

City of Iron Mountain

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Regular Meeting of the City Council, City of Iron Mountain, County of Dickinson, Michigan, held on Monday, December 5, 2022, at 6:00 p.m. in the Council Room.

Presiding: Mayor Alessandrini

Present: Council Members Tomassoni, Maule, Farragh, Blomquist, Zemar, and Clawson

Absent: None

Also Present: City Manager Stanchina, and City Attorney Pirkola

Approval of Agenda

It was moved by Blomquist and supported by Zemar to approve the agenda, as prepared.

Motion Prevailed Unanimously

Approval of Minutes

It was moved by Farragh and supported by Clawson to approve the minutes of the regular meeting of November 21, 2022, as submitted.

Motion Prevailed Unanimously

Public Comment

None

Old Business

Discuss Potential Dispensary License Change

Alessandrini opened public comment regarding the adding of additional dispensary license(s).

Don Lofholm – Owner of Source of IM, LLC

Lofholm read the following statement:

My name is Don Lofholm. My home address is W6078 Piers Gorge Rd in Norway, MI. I am one of the owners of The Source of IM, LLC. I am here on behalf of my partners and two other grow operations in Iron Mountain; Superior Selections and Smoke UP Farms. Representatives of those companies are with us this evening. I would like to ask them to stand up and acknowledge we are working together and they are in agreement with what I am about to present. Moving forward, when I say "we" or "us" I am referring to all three operations.

We respectfully request that the Council amend the current recreational marijuana ordinance to allow for a third dispensary license from the current two and issue that license to The Source of IM. Awarding one more license fulfills the needs of the local grows by having a retail location for their products. As we have previously mentioned, we have no local distribution for our products.

If The Source of IM is awarded a dispensary license, we have collectively agreed to a distribution arrangement that satisfies all parties. If we know license approval is imminent, we will spend the money to have the legal documents drafted and forward them to the City Manager. Considering the proposed agreement is in place, we do not foresee the need for any of our local grows to approach the Council requesting additional dispensary licenses.

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The industry has experienced considerable change in just the short time we have been in business. A dispensary license is critical as it allows us to vertically integrate operations in a similar manner as the other two dispensaries in town. We have collectively invested over \$6 million dollars already and a dispensary helps protect our investments.

We are all local business people who have done business here for some time. Some of us have been here all of our lives. We understand the importance of being Loyal to Local because we have lived it.

Personally, I have extensive retail experience having been part of a demanding, fast-paced family business that spanned three generations in Dickinson County. We were processing over 70,000 transactions per year and trust me, doing so efficiently was no simple task. Having done it, I am confident in our ability to build an efficient, consumer focused business that meets the needs of local growers and local customers.

Thank you for your time.

Maule asked if the City could just award license(s) to a local company or the current list. Pirkola communicated that doing that awarding to the current list is a gray area that could cause a lawsuit and the local award is not legal.

Alessandrini expressed the opinion that the adding of additional licenses needs to be closed. Stanchina supported the idea of closing the wait list if another provisioning/retail license is issued. Pirkola relayed that you would need the proper language and reason to close the current list. He indicated that if you want to add a license it would be best to just add one license and be done with the list.

Blomquist stated that the current list is not good based on all the changes within the companies on the list and the industry as a whole. Pirkola conveyed that someone will be unhappy with the City whether the current or a new list is used. Zemar noted that if the City does not use the current list there could be litigation. Pirkola asserted that any action could cause litigation and set the City up for failure. Zemar imparted that despite the current list being scored on poor criteria, it was reviewed and approved by the Council.

Pirkola raised the idea that no matter how many licenses you open up, there are potential legal issues. Zemar indicated that the Council promised to add one license by the original process. Alessandrini asserted that the Council only promised to consider additional licenses. Pirkola relayed that cities which limited the number of licenses were set up for failure from the beginning. Blomquist stressed that the Council needs to do what is best for the city. Clawson reiterated that there was not a promise by the Council to add a provisioning/retail license.

Stanchina verified that up to now, additional license requests were told applications were not being accepted. Clawson and Zemar indicated that the original list would need to be used. Stanchina confirmed that one additional provisioning license would need to be added in addition to one additional retail license.

It was moved by Zemar and supported by Maule to direct the City Manager to prepare an ordinance amendment to add one additional provisioning and retail license.

Maule	Aye
Blomquist	Aye
Tomassoni	Aye
Farragh	Nay
Clawson	Nay
Zemar	Aye
Alessandrini	Aye

Motion Prevailed (Aye-5, Nay 2, Abstain-0)

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New Business

Resolution for Garbage Container Type Re: Chapter 50 Solid Waste

Stanchina stated that a resolution needs to be put in place to determine container type due to the recent ordinance amendment. The resolution is shown below:

**RESOLUTION 2022-021
CITY OF IRON MOUNTAIN
A RESOLUTION TO REGULATE GARBAGE CONTAINERS**

WHEREAS, the City of Iron Mountain, through a contractor, provides garbage collection services; and

WHEREAS, Chapter 50, Solid Waste, Article II, Disposal and Collection, Section 50-27 – Container Type, provides that the City Council may, at its sole discretion, by resolution, amend, modify or change, the method of collection and containers required; and

WHEREAS, or a maximum of seven (7) thirty-two (32) gallon containers, in containers, not exceeding fifty (50) pounds per container.

WHEREAS, the Michigan Property Tax Act (MCL §211.44) authorizes local property tax collecting units to collect an administrative fee to offset costs incurred by the collecting unit in assessing property values, in collecting the property tax levies, and in the review and appeal processes; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Iron Mountain hereby establishes a maximum of seven (7) thirty-two (32) gallon containers, in containers, not exceeding fifty (50) pounds per container for garbage collection.

Dated: December 5, 2022

BY ORDER OF MAYOR AND COMMON
COUNCIL FOR AND ON BEHALF OF
THE CITY OF IRON MOUNTAIN

I, Isaac Micheau, City Clerk-Treasurer for the City of Iron Mountain, Michigan, hereby certify that the foregoing is a true and correct copy of a resolution adopted at an Iron Mountain City Council Meeting on December 5, 2022.

Isaac Micheau, City Clerk/Treasurer

It was moved by Alessandrini and supported by Blomquist to approve the Resolution 2022-021, A Resolution to Regulate Garbage Containers, as presented.

Motion Prevailed Unanimously

Amend Lease Renewal Agreement Re: Interlink Computer Technology

Stanchina recommended that the tower lease with Interlink Computer Technology, dated January 1, 2022, be amended to include a base rent of \$2,720.49 instead of \$4,080.74, due to a clerical error.

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It was moved by Alessandrini and supported by Zemar to amended the base rent for the tower lease with Interlink Computer Technology from \$4,080.74 to \$2,720.49, effective January 1, 2022.

Motion Prevailed Unanimously

Approval of Street Closure Re: Downtown Christmas Tree Lighting

Stanchina presented a request by the DDA for a street and parking lot closure, between 3:00 P.M. and 7:00 P.M., on December 9, 2022, for the Downtown Christmas Walk and Community Tree Lighting. He noted that the closure would include Ludington Street, during the tree lighting, from Stephenson Avenue east to the alley, and a portion of the parking lot east of the Downtown Stage.

It was moved by Zemar and supported by Farragh to approve the closure request, as submitted.

Motion Prevailed Unanimously

2022/2023 Economic Development Alliance Contribution

Stanchina submitted the 2022/2023 Dickinson Area Economic Development Alliance contribution request in the amount of \$5,000.00 for Council consideration. Alessandrini conveyed his support for this contribution.

It was moved by Zemar and supported by Alessandrini to approve the payment of the Dickinson Area Economic Development Alliance invoice, number 1502, in the amount of \$5,000.00.

Motion Prevailed Unanimously

Adoption of Special Assessment Resolution Re: Rental Inspections and Blight Remediation

Stanchina presented the special assessment resolutions for 207 E. Fleshiem Street and 108 W. Margaret Street for unpaid rental inspection fees in the amount of \$25.00 each. He informed the council that 204 W. Brown Street had paid their blight remediation fee.

It was moved by Farragh and supported by Maule to approve the special assessment resolutions for 207 E. Fleshiem Street and 108 W. Margaret Street for unpaid rental inspection fees in the amount of \$25.00 each.

Motion Prevailed Unanimously

Reports

Financial Reports

None

City Manager Reports

The City Manager reported the following:

1. 37 deer have been harvested through the annual deer management program.
2. Intent to Apply for the Michigan SRF Clean and Drinking Water Program progress.
3. Automated garbage pickup transition planning.
4. Veteran property tax exemption program changes.
5. Tamarack Street sewer project update.

City Attorney Reports

None

Committee Reports

None

Public Comment

None

Council Member Privilege

None

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Adjournment

It was moved by Blomquist and supported by Zemar to adjourn.

Motion Prevailed Unanimously

Meeting adjourned at 7:11 P.M.

A handwritten signature in black ink that reads "Isaac P. Micheau". The signature is written in a cursive style with a large initial 'I'.

Isaac Micheau
Clerk-Treasurer