IRON RIVER—Iron River City Council members have not ruled yet on an amendment that would remove a stipulation in the city's charter prohibiting council members from "holding appointive offices on or with any intergovernmental agency or authority involved in a contractual relationship with the city."

At its Sept. 19 meeting, the council sought an opinion from City Attorney Mark Tousignant, who said he had gone through files and research with the mayor and the city manager.

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The issue concerns Councilman Al Perlongo's holding the position of fire chief for the West Iron County Fire Department.

Councilman Bill LaRock said he had been approached by residents who asked him about the issue following the city's Aug. 15 meeting, at which time a motion was made and approved to remove the prohibition on council members holding appointive offices on or with any intergovernmental agency involved in a contractual relationship with the city.

The question, LaRock said, was whether Perlongo should have abstained from voting.

Tousignant said the West Iron County Fire Department has a contract with Iron River; Perlongo is appointed by the Fire Authority and is paid a monthly stipend.

"It's my understanding," Tousignant said, "that Perlongo does have a conflict with the charter."

It was noted that in 2000, when Perlongo was on the council, he resigned as fire chief.

Mayor Terry Tarsi commented that, in the past, the previous City Council had a member on the school district's payroll. Tousignant said that was not the same issue.

Tarsi then added that, according to the charter, no former council member can hold an intergovernmental position for one year following his or her term, and a former council member is serving on the West Iron County Sewer Authority. Tousignant responded that he is not an officer on that board.

Tarsi also said Councilman Ed Marcell is a member of the fire department and gets paid whenever he participates in a fire call. Does he have to resign? Tarsi asked.

Resident Jere Fritsche said he thought a state statute indicated a violation.

Resident Jan Huizing thought there was a conflict if the mayor was the fire chief, and Perlongo is a council member.

"I think it should be a vote of the people," he added.

Tarsi said he had looked at House Bill 4458 as the state statute, and it indicated that there would be no prohibition if a city or township's population was 3,000 or less.

"The 2010 census," he said, "recorded our population at 3,029. Now, did we lose 29 people?

"Is it worth paying thousands of dollars for a new census?"

Perlongo said when he took the council seat in January, "I had support that I was not in violation.

"I've been with the fire department for 35 years, and I'm not going to resign.

"Why is this being done? I've done nothing to hurt the people of the city, and I'm not asking for a new census."

Tarsi said everyone knew the law, and he (Perlongo) knew the charter. He took out a petition and ran for office, and the conflict didn't arise until he actually took office. He said the issue will

be addressed in a special session.

LaRock said the issue was only about the charter, and “nothing between Al or me.

“Being new in politics, I thought I was doing the right thing in following through. I didn’t even know he was fire chief.

“It’s turned into a fiasco.”

in other business

--Several residents from the former Mineral Hills, Virgil and Spies locations asked the council to take action on blight issues within the areas.

Paul Van Minsel, a resident of Allen Street, presented a petition and information to the council.

“Our complaints aren’t listened to,” he said. “You have no blight enforcement officer, and we want some answers.”

Conditions he cited included unlicensed vehicles on properties; deteriorated structures, curbs and sidewalks; garbage and litter spread about; excessive trash and noxious weeds.

“I came to the council two years ago,” he said, “and these issues still haven’t been addressed.

“Your blight ordinance is behind the times.”

He asked that, in the absence of a code enforcement officer a committee of council members could enforce the ordinance.

“I’ve looked at everything you’ve given me,” said Tarsi. “The code officer has resigned, and the council will go through every item on the sheets.”

Another ordinance violation may go to court.

Tousignant said he had put together a complaint concerning the bowling alley, but has held off filing it, pending discussion with the insurance company’s attorney. Those discussions stalled, he said, and I’d like to see the site cleaned up before winter.

Tarsi recommended that Tousignant proceed with the lawsuit, and added that the $3,000 in fines collected so far could possibly be used for legal fees.

“We have to see this as a last resort to get this resolved,” said City Manager Perry Franzoi.

Have a comment? E-mail your 50-word or less message to news@ironcountyreporter.com .