors it was important to select a site.

Steven Frank questioned whether or not there was a scheduled youth meeting that took place. City Manager Erickson responded by informing him the meeting was not scheduled but they did meet with area youth to review the Skateboard Park Development.

Motion was made by Adams, seconded by Koivisto to accept with mining inspector review of the Park and Recreation Committee's recommendation of the Hiawatha Indian Skateboard Park Site.

ROLL CALL: Yes (3): Commissioner Adams, Koivisto, and Toth.
No (2): Commissioner Kasieta and Mayor Noren.

Motion carried on a 3 to 2 vote.

NEW BUSINESS

- K1. Introduce Ordinance No. 462, Book 4 an Ordinance to Amend Ordinance No. 461, Book 4 removing Section 2 of the vacation of an alley at the Northeast corner of US2 and Lake Street and set it for a Special City Commission Meeting at 5:30 p.m. on Tuesday, July 24, 2007.

Motion was made by Toth, seconded by Kasieta and carried to schedule a Special City Commission Meeting for Tuesday, July 24, 2007 at 5:30 P.M. to approve Ordinance No. 462, Book 4 an Ordinance to Amend Ordinance No. 461, Book 4 removing Section 2.

K. Review and Consider approval of the City of Ironwood Emergency Operation's Plan.

This item was tabled until the next regular meeting on August 13, 2007.

- L. Discuss and Consider amending the budget to contribute \$2,228.00 to a Downtown Architectural Theme (Plan) to be prepared by UP Engineers & Architects. The DIDA has contributed \$5,000.

Community Development Director Patrick Merrill addressed the City Commission regarding the development of a Downtown Architectural Theme. The Downtown Ironwood Development Authority (DIDA) has approximately \$10,000 to \$15,000 a year to work with and would contribute \$5,000 toward these efforts.

Steven Frank addressed the City Commission questioning them regarding the need for a consultant. Further discussion of this matter took place.

Motion was made by Koivisto, seconded by Kasieta to table this item until the next regularly scheduled meeting.

ROLL CALL: Yes (4) Commissioner Kasieta, Koivisto, Toth, and Mayor Noren.
No (1) Commissioner Adams.

Motion carried on a 4 to 1 vote.

- M. Discuss and Consider action on declaring the property located at the southeast corner of Bonnie and Ayer Streets surplus (Property Code 23-276-010), including a Development Hold / Restriction.

Community Development Director Pat Merrill addressed the City Commission requesting the mine inspector review this property. He recommended the City of Ironwood declare it surplus at this time with a Development Hold/Restriction.

Motion was made by Adams, seconded by Toth and carried to declare the property located at the southeast corner of Bonnie and Ayer Street surplus (Property Code #23-276-010) with a Development Hold/Restriction.

- M1. Approve Snow Country Contracting Inc.'s quotation for sanitary sewer improvement repairs just south of U.S. 2 and west of Curry Street not to exceed \$8,000 from the sanitary sewer utility fund.

City Manager Erickson addressed the City Commission regarding the additional work needed for this area. Mr. Erickson noted it was his recommendation to proceed with this work. An easement will also be provided from the property owner at no cost to the City of Ironwood.

Motion was made by Koivisto, seconded by Toth to approve Snow Country Contracting Inc.'s quotation for sanitary sewer improvement repairs just south of U.S. 2 and west of Curry Street not to exceed \$8,000 from the sanitary sewer utility fund.

ROLL CALL VOTE: Yes (4) Commissioner Adams, Kasieta, Koivisto, and Mayor Noren.
No (1) Commissioner Toth.

Motion carried on a 4 to 1 vote.

- N. Informational Update on the Lighthouse Faith Center on the Proposed Ayer Street golf driving range.

Pastor Rouse addressed the City Commission regarding the development of the Ayer Street Golf Driving Range. He informed the City Commission the church owns the property and approximately two (2) acres would be leased to the Ayer Street Golf Driving Range. Pastor Rouse noted the Church is a non-profit 501(3)(c) organization.

Community Development Director Patrick Merrill noted this issue was brought before the City Commission first for Planning Commission direction. After a brief discussion by the City Commission is was the consensus to clarify the tax issue.

- O. Accepting the July 9, 2007 resignation of Clifford D. Koivisto as an Ironwood City Commissioner.

Motion was made by Adams, seconded by Toth and carried to accept the July 9, 2007 resignation of Clifford D. Koivisto as an Ironwood City Commissioner effective at the close of the meeting.

- P. Discuss and Consider appointment of a new City Commissioner to fill unexpired term of Clifford D. Koivisto.

Motion was made by Adams, seconded by Toth to advertise for an appointment to the Ironwood City Commission with the deadline being Wednesday, August 8, 2007.

- Q. Plaque Presentation for Clifford D. Koivisto and Thomas A. Yelich for their service on the Ironwood City Commission.

Mayor Noren presented a plaque to former City Commissioner Thomas A. Yelich and Commissioner Clifford D. Koivisto.

Former Commissioner Tom Yelich stated he cherished the time he served and the people he served along with applauding those who seek to run for a position on the Ironwood City Commission. He noted City Commissioners try to do what is best for their community and it isn't an easy job. Further comment was received

Commissioner Koivisto thanked everyone who he has served with over the past years.

- R. Mayor's Appointment.

Mayor Noren appointed Public Safety Director Robert Erspamer as the Emergency Operations Coordinator of the City of Ironwood Emergency Operations Plan.

Motion was made by Toth, supported by Adams and carried to approve the Mayor's appointments of Robert Erspamer as the Emergency Operations Coordinator of the Ironwood Emergency Operations Plan.

- S. Manager's Report.

City Manager Erickson verbally gave his manager's report noting the following:

- *Lowell Street is progressing nicely.
- *Ayer/Luxmore safety project is on schedule.
- *Deer Bow Hunt Meeting was held this morning and will be bringing changes back to the City Commission if needed.
- *Recognized local volunteers who help with putting on area events including the winter Olympus, upcoming snowmobile oval racing and snow x-cross.
- *Thanked Sue Reamer for the \$2,500 donation to the Riverside Cemetery.

- T. Commissioner Comment. (Five Minute Limit).

The City Commission appreciated and thanked previous Commissioner Tom Yelich and Commissioner Clifford Koivisto for their time in serving on the Ironwood City Commission. They wished Commissioner Koivisto best of luck in his endeavors in Alaska.

They also thanked Sue Reamer for the \$2,500 donation toward the Cemetery along with all the volunteers who helped with the Renaissance Faire, Festival Ironwood, Hall of Fame Banquet, and VFW Dance.

Commissioner Kasieta questioned the CIP for the Library.

The City Commission offered their condolences to a City Employee for his recent loss.

Mayor Noren thanked Deputy Connie Templer for the nice letter she wrote to Sue Reamer for the donation to the Cemetery.

- U. Citizens wishing to address the Commission on Items not on the Agenda (Five Minute Limit).

There were none.

- V. Consider Closed Session to discuss pending litigations – Barbera Case.

Motion was made by Koivisto, seconded by Adams to enter into Closed Session to discuss pending litigation (Barbera Case) at 7:14 P.M. Unanimously passed by roll call vote.

- W. Return to Open Session.

Motion was made by Toth, seconded by Koivisto and carried to return to Open Session at 7:30 P.M.

- X. Consider providing authority to Attorney Steven Pence to accept case evaluation for the Barbera Case.

Motion was made by Toth, seconded by Adams and carried to authorize Attorney Steven Pence to accept the case evaluation for the Barbera Case.

- Y. Adjournment.

Motion was made by Toth, seconded by Adams and carried to adjourn the meeting at 7:31 P.M.

Bruce A. Noren, Mayor

Karen M. Gullan, City Clerk