

A special meeting of the Ishpeming City Council was held on Thursday, January 27, 2011 at the Ishpeming City Hall. Mayor Pat Scanlon called the meeting to order at 10:00 a.m.

Present: Mayor Pat Scanlon, Council Members Claudia Demarest, Elaine Racine, John Stone, and Mike Tall. Present: Five (5). Absent: None (0). Also present were City Manager Jered Ottenwess and City Attorney David Savu.

AGENDA COMMENT

None.

ISHPEMING HILLS GARBAGE COLLECTION

Mr. Brad Argall, PCBM Management, addressed the City Council regarding the changes to the City's garbage collection contract and the City's solid waste ordinance. Mr. Argall stated that PCBM Management has a contract with GAD for garbage collection services at Country Village and the Ishpeming Hills Townhouses. Mr. Argall stated that it recently came to his attention that North Country Disposal was collecting trash in Ishpeming Hills. Mr. Argall stated that his interpretation of the ordinance is that Ishpeming Hills Townhouses must arrange for its own trash collection services. Mr. Argall stated that GAD has been providing dumpsters for the townhouse residents.

Mr. Argall stated that after several conversations with the City Manager, he learned that the City's interpretation of the ordinance is that Ishpeming Hills, including Ishpeming Hills Townhouses, would be covered under the City's contract with North Country Disposal for residential solid waste collection. Mr. Argall stated that Ishpeming Hills Townhouses currently has 4 buildings with 4 units each; a total of 16 living units. Mr. Argall stated that the townhouses are all on the same parcel, are all owned by Ishpeming Hills, LLC, and are all covered under one property tax bill. Mr. Argall stated that it is his position that Ishpeming Hills Townhouses is 1 property with 16 units. Mr. Argall stated that additional units are planned for construction.

Mr. Argall stated that having a dumpster at the townhouses is a necessity. Mr. Argall stated that under the City's new contract with North Country Disposal, Ishpeming Hills Townhouses would not be offered a dumpster unless they were to pay an extra fee. Mr. Argall stated that they intend to build additional townhouse units and it would be unreasonable to have so many separate garbage cans in such a small area.

Mr. Argall stated that the rates are prohibitive. Mr. Argall stated that the ordinance requires them to pay \$16.20 per unit or \$259.20 per month. Mr. Argall stated that they currently pay \$225.00 per month to GAD for the dumpster. Mr. Argall stated that he learned that he could get a dumpster from North Country Disposal, but it would cost an additional \$110.00 per month.

Mr. Argall requested the City Council to provide Ishpeming Hills Townhouses with an exemption to the trash ordinance and to remove the garbage collection fees from the monthly utility bills.

Mayor Scanlon stated that there are other landlords with four-unit complexes that are experiencing the same situation. Mayor Scanlon stated that the City Council is not prepared to make any changes or offer exemptions at this time.

City Manager Ottenwess stated that there are several four-unit apartment buildings in Ishpeming. The City Manager stated that the ordinance defines “residential” according to building type, not ownership. The City Manager stated that any changes at this time would result in a loss of revenue for the City. City Manager Ottenwess stated that some of the additional costs that Mr. Argall mentioned have been offset by the elimination of the taxes for refuse collection on the winter tax bill.

Mr. Argall stated that he is asking the City to recognize Ishpeming Hills Townhouses as a 16-unit complex and not as 4 separate, 4-unit complexes.

Councilman Tall questioned whether or not it would be possible to find out exactly how many three-unit and four-unit rental complexes are in the City.

Mayor Scanlon stated that the City Manager is in the process of gathering that information. Mayor Scanlon stated that he recognizes that the ordinance is a work in progress and stated that the City Council will continue to review the ordinance.

RESOLUTION AUTHORIZING NOTICE OF INTENT TO ISSUE CAPITAL IMPROVEMENT BONDS AND DECLARING INTENT TO REIMBURSE

City Manager Ottenwess stated that the purpose of this bond would be to pay the matching funds portion of the \$2 million Great Lake Restoration Initiative (GLRI) Grant. The City Manager stated that the bond would be paid with proceeds from the Public Improvement Fund. The City Manager stated that all other options to cover the matching funds were considered and that the bond is the only viable option at this time. The City Manager stated that it is imperative that we move this process forward in order to avoid losing the GLRI grant.

A motion was made by Councilwoman Demarest and seconded by Councilman Tall to adopt, as presented, the *Resolution Authorizing Notice of Intent to Issue Capital Improvement Bonds and Declaring Intent to Reimburse*, in an amount not to exceed \$700,000.00. Ayes: Five (5). Nays: None (0). Motion carried.

PROPOSALS FOR FIRE HALL STRUCTURAL EVALUATION

City Manager Ottenwess reported that the Building Authority met earlier today to review the two proposals for the Fire Hall Structural Evaluation. The City Manager stated that after a thorough review of each proposal, it was the opinion of the Building Authority to accept the proposal from OHM. City Manager Ottenwess stated that if the City Council concurs with the Building Authority’s opinion, he would also recommend that the City Council request OHM to provide the resume and qualifications of the structural engineer that will be assigned to the project.

At the recommendation of the Building Authority, a motion was made by Councilwoman Demarest and seconded by Councilwoman Racine to accept the bid from OHM, at a cost not to exceed \$7,600.00, for the Architectural and Engineering Evaluation Services for the Public Safety Building (Fire Hall/Police Station) with the condition that the City receive confirmation that the bid does include an estimated cost for a replacement facility. Ayes: Five (5). Nays: None (0). Motion carried.

CLOSED SESSION TO DISCUSS CONFIDENTIAL EMPLOYEE EVALUATION

A motion was made by Councilwoman Demarest and seconded by Councilwoman Racine to table this agenda item until the next regularly scheduled meeting of the City Council. Roll Call Vote: Ayes: Councilwoman Demarest, Councilwoman Racine, and Councilman Tall. Three (3). Nays: Councilman Stone and Mayor Scanlon. Two (2). Motion carried.

RESOLUTION FOR RETIREMENT TRANSFER

A motion was made by Mayor Scanlon and seconded by Councilwoman Demarest to table this agenda item until the next regularly scheduled meeting of the City Council. Ayes: Five (5). Nays: None (0). Motion carried.

OLD BUSINESS

None.

NEW BUSINESS

Councilwoman Demarest recommended that a structural evaluation of the DPW building be conducted in addition to the Police/Fire building.

City Manager Ottenwess acknowledged that there definitely are some concerns regarding the DPW building. The City Manager stated that there is a \$30,000 budget item to address the drainage issue at the DPW. City Manager Ottenwess stated that once OHM completes the engineering study for the Police/Fire building, we will be able to move forward with that whole area.

Public Works Director Jon Kangas stated that the structure of the building is not too bad, however his primary concern is the HVAC system. Mr. Kangas stated that air quality is an issue in the DPW building. Mr. Kangas stated that the more pressing issues at this time are with the Police/Fire building.

City Attorney Savu stated that it would be appropriate to call a meeting of the Building Authority to discuss the situation with the DPW building.

Mayor Scanlon expressed his disappointment regarding the action that was taken by some of the City Council Members to table the closed session item. Mayor Scanlon stated that the purpose of today's meeting was to address that particular item and it was inappropriate for the City Council Members to not inform him prior to this meeting that they were challenging the reason for the meeting. Mayor Scanlon stated that immediately after today's meeting, he will request a meeting with the City Manager and the City Attorney to discuss the action that was taken here today.

ADJOURNMENT

A motion was made by Councilman Stone and seconded by Councilwoman Demarest to adjourn the meeting at 10:45 a.m. Ayes: Five (5). Nays: None (0). Motion carried.

Jenifer M. Rajala
City Clerk