

Proceedings of the Ironwood City Commission

A Regular Meeting of the Ironwood City Commission was held on May 29, 2007 at 5:30 P.M., along with Public Hearings at 5:00 P.M. and 5:20 P.M., and two (2) Board of Zoning Appeals Public Hearings at 5:10 P.M. and 5:15 P.M. in the Commission Chambers, Second Floor of the Municipal Memorial Building in the City of Ironwood, Michigan.

1. Mayor Noren called the Public Hearing to Order at 5:00 P.M.
2. Public Hearing: To hear comment regarding Ordinance No. 461, Book 4, an Ordinance to vacate the East West Alley located adjacent to Lots 6, 7, 8, 18, 19, & 20 (Westerly ninety (90) feet), Block 10 North Park Addition and a North-South Alley located adjacent to Lots 8-18, Block 10 North Park Addition, City of Ironwood, Gogebic County, Michigan, according to the recorded plat thereof. (Corner of US2 & Lake Street)

Community Development Director Pat Merrill introduced Steve Rolfe of MRED-Cummings, Developer for the Walgreen's Project to the City Commission. Mr. Merrill further stated that this Hearing is only for the alley vacation request, and is not a site plan review.

Commissioner Adams questioned the utilities in the alley. Mr. Rolfe stated that it is not uncommon to relocate utilities when doing a project and they would be responsible for any relocation costs. He further noted there was only overhead electric, no gas.

Howard Aspinwall of 824 Florence Street questioned the City Commission regarding the basis of an alleyway in the City of Ironwood and expressed his concerns regarding emergency use.

City Manager Erickson noted this alley is only a platted right-of-way on paper and not a maintained alley. Further discussion of this matter took place.

Jim Albert questioned why they need the alley vacation and was answered by Mr. Rolfe who informed him the building would be situated over the alleyway.

3. Mayor Noren closed the Public Hearing at 5:12 P.M.
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1. Mayor Noren called the Board of Zoning Appeals to Order at 5:12 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 5:12 P.M.
4. Public Hearing: To hear comment relative to constructing a replacement dwelling on an existing foundation where the original home was destroyed by fire. The lot is a legal non-conforming lot, and no additional non-conformity will be created by the new structure. The dimensional variance request is from Ken Fahrner, 114 S. Curry Street (Property Code 2752-22-281-050).

Community Development Director Patrick Merrill addressed the City Commission informing them the property is located on the corner of Curry Street and Sutherland Street. He noted Mr. Fahrner was requesting to construct a home on an existing foundation where an original home was destroyed by fire. Mr. Merrill stated that notice was sent to property owners within 300 ft. of the property, as well as published in the Ironwood Daily Globe. Mr. Merrill noted he had received no comments.

Mr. Fahrner was present for any questions and no further comments were received.

5. Mayor Noren closed the Public Hearing at 5:15 P.M.
6. Consider Action on the Fahrner Dimensional Variance.

***Motion** was made by Koivisto, seconded by Adams to grant the dimensional variance request from Ken Fahrner for 114 S. Curry Street (Property Code 2752-22-281-050) to construct a replacement dwelling on an existing foundation where an original home was destroyed by fire. Unanimously passed by roll call vote.*

1. Mayor Noren opened the Public Hearing at 5:15 P.M.
2. Public Hearing: To hear comment to replace an existing garage with a new structure five (5) feet from the rear lot line, a variance of twenty-five (25) feet. All other requirements of the Zoning Ordinance will be met. The dimensional variance request if from Dominic Kessler, 503 Bundy Street (Property Code 2752-24-332-010).

Community Development Director Patrick Merrill addressed the City Commission regarding Mr. Dominic Kessler's request to replace an existing garage with a new garage, which was larger (into the yard), but in the same location on the rear line. The required notices were sent out and Mr. Merrill had not received any comments for or against the construction of this garage.

3. Mayor Noren closed the Public Hearing at 5:19 P.M.
4. Consider action on the Kessler Dimensional Variance.

***Motion** was made by Adams, seconded by Koivisto to grant the dimensional variance request allowing Dominic Kessler of 503 Bundy Street (Property Code 2752-24-332-010) to replace an existing garage with a new garage five (5) feet from the rear lot line, a variance of twenty-five (25) feet. Unanimously passed by roll call vote.*

5. Adjourn Board of Zoning Appeals at 5:19 P.M.

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1. Mayor Noren opened the Public Hearing at 5:20 P.M.
 2. Public Hearing: To hear comment regarding a Revolving Loan Fund Request from Jerry Taplin in the amount of \$16,000 for property at 221 S. Suffolk Street.

Community Development Director Patrick Merrill informed the City Commission Mr. Taplin lives in Arkansas and was not able to attend tonight's meeting. He further noted due to the increased/unforeseen costs for electrical upgrades, Mr. Taplin was requesting a loan from the Revolving Loan Fund in the amount of \$16,000. Mr. Merrill stated Mr. Taplin expended his portion (25%) on the Rental Rehabilitation Project, which was approximately \$30,000.00. Mr. Merrill also mentioned the interest on the EDC loan would be 7.5% amortized over 5 years, with a 2-year balloon payment. The City of Ironwood would need verification of title insurance, file for first position (lien) on the mortgage, and all rents would be assigned first to pay the outstanding Revolving Loan Fund. The City Commission questioned if the heating system was in good condition and whether or not there was parking. Mr. Merrill noted the heating system is current and parking was and is available in a nearby City of Ironwood lot.

Lou Bonagura questioned the amount borrowed by Mr. Taplin and Steven Frank questioned the junk in the lower level of the building. Further discussion of this matter took place.

3. Close Public Hearing.

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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, Koivisto, Kasieta, Toth, and Mayor Noren.
ABSENT: None.

C. Approval of the Consent Agenda.*

- *1) Approval of Minutes – May 14th Regular City Commission Meeting and Special Meeting Minutes of May 7th.
- *2) Review and Place on File:
 - a) Gogebic-Ontonagon Community Action Agency Meeting Minutes of April 19th.
- *3) Authorize advertisement on bids for the Downtown Façade Improvement Project, CDBG Grant # 200633-CAT (15 Buildings).
- *4) Authorize advertisement on bids for demolition work on four (4) structures located at 321 E. Ayer St., 119 Rowe St., 503 E. Houk St., and 211 E. Birch St.
- *5) Awarding lowest bid to Joki, Makela & Pollack, PLLC for a three year audit proposal fee in the amount of \$23,250 for 2007, \$23,500 for 2008 and \$23,750 for 2009.
- *6) Awarding lowest bid to Monroe Truck Equipment for a Utility Bed for the Water Truck in the amount of \$6,913.00.
- *7) Awarding lowest bid to Tunnel Vision to clean and televise 7115 feet of sanitary and storm sewer lines in the amount of \$8,676.50.
- *8) Approve Consent to Assignment and Assumption of Agreement for the Tower Space License between the City of Ironwood and Redwood County Telephone Company now purchased by Michigan Wireless, LLC, and authorization to sign the required documents.
- *9) Approve and authorize City of Ironwood to enter into an Agreement with the Norrie Amateur Sports Club, Inc. to utilize City owned property.

Motion was made by Kasieta, seconded by Toth to approve the Consent Agenda removing items 7 and 9 placing them under new business as J1. and J2. respectively. Unanimously passed by roll call vote.

- D. Receive and Place on File from Finance Director.
- 1. Statement of Revenue & Expenditures.
 - 2. Monthly Cash Reports.

Finance Director Julie Frederickson addressed the City Commission stating ten (10) months out of the year had been completed and the City of Ironwood was under budget in all areas.

Motion was made by Koivisto, seconded by Adams and carried to approve the Statement of Revenue & Expenditures for month ending April 2007 and to receive and place on file the Monthly Cash Report.

E. Approval of the Agenda.

Motion was made by Koivisto, seconded by Toth, and carried to approve the amended agenda as presented including item K1. Discuss and reconsider Carnegie Library Issues.

ROLL CALL:

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

Motion carried on a 4 to 1 vote.

- F. Audience: Amanda Sprague, A.B. Seamless, Inc.
(RE: Donation to Longyear Park for an infant swing).

City Manager Scott Erickson introduced to the City Commission Amanda Sprague from A.B. Seamless, Inc. who donated an infant baby swing for Longyear Park. Manager Erickson and the audience applauded her efforts.

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

George Goerig of 202 W. Arch Street reserved his right to address the City Commission under item K.

OLD BUSINESS

- H. Consider approving Revolving Loan Request from Jerry Taplin in the amount of \$16,000 for property at 221 S. Suffolk Street.

Motion was made by Kasieta, seconded by Adams to approve the Revolving Loan Request from Jerry Taplin in the amount of \$16,000 for property at 221 S. Suffolk Street with all the conditions outlined by the EDC with the additional condition the lower level be cleaned up to the satisfaction of the City Zoning Administrator. Unanimously passed by roll call vote.

- I. Consider Awarding lowest bid to Ruotsala Concrete for the Lowell Street Reconstruction Project in the amount \$413,667.85.

Motion was made by Kasieta, seconded by Adams to award the lowest bid to Ruotsala Concrete for the Lowell Street Reconstruction Project in the amount of \$413,667.85, which includes sidewalk reconstruction. Unanimously passed by roll call vote.

NEW BUSINESS

- J. Consider Awarding Engineering Services Agreement for the construction staking of the Lowell Street Project.

Motion was made by Koivisto, seconded by Toth to award the Engineering Services Agreement for the construction staking of the Lowell Street Project to Coleman Engineering in the amount of \$6,200. Unanimously passed by roll call vote.

- J1. Awarding lowest bid to Tunnel Vision to clean and televise 7115 feet of sanitary and storm sewer lines in the amount of \$8,676.50.

Commissioner Kasieta requested this item be brought back to the City Commission with a cost analysis to have the City of Ironwood do this work versus contracting it out for the next regular scheduled meeting.

- J2. Approve and authorize City of Ironwood to enter into an Agreement with the Norrie Amateur Sports Club, Inc. to utilize City owned property.

Motion was made by Kasieta, seconded by Adams and carried to approve and authorize the City of Ironwood to enter into a License Agreement with the Norrie Amateur Sports Club, Inc. to utilize City owned property to clear brush and trees, install gravel parking and install horseshoe pits.

K. Discuss and Consider establishing park hours for Longyear Park.

Motion was made by Koivisto, seconded by Toth and carried to authorize the City Manager Erickson and Public Safety Director Erspamer to establish park hours and policies.

K1. Discuss and reconsider Carnegie Library Issues.

Commissioner Koivisto requested this matter be brought back to allow City Staff to explore different avenues for funding. Further discussion of this matter took place.

Motion was made by Toth, seconded by Koivisto to reconsider the previous motion. Motion carried on a 3 to 2 vote with Commissioner Adams and Kasieta voting no.

Original motion read as follows:

Motion was made by Toth, seconded by Koivisto to approve the placing of a millage request for the Carnegie Library on the ballot for the November 6, 2007 Election to cover the USDA Loan.

Motion was made by Koivisto, seconded by Toth to amend the original motion striking cover the USDA Loan and replace it with repay any loan and/or grant source and add not to exceed \$1.6 Million.

Motion carried on a 4 to 1 voice vote, with Commissioner Adams voting no.

Commissioner Adams requested it be placed on record he is not against the project, but will not support any type of millage to pay for the project.

Motion was made by Toth, seconded by Koivisto and carried to approve the amended motion to place a millage request for the Carnegie Library Renovation on the ballot for the November 6, 2007 Election to repay any loan and/or grant source not to exceed \$1.6 Million.

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

Motion carried on a 4 to 1 vote.

The consensus of the City Commission was to request the Library Director to give the City Commission an update on this matter.

L. Manager's Report.

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

- *Project north of US-2 on Curry Street is being paved.
- *Reminded everyone a City Commission Workshop would be held tomorrow to discuss Water & Sewer rates.
- *Code Enforcement Officer Travis Smee had submitted over 130 contacts and has been very busy with 90% compliance.

M. Commissioner Comment (Five Minute Limit).

Commission Adams thanked Code Enforcement Officer Smee for the great job he is doing in enforcing blight.

Commissioner Koivisto thanked Joki, Makela, & Pollack, P.L.L.C. for the bid and asked Finance Director Frederickson if changing to MERS would save the City of Ironwood two (2) mill taxes. Finance Director Frederickson confirmed the two (2) mill savings.

Commissioner Kasieta requested the City of Ironwood upgrade their speed trailer.

Mayor Noren thanked everyone who helped with the clean-up day and the American Legion for the Memorial Day celebration they did an excellent job.

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

Lou Bonagura, of 247 E. Pine Street questioned the trees in his sewer.

Steven Frank, of 212 E. Oak Street handed several pictures to the City Commission from water breaks to dumping of stumps off of Ayer Street. Mr. Frank expressed his dismay with the City of Ironwood's actions.

Jim Albert, of 133 W. Aurora Street expressed his dismay with being charged \$40.20 for a Freedom of Information request. He also felt the City of Ironwood did not follow the ordinance in selling property.

City Manager Erickson felt it was Mr. Albert's interpretation was different than what the ordinance reads. He further stated there have been several pieces of property that have been sold in the past and the property was sold well above the market.

City Attorney Cossi addressed Mr. Albert pointing out the words "may" and "shall" in the ordinance and felt it was up to the City Commission to sell the property. Further discussion of this matter took place.

Arlene Schneller, Snow Country Real Estate thanked the City for holding a Town Hall Meetings. She felt it was a well-prepared presentation and a great learning experience for her son and really appreciated it.

Eric Lytwyniuk, European Car Sales suggested the City Commission ban cell phones during a public meeting.

O. Adjournment.

Motion was made by Kasieta, seconded by Koivisto and carried to adjourn the meeting at 7:22 P.M.

Bruce A. Noren, Mayor

Karen M. Gullan, City Clerk