

AGENDA
ISHPEMING CITY COUNCIL REGULAR MEETING (ORGANIZATIONAL MEETING)

Wednesday, February 7, 2018, at 7:00 p.m.

Ishpeming City Hall Conference Room, 100 E. Division Street, Ishpeming MI

City Hall Telephone Number: (906) 485-1091

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment
5. Approval of Agenda
6. Agenda Comment
7. Consent Agenda
 - a. Minutes of Previous Meeting (January 10, 2018)
 - b. Approval of Disbursements (Mayor Juidici and Councilman Koski)
 - c. Special Event Application: St. Vincent DePaul Walk for the Poor: September 9, 2018
 - d. Special Event Application: 2018 Supertour: February 14-18, 2018
 - e. Special Event Application: Iron Range Roll: June 2, 2018
 - f. Appoint Kaitlyn Feldbauer to a vacancy on the Building Authority expiring June 2018
 - g. Confirm DPW Director job description
8. Monthly Financial Statement Report
9. Jessica Flores – Historic Preservation Presentation
10. Quit Claim Deed for Symons Property
11. Agreement with County of Marquette to provide Assessing Services
12. Award of Ishpeming SAW Grant Televising - 2018
13. Interim S-2 Water License Operator Agreement
14. 2019 Goals, Capital Improvements, and Budget Process
15. First Reading of Amendment to Ordinance #9-300 Ordinance Prohibiting Alcoholic Beverages by Minors
16. First Reading of Ordinance #2-1500, Prohibiting any loud noise disturbing public safety, peace, and comfort
17. Old Business
 - a. Tennis Court Project Update
18. New Business
19. Mayor and Council Reports
20. Manager's Report
21. Attorney's Report
22. Adjournment



Mark Slown, City Manager

-1-

CITY OF ISHPEMING

SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 30 calendar days prior to the starting date of the event.

Organization's
Name Ishpeming Society of St. Vincent DePaul Phone 906-486-6340

Organization Address PO Box 2 Ishpeming MI 49845

Organization's Agent Helly Carlson Phone 906-250-6379

Agent's Title Event Organizer

Agent's Address 3759 W Rd 16 Ishpeming

Event Name St. Vincent DePaul Friends of the Poor Walk/Run

Event purpose Raise money for families in our
Community in need

Event Dates Set up 9/28/18 Event 9/29/18

Event Times 9/29/18 8am - 11am

Event Location north third Heritage Trail to border
of Negaunee

1. Type of Event:

☐ City Operated Event ☐ Co-Sponsored Event

☒ Other Non-Profit Event ☐ Other For-Profit Event

☐ Political or Ballot Issue Event

2. Annual Event: Is this event expected to occur next year? ☒ [YES] ☐ [NO]

If yes, you can reserve a date for next year with this application. To reserve dates for next year, please provide the following information:

Normal Event Schedule _____

Next year's Specific Dates: Sept 28, 2019

3. An Event Map ☒ [Is] ☐ [Is Not] attached. If your event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also please show any streets or parking lots that you are requesting to be blocked off.

4. Vendors: Food Concessions? ☐ [Yes] ☒ [No] Other vendors? ☐ [Yes] ☒ [No]

5. Event signs: Will this event include the use of signs? ☒ [Yes] ☐ [No]

6. Other Requests: Barriers on North 7th St by Bigelow
and North Davis

7. CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

a. A certificate of Insurance must be provided which names the City of Ishpeming as an additional named insured party on the policy.

b. Event organizers and participants will be required to sign Indemnification Agreement forms.

c. All food vendors must be approved by the Marquette County Health Department and each food vendor must provide the City with a Certificate of Insurance which names the City as an additional named insured on the policy.

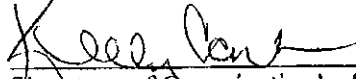
d. All liquor vendors must obtain a liquor license for the event which must be approved by the Michigan Liquor Control Commission and must provide the City with a Certificate of Insurance which names the City as an additional named insured on the policy.

e. The approval of this special event may include additional requirements based on the City's review of this application in accordance with the City's Special Event Policy. The event will be operated in conformance with the written confirmation of approval.

f. The organization will provide a security deposit for the estimated fees as may be required by the City and will promptly pay any billing for City services which may be rendered.

As the duly authorized agent of the organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

1-5-18
Date


Signature of Organization's Agent

Return this Application at least thirty (30) days prior to the first day of the event to:

City Manager's Office
City Hall
E. Division Street
Ishpeming, Michigan 49849

7/21/15

CITY OF ISHPEMING

SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 30 calendar days prior to the starting date of the event.

Organization's

Name SKI HALL OF FAME, GINLE, NMD, CITY OF ISHPEMING Phone 485-6323

Organization Address 610 PALMS AVE, ISHPEMING

Organization's Agent JUSTIN KOSKI Phone 485-6323

Agent's Title CHIEF OF ORGANIZING COMMITTEE

Agent's Address 610 PALMS AVE, ISHPEMING

Event Name 2018 US SKI & SNOWBOARD HALL OF FAME SUPERTOUR
+ NCAA REGIONAL SKI CHAMPIONSHIPS

Event purpose HOST A NATIONAL LEVEL XC SKI EVENT
AS ALQUAAL TO SHOWCASE THE TRAILS

Event Dates 2/14 - 2/18/18

Event Times SEE ATTACHED SCHEDULE

Event Location ALQUAAL REC. AREA - COMPETITION LOOP

1. Type of Event:

☒ City Operated Event ☒ Co-Sponsored Event

☐ Other Non-Profit Event ☐ Other For-Profit Event

☐ Political or Ballot Issue Event

7/21/15

2. Annual Event: Is this event expected to occur next year? [YES] [NO] TBD

If yes, you can reserve a date for next year with this application. To reserve dates for next year, please provide the following information:

Normal Event Schedule NMU/NCAA RACE

Next year's Specific Dates: TBD 2ND-3RD WK OF FEB.

3. An Event Map [Is] [Is Not] attached. If your event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also please show any streets or parking lots that you are requesting to be blocked off.

4. Vendors: Food Concessions? [Yes] [No] Other vendors? [Yes] [No] FOOD TRUCKS ON COMPETITION DAYS

5. Event signs: Will this event include the use of signs? [Yes] [No]

6. Other Requests: GROOMING, STADIUM SETUP MATERIALS,
BATHROOMS, INFO BOOTH, TIMING TRAILER, PAVILIONS

7. CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

a. A certificate of Insurance must be provided which names the City of Ishpeming as an additional named insured party on the policy.

b. Event organizers and participants will be required to sign Indemnification Agreement forms.

c. All food vendors must be approved by the Marquette County Health Department and each food vendor must provide the City with a Certificate of Insurance which names the City as an additional named insured on the policy.

d. All liquor vendors must obtain a liquor license for the event which must be approved by the Michigan Liquor Control Commission and must provide the City with a Certificate of Insurance which names the City as an additional named insured on the policy.

e. The approval of this special event may include additional requirements based on the City's review of this application in accordance with the City's Special Event Policy. The event will be operated in conformance with the written confirmation of approval.

f. The organization will provide a security deposit for the estimated fees as may be required by the City and will promptly pay any billing for City services which may be rendered.

7/21/15

As the duly authorized agent of the organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

Date

Signature of Organization's Agent

Return this Application at least thirty (30) days prior to the first day of the event to:

City Manager's Office
City Hall
E. Division Street
Ishpeming, Michigan 49849

7/21/15

Northern Michigan University

"The 2018 US Ski & Snow Board Hall of Fame & NCAA Regional Ski Championships"

Race Events:

Thursday 2/15 Freestyle Sprints events (men and women) open senior classes only in all events, no junior classes.

Saturday 2/17 Distance mass start Freestyle events.

Sunday 2/18 Distance Individual start Classical events.

Detailed Events schedule:

Wednesday 2/14:

Course inspection from starting at ~~10:00~~^{9:30} AM

Coaches meeting (sprint event) 7:00 P.M. at the "Ski Hall of Fame".

Thursday: 2/15

Freestyle Sprint events.

7:30 am: Bib pick up on site at Al Quall (basement of bathroom building)

9:30AM: Start times for men's and women's (15-second intervals)

11:30AM: Women and Men's heats start. Pick up heat bibs 30 minutes prior to start of heats bathroom building basement.

4:00 PM: Freestyle sprints awards on site in stadium area.

Friday: Coaches meetings 7:00 P.M. at "the Ski Hall of Fame". Meeting will cover both the distance events.

Friday 2/16

Course inspection: 10:00 AM distance freestyle course.

Coaches Meeting 6:00 PM at the "US Ski and Snowboard Hall of Fame" (601 Palms Ave. Ishpeming Michigan). Race Bib distribution.

Saturday:2/17

Freestyle Mass start events (men 20K) (women 15K).

8:30 AM: bib pick up for anyone who did not get a bib at the Friday coaches meeting, under the bathroom building next to stadium.

10:00 AM: Women's 15K Freestyle event Mass start.

12:00PM: Men's 20K Freestyle event mass start.

4:00 PM: Coaches meeting at the Ski Hall of Fame. Bib distribution after coaches meeting.

6:00 PM: The Central NCAA Regional collegiate Banquette and awards. At the "Ski hall of Fame".

Sunday 2/18

Classical events:

8:30 AM bib pick for those who did not get bib on Saturday evening's coaches meeting, "under the bathroom building next to stadium".

10:00 AM: Men's 10 K classical individual start race.

12:30 PM: Women's 5K individual start race.

2:00PM: Distance events awards ceremony on site in stadium.

Race organizing committee: 11 members (anyone who wants to help may join the O.C.)

Justin Koski (Chief of O.C.)

Andrew Keller (Assistant chief of O.C.)

Jim Tervo (Chief of race)

Sten Fjeldhelm (Assistant Chief of race)

Technical Delegate (Matt L)

Mike Kaurila (Race secretary)

Matt Palomaki (Chief of bibs)

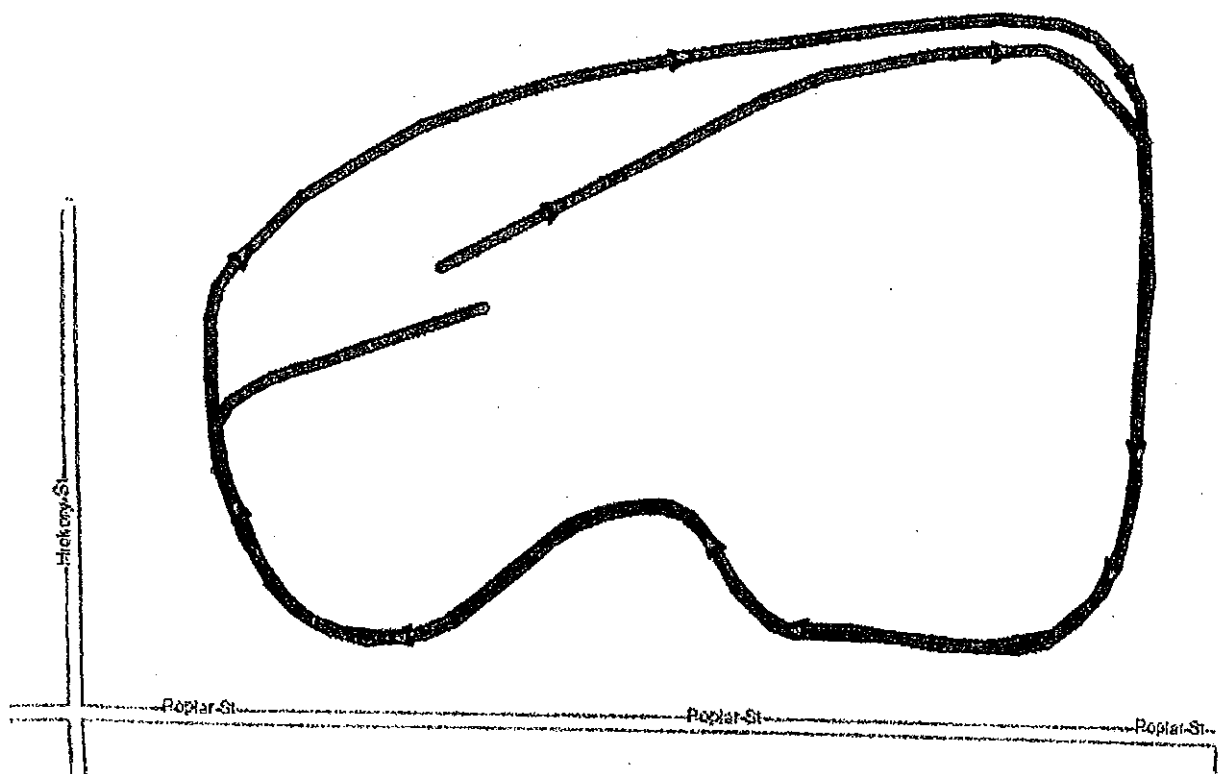
Tom McFadden (assistant Chief of bibs)

Sam Graci and Sam Graci Jr. (Chief of timing) "Superior timing"

John Kangas (Chief of Stadium and Grooming)

Kelsey Raeas (Chief of housing)

Jon Mommaerts (Advisory member)



Al Quaal 2 lap Sprint 12 16 15 HD-14m, MC-13m, TC 44m, lowest point 445m, highest point 459m

Total Distance 1634m.

~~FRIDAY~~

WED. PRACTICE, THURSDAY SPRINT
RACE

72

CITY OF ISHPEMING

SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 30 calendar days prior to the starting date of the event.

Organization's Name 40 Below Marquette County YP Phone 906-235-7211
Organization Address % Eric Walters, 2865 Wright St, Marquette, MI 49855
Organization's Agent Eric Walters Phone 906-235-7211
Agent's Title Iron Range Roll Chair
Agent's Address 2865 Wright St, Marquette, MI 49855
Event Name Iron Range Roll
Event purpose A relay/run/bike race to celebrate the heritage + recreational culture of Marquette County + give back to the community - YMCA's Reach + Rise group mentoring program
Event Dates 6/2/18
Event Times 12:30 PM start - Ishpeming
Event Location Iron Ore Heritage Trail - Start @ Cliffs Shaft Museum

1. Type of Event:

- ☐ City Operated Event ☒ Co-Sponsored Event
☐ Other Non-Profit Event ☐ Other For-Profit Event
☐ Political or Ballot Issue Event

7/21/15

2. Annual Event: Is this event expected to occur next year? ☒ YES ☐ NO

If yes, you can reserve a date for next year with this application. To reserve dates for next year, please provide the following information:

Normal Event Schedule First Saturday in June

Next year's Specific Dates: June 1, 2019

3. An Event Map ☒ Is ☐ Not attached. If your event will use streets and/or sidewalks (for a parade, run, etc.) or will use multiple locations, please attach a complete map showing the assembly and dispersal locations and the route plan. Also please show any streets or parking lots that you are requesting to be blocked off.

4. Vendors: Food Concessions? ☐ Yes ☒ No Other vendors? ☐ Yes ☒ No

5. Event signs: Will this event include the use of signs? ☒ Yes ☐ No

6. Other Requests: orange barrels, signs, police to temporarily reduce traffic @ intersection of 3rd & Hematite (20 min. total)

7. CERTIFICATION AND SIGNATURE: I understand and agree on behalf of the sponsoring organization that:

a. A certificate of Insurance must be provided which names the City of Ishpeming as an additional named insured party on the policy.

b. Event organizers and participants will be required to sign Indemnification Agreement forms.

c. All food vendors must be approved by the Marquette County Health Department and each food vendor must provide the City with a Certificate of Insurance which names the City as an additional named insured on the policy.

d. All liquor vendors must obtain a liquor license for the event which must be approved by the Michigan Liquor Control Commission and must provide the City with a Certificate of Insurance which names the City as an additional named insured on the policy.

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f. The organization will provide a security deposit for the estimated fees as may be required by the City and will promptly pay any billing for City services which may be rendered.

As the duly authorized agent of the organization, I hereby apply for approval of this Special Event, affirm the above understandings, and agree that my sponsoring organization will comply with the City's Special Event Policy, the terms of the Written Confirmation of Approval, and all other City requirements, ordinance and other laws which apply to this Special Event.

01/28/18
Date

Eric Walters
Signature of Organization's Agent

Return this Application at least thirty (30) days prior to the first day of the event to:

City Manager's Office
City Hall
E. Division Street
Ishpeming, Michigan 49849

7/21/15

Google Maps

Iron Ore Heritage Trail, Ishpeming, MI 49849 to Iron Ore Heritage Trail, Ishpeming, MI 49849

Walk 0.7 mile, 14 min

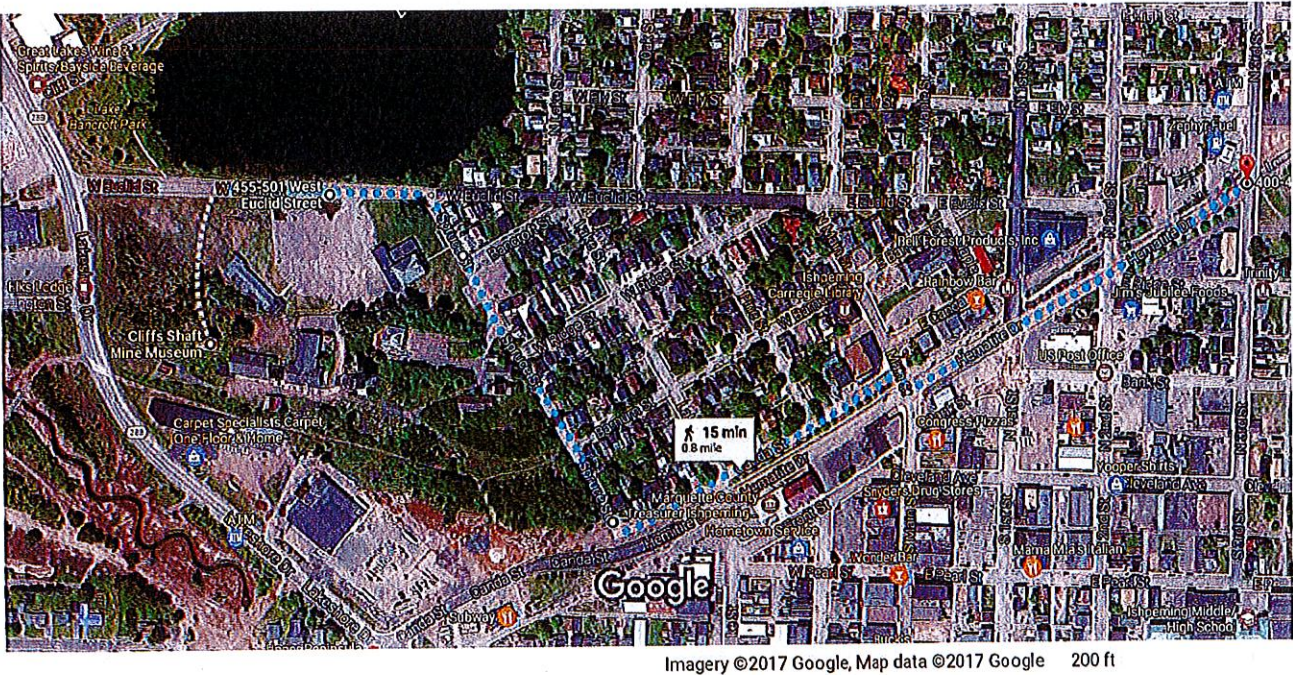


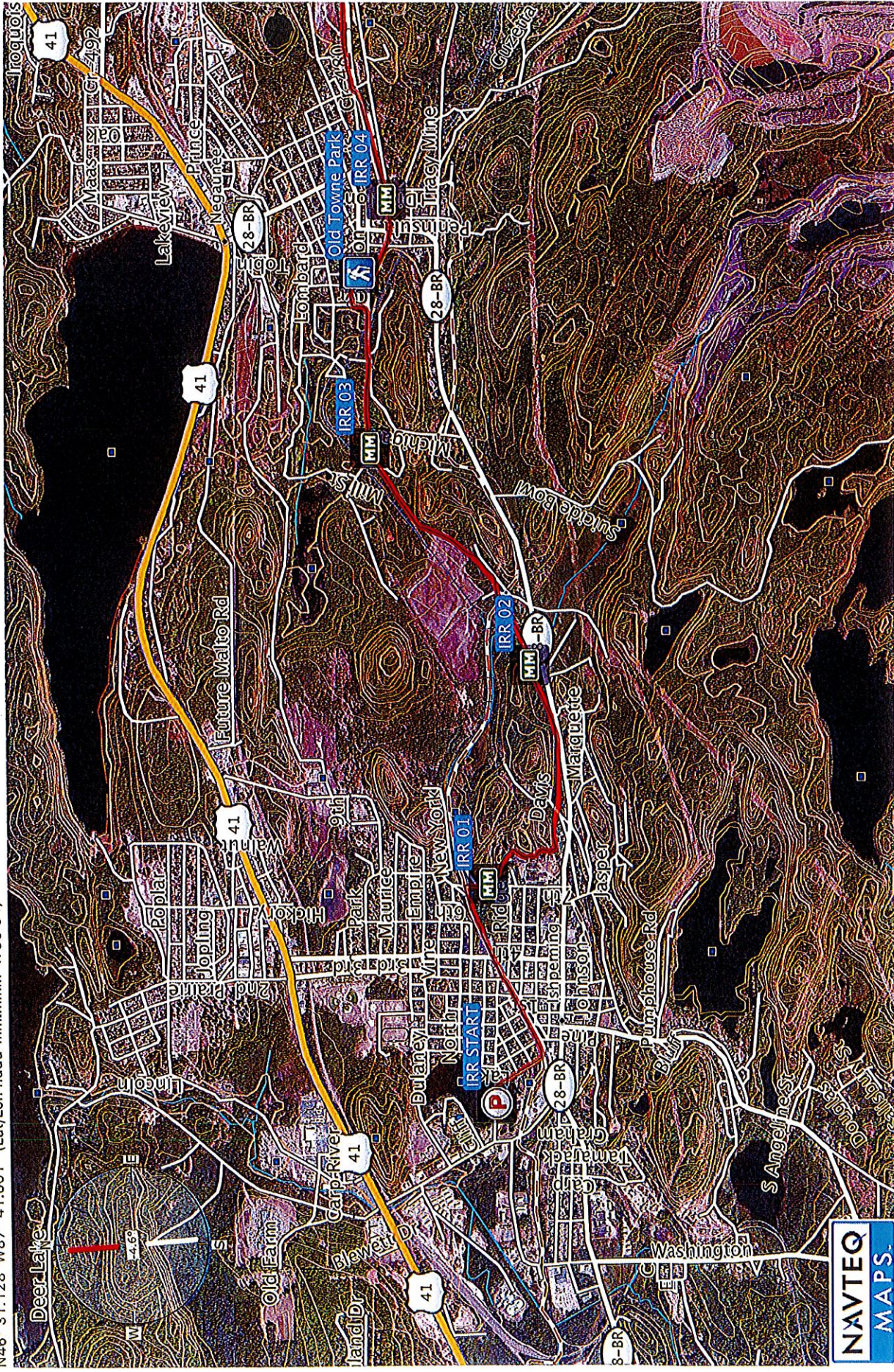
Imagery ©2017 Google, Map data ©2017 Google 200 ft

Google Maps

455-501 W Euclid St, Ishpeming, MI 49849 to 400-498 Hematite Dr, Ishpeming, MI 49849

Walk 0.8 mile, 15 min





Topo U.S. 24K Northeast N46° 28.191' W87° 35.718'

Topo U.S. 24K Northeast
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1995-2009.

IRR 2016 Sec1



PUBLIC WORKS DIRECTOR

Summary: This key municipal employee is responsible for general management and daily supervision of the Public Works Department, which includes 17 full-time employees and about 10 seasonal employees. Scope of duties include but are not limited to city streets, water and sewer utilities, right-of-way management, facilities, equipment, department public relations, cemetery, and parks. Also, the employee may assist the City Manager with administrative and management work and may act as City Manager in the absence of the City Manager. The position supervises city engineering activities; and advises the City Council on technical matters as necessary. This employee is also responsible for department planning, input to Capital Improvement Plans, budget development, and disciplinary management of department employees. Work is performed under the general direction of the City Manager.

Duties and Responsibilities:

1. Directs and supervises the daily activities of department employees either directly or through their immediate supervisors, including making field inspections of work in progress.
2. Responsible for department performance, safe operation, and budgetary compliance.
3. Participates with City Manager regarding Public Works and Clerical collective bargaining, including formulation of labor contract strategy, negotiation sessions, grievance disposition, and related tasks. Is a member of the Supervisory Bargaining Unit; therefore, does not participate in strategy or negotiation for that unit.
4. In consultation with the City Manager, authorizes the hiring/discipline/termination of Public Works Department employees consistent with City policies and labor agreements.
5. Is the liaison and principal contact with the Negaunee-Ishpeming Water Authority, the Ishpeming Area Joint Wastewater Authority, and is the Public Works Coordinator with the City of Negaunee. Is the City Council designated MDOT Maintenance Superintendent for the State Trunkline Maintenance Contract and MDOT Street Administrator.
6. Keeps the City Manager informed of safety incidents/accidents, insurance claims, workers compensation claims, and significant public works developments/activities.
7. Participates directly in the formulation and implementation of department policy and budget.
8. Supervises the preparation of engineering, financial, and operating reports. Negotiates with and supervises the activities of engineering consultants, private contractors, and others agencies regarding construction of new projects, repairs, and other actions.
9. Analyzes complaints and service calls received by the department and determines action to be taken in the more serious cases. Acts as initial point of contact for department public relations issues.

10. Confers with public, sales representatives, consultants, and City personnel in regards to procurement activities.
11. Confers with the City Manager and City Council regarding future plans and operations.
12. Coordinates with other City Departments, staff, contractors, and other governmental agencies to insure safe, effective, and efficient department operations and activities in the community.
13. Provides staff support to the Cemetery Board and the Parks and Recreation Commission.
14. Attends all regular and special City Council meetings.
15. During the absence of the City Manager, the Public Works Director may be called upon to perform duty as the Acting City Manager.
16. Perform other work tasks as required.

Required Qualifications:

1. A minimum of six years of increasingly responsible experience in public works or commercial construction work
2. Demonstrated strong management and leadership skills
3. Michigan Vehicle Operator License
4. S-2 Water Distribution License (or ability to attain in six months)
5. Demonstrated work ethic
6. A high level of integrity

Desirable Qualifications:

1. Educational background in civil engineering or other applicable specialty
2. Previous experience working in municipal government
3. A four year college degree

Physical Requirements:

1. Must be able to safely lift objects weighing 40 lbs.
2. Must be able to safely climb ladders, rough terrain, and large equipment

Approved by the Ishpeming City Council: February 7, 2018.

9

PRESERVATION FORWARD



To: Mark Slown, City Manager, City of Ishpeming
From: Jessica Flores, Preservation Forward
RE: National Register of Historic Places designation for the City of Ishpeming
Date: January 23, 2018

Dear Mr. Slown,

This letter is in response to your inquiry sent to me on January 16, 2018 regarding the National Register of Historic Places nomination for the City of Ishpeming. As you know, I've been hired by the Michigan Economic Development Corporation to facilitate this project. The National Register of Historic Places nomination process is unique and proposes many questions. Below are my responses to your questions:

1.) What is proposed? The proposed project is a National Register of Historic Places multiple property nomination for the downtown, commercial district in the City of Ishpeming.

"The National Register of Historic Places is the official list of the Nation's historic places worthy of preservation. Authorized by the National Historic Preservation Act of 1966, the National Park Service's National Register of Historic Places is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect America's historic and archeological resources."

NPS

2.) How will it be done—the process? To provide a framework of understanding, at the federal level, the National Park Service administers the National Register of Historic Places (National Register). The National Register is the official federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture. National Register listed properties have significance to the history of their community, state, or the nation. At the local level, the process begins with gaining the support of the local community. Often times, this is through the passage of a resolution from City Council. Upon receiving the support from the local community, the long-term process of research, documentation, photography, and oral interviews will take place. This process takes around a year to 18-months to complete. During this timeframe, community input, outreach to local stakeholders, and historic preservation education often occurs. Please understand that this process is centered around creating a sense of place and often has a community-wide impact. At the state level, consultation with the State Historic Preservation office (SHPO) is conducted as the SHPO facilitates the National Register of Historic Places program for the State of Michigan. Once the

nomination has been completed, it will be submitted to the SHPO and State Historic Preservation Review Board Committee to review and make a recommendation on its eligibility. This review process at the state level takes around 60-90 days. At the time of approval by the SHPO and State Historic Preservation Review Board, the nomination will be submitted to the National Park Service in Washington, D.C. for final review and listing by the Keeper the National Register of Historic Places. A decision is made within 45 days of the National Park Service's receipt of the nomination.

3.) What are the "strings" attached, if any? There are no "strings" attached as part of this project. The National Register of Historic Places designation is honorary, not regulatory. That means, that there are no regulations by having your downtown, commercial district listed in the National Register. There's no code of enforcement and no ordinance related to this designation. This is often a misnomer where community members believe this will deter from development, stifle change, or "progress" in their downtown. The designation assists as a planning tool for revitalization and smart development approach when considering the planning process within your community. Under Federal Law, the listing of a property or properties in the National Register places no restrictions on what a non-federal owner may do with their property up to and including destruction, unless the property is involved in a project that receives federal assistance usually funding or licensing/permitting. If federal dollars are attached to the property, then any changes to the property are subject to the SHPO commenting on the proposed changes/project.

4.) Benefits? Invariably, properties listed in the National Register create a special sense of place within their communities and often the region in which they're located. These historic districts become attractive destinations, carry a sense of spirit, inspire awe, give a place its unique character, build community, attract investment, and allow the stories of generations long ago to continue on. For these reasons, the preservation and rehabilitation of these historic buildings must be a key, highly prioritized component to any placemaking and community development strategy. From this perspective, we can garner that the benefits of listing in the National Register are both tangible and intangible. Tangible benefits are financial incentives that wouldn't be possible without designation. A result of that is a more vibrant, aesthetically-pleasing downtown, commercial district which in turn attracts new businesses, retains existing businesses, and is a desirable place to live, work, play, and visit. Intangible assets is the sense of pride and authenticity of place that communities boast who have a National Register listed historic district.

5.) Costs? There is no cost to the community for this project - the National Register of Historic Places nomination. The Michigan Economic Development Corporation has covered the costs of the project,

6.) What does it mean for property owners? In addition to the honorific recognition, owners of historic buildings listed in the National Register may be eligible for a 20% investment tax credit for the rehabilitation of income-producing certified historic structures such as commercial, industrial, or rental residential buildings.

Also, property owners qualify for federal grants for historic preservation, when funds are available. A property owner can do whatever they want to their property that is listed in the National Register of Historic Places, as long as there are no federal monies attached to the property. Having said that, a property owner may do with the property what they wish, within the framework of local laws or ordinances. Property owners are not required to maintain the property in any specific way; you may demolish the property without federal permission.

7.) What does it mean for the City? National Register listed historic districts can be centers of heritage tourism that help spur economic vitality. National Register listed historic districts opens up a new door of funding at the federal and state levels. Developers and investors of historic buildings find National Register listed historic districts to be attractive from an investment standpoint because they know that they can be eligible for tax credits that can help to offset the costs of rehabilitation.

I hope that my responses have helped to clarify the project and overall process. I plan to attend the city council meeting on February 7th and would be happy to provide an overview of the project and answer questions at that point, as well. Please contact me directly should you have any outstanding questions or concerns. It's my pleasure to work with the City of Ishpeming and community members.

Jessica Flores

Jessica C. Flores, MSHP, LEED GA

Principal, Preservation Forward, LLC

For: Ishpeming City Council
February 8 meeting

Mary Goloversic
550 Dulany Drive
Ishpeming, MI 49849
January 26, 2018

9

Ishpeming has an opportunity to have a downtown National Historic District by accepting financial assistance from Lansing with no strings attached. The free help is offered because of the closing of the Empire Mine. This is an opportunity for state taxes to return to the U.P.

Lansing will provide an experienced expert to do the research and filing. Building owners will be offered 20% credit on restoration. This is an offer. Nothing will be forced. It will not impact others.

This is an opportunity to preserve, beautify, and improve the downtown for the citizens of Ishpeming. It will attract new businesses, people from neighboring cities, and tourists to Ishpeming.

The decision on this opportunity will be made at the February 8 meeting of the Ishpeming City Council.

Will you please support this plan?

Mary Goloversic

9

Resolution # 1-2018

Support for Jessica Flores Historic District Designation Project

Whereas, the City of Ishpeming has long valued its historic character; and

Whereas, the research necessary to obtain a National Register of Historic Places Historic District Designation is beyond the capability of the local community; and

Whereas, historic preservation is a proven method of economic and community development; and

Whereas, the MEDC has provided a highly qualified expert, Jessica Flores, MSHP, to conduct the research necessary to obtain this designation from the National Park Service and will pay for the cost of the project; and

Whereas, the Ishpeming Historical Society, the Ishpeming Downtown Development Authority, and Greater Ishpeming Negaunee Chamber of Commerce support this effort; and

Whereas, the boundaries of the district will be subject to review and final approval prior to the application being submitted to the National Park Service; and

Whereas, this project will formally recognize and obtain national recognition of the historic importance of our great community;

Now, therefore, be it resolved that the City Council approves of this historic district designation project;

Be it further resolved that, the Council encourages maximum public participation in the effort to identify and describe historic buildings and sites in the downtown.

Finally, be it resolved that the City Council commends Jessica Flores for undertaking this major project and looks forward to approval of the final Federal application when it is ready.

Moved to Approve by: _____

Seconded by: _____

Ayes: _____ Nays: _____

February 7, 2018

QUIT CLAIM DEED

The Grantor, the City of Ishpeming, a Michigan municipal corporation, whose address is 100 East Division Street, Ishpeming, Michigan, 49849, on behalf of the former Economic Development Corporation of the City of Ishpeming, a Michigan non-profit corporation, whose address is 100 East Division Street, Ishpeming, Michigan, 49849, hereby quit claims to the Grantee, G. L. & P. Management Co., a Michigan Corporation, whose address is 401 Maas Street, Negaunee, Michigan 49866, the premises in the City of Ishpeming, County of Marquette and State of Michigan described as follows:

Lots Numbered Ninety-nine (99), One Hundred (100) and One Hundred One (101) of the Original Plat of the City of Ishpeming, County of Marquette, State of Michigan, subject to such reservations, exceptions And conditions as are contained in the conveyances constituting the Recorded chain of title to said described premises.

Subject in part to a City of Ishpeming Resolution as recorded in Liber 16 of Miscellaneous Records, Page 156.

The consideration for this transfer is the sum of One Dollar (\$1.00) Dollar.

This transfer is exempt from transfer tax pursuant to the provisions of MCLA Sections 207.505(h) and 207.526(h)(i).

City of Ishpeming

Dated: _____, 2018

By: _____
Joseph Judici, Mayor

Dated: _____, 2018

By: _____
Tammie Leece, City Clerk

State of Michigan)
County of Marquette) ss

On _____, 2018, before me personally appeared
Joseph Judici, Mayor and Tammie Leece, City Clerk of the City of Ishpeming,
who executed and acknowledged the foregoing Quit Claim Deed on behalf of the
City of Ishpeming.

Notary Public, Acting in Marquette County, MI.,

My commission expires: _____

This instrument drafted by:
Bonnie L. Hoff,
Attorney for the City of Ishpeming

When recorded return to:

Bonnie L. Hoff, City Attorney
Ishpeming City Hall
100 East Division St.,
Ishpeming, MI., 49849

(1)

**AGREEMENT BETWEEN MARQUETTE COUNTY AND CITY OF ISHPEMING
FOR PROVIDING ASSESSING SERVICES**

WHEREAS, the City of Ishpeming has historically provided for assessing in compliance with State of Michigan General Tax Act Law, 1969 PA 203, using its own employees;

WHEREAS, Marquette County has an Equalization Department which has the necessary State certificates, experience, and leadership abilities to be able to provide management and leadership functions for the City of Ishpeming to successfully perform assessing and support functions;

WHEREAS, the General Tax Act of 1969 PA 203 authorizes the County Equalization Department to contract with a Township or City to provide assessing services.

The parties to this Agreement do hereby agree as follows:

1. This Agreement is made between the County of Marquette, a body corporate by virtue of MCL 45.3; MSA 5.283 with offices located at 234 W. Baraga Avenue, Marquette, MI 49855, and the City of Ishpeming, for the purpose of establishing an agreement whereby the County would provide assessing services to the City of Ishpeming.
2. The County Equalization Director will serve as the Assessor of Record for the City of Ishpeming. Additional Equalization Department Employees shall assist in the collection of appraisal data.
3. At all times while performing the services specified in this Agreement, the Equalization Department Staff will be County of Marquette employees.
4. The County Equalization Director, while acting as the City Assessor, will oversee and have final say in areas of the Assessor's Office pertaining to the certification of the assessment roll and the duties delineated.
5. The Equalization Department Staff will be physically present at the City of Ishpeming facilities for approximately 6 hours per month to provide access to the general public and management of assessing activities.
6. The County Equalization Director shall manage, supervise, and sign all necessary documents, paperwork, reports, and recommendations in an official capacity as the City Assessor as well as approving splits of property.
7. The County Equalization Director will be responsible for approving and signing the tax roll certification that is given to the City Treasurer and other required state forms.

8. The County of Marquette shall provide updates to the City computer on a regular basis. Apex software (if not already in place) shall be installed on the City computer to provide for the ability to print available electronic building sketches. The annual maintenance fee for the Apex software shall be the responsibility of the City.
9. The City of Ishpeming and its employees shall fully cooperate with the County Equalization Department to assist in performing assessing and support functions.
10. The duties of the County Equalization Department acting as the City Assessor shall be as follows:

1. The County Equalization Director acting as the City Assessor will be responsible for approving and signing the Assessment Roll, the Tax Roll and provide qualified Staff to be present at the Board of Review and engage in other duties as defined below:

A. Assessment Roll - Duties:

1. Oversee the development of the Assessment Roll per the General Property Tax Laws and the State Tax Commission guidelines.
2. Prepare and sign the necessary reports as required by the State Tax Commission and the General Property Tax Law.
3. Provide a warrant roll to the Board of Review.
4. Certification of roll.
5. Provide Truth in Taxation Headlee calculations to Treasurer/Clerk for final approval.

B. Board of Review - Duties:

1. Preliminary March Board
Present preliminary roll to the Board of Review
 2. Regular March Board of Review
Will be present at all Board of Review sessions to assist the Board Members in reviewing assessed/taxable value issues. If the Director is unable to attend, an Equalization Dept. Appraiser may act as a substitute.
11. The City agrees to pay Marquette County \$50,000 annually for all services provided by the County Equalization Department, to be paid as follows: Quarterly with first payment made upon execution of the agreement. All charges relating to the services provided for the processing of Tax Rolls will continue to be billed to the City at the same rates as other Townships/Cities that are serviced by the Tax Roll Division of the Department. The City

will be responsible for the costs of Personal Property Statements and Assessment Change Notices as well as the postage related to both.

12. Either the City or County may terminate this Agreement without cause by providing 60-day written notice to the other party. The City will be obligated to pay the amount for services provided by the County up to the date of actual termination. If the County loses its Equalization Director; the County (with the approval of the City) shall appoint another Equalization Department Employee to act as City Assessor for the term of this Agreement. If the City does not approve of the appointment of the Assessor of Record, the City will not be bound by this Agreement and termination can occur immediately upon notice to the County.
13. In the event that the County Equalization Director, while acting in his/her capacity as City Assessor, must defend a tax payer appeal to the Board of Review, Michigan Tax Tribunal, Michigan Court of Appeals, or the Michigan Supreme Court, the City of Ishpeming shall provide at its own total expense, legal counsel to fully assist in the defense (or prosecution) of these matters.
14. It is further agreed that as to indemnification; To the fullest extent permitted by law, the City of Ishpeming agrees to indemnify, pay on behalf of, defend, and hold harmless Marquette County from and against any and all actions or causes of action, claims, demands, liabilities, lawsuits, or damages of whatsoever kind and nature, and from all losses, costs, and expenses arising out of any liability, or claim of liability, or injuries or damage to persons or property sustained or claimed to have been sustained by anyone whomsoever arising, on account of, or by reason of the acts or omissions of the County Equalization Department when acting as Assessor under the terms of this Agreement.
15. This Agreement shall be in effective January 1, 2018 for a term of three years at which time both parties shall have the ability continue the contract, renegotiate the terms or terminate the Agreement. The County reserves the right to present the City of Ishpeming with sufficient data to potentially renegotiate the annual cost of providing services outlined in the Contract on the annual anniversary dates of January 1, 2019 and January 1, 2020.

Dated: _____, 2018

CITY OF ISHPEMING:

COUNTY OF MARQUETTE:

Its: _____

Its: _____

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Consulting
Engineers and
Scientists

January 31, 2018
Project No. 1506660

Mr. Mark Slown
City of Ishpeming
100 E. Division Street
Ishpeming, MI 49849

**RE: Recommendation of Award
Ishpeming SAW Televising - 2018**

Dear Mr. Slown:

We have completed our review of the bids for SAW Grant related televising.

In late 2017, a presentation was made to the City Engineer and to the Water Superintendent. GEI also attended the presentation. A newer technology was shown, which allows for each run of televising to produce a single image file spanning the length of the pipe, with a three hundred sixty degree view of the pipe. There are multiple advantages to this method over traditional televising, and after the presentation, the City opted to bid out this type of televising.

Because this is a newer technology, there are fewer contractors that perform this service. GEI did reach out to three such contractors. However, there is only one contractor that is local, Tunnel Vision from Escanaba. They provided the only bid. The total bid for this work is \$232,960, along with a unit price of \$295 per hour of heavy cleaning.

In comparison with typical pricing for traditional televising, the prices for this service seem to be reasonable. The submitted bid still remains within the budget of the SAW Grant. The DEQ was consulted and has stated that the SAW Grant has no requirements for multiple bidders.

Based on the information we provided above, we recommend that the City of Ishpeming award the televising work to Tunnel Vision, in the amount of **\$232,960**.

If you have any questions, please feel free to contact me at (906) 214-4147 or mstoor@geiconsultants.com.

Sincerely,

GEI CONSULTANTS OF MICHIGAN, P.C.

A handwritten signature in black ink, appearing to read "Mark Stoor".

Mark Stoor, P.E.
Senior Project Engineer

A handwritten signature in black ink, appearing to read "Jeff Bal".

Jeff Bal, P.E.
Vice President/Branch Manager

MFS:plw

Encl: Tunnel Vision Bid

CITY OF ISHPEMING

2018 SANITARY/ STORM SYSTEM TELEVISION

BID DUE DATE: January 30, 2018 AT 10:00 A.M. LOCAL TIME

BID DUE LOCATION: ISHPEMING CITY HALL, 100 E DIVISION ST ISHPEMING, MI 49849

Project Description

Consists of sanitary sewer cleaning and televising of approximately 400 linear feet of less than 8" diameter sewer main, 31,500 linear feet of 8" - 24" diameter sewer main and 100 linear feet of unknown diameter sewer main. The project also consists of storm sewer cleaning and televising of approximately 400 linear feet of less than 8" diameter storm main, 71,000 linear feet of 8" - 48" and 800 linear feet of unknown diameter storm main.

Bid Attachments

The following documents are attached to this Bid Form and are a condition of this bid.

- ✓ *Bid Form (1 page)
- ✓ *Bid Schedule (1 page)
- ✓ *Advertisement for Bids (1 page)
- ✓ *Figure 1 - Storm Sewer System Map
- ✓ *Figure 2 - Sanitary Sewer System Map

Specification Sections:

**Section 02738 - Sewer Television and Cleaning*

Project Clause

Bidder hereby certifies that the project will be completed by November 2, 2018.

Project Notes

All bidding inquiries shall be directed to Mark Stoor with GEI Consultants at 906-214-4147 or mstoor@geiconsultants.com.

The City of Ishpeming reserves the right to reject any or all bids, or any part thereof at their discretion, and to waive any irregularities in the bidding.

The City of Ishpeming may add or remove some piping to the project depending on budget and need.

The City of Ishpeming reserves the right to request samples of prior work before awarding project.

Bids can be submitted via email to mstoor@geiconsultants.com

All prospective bidders are encouraged to visit the site and become familiar with the work prior to submitting a bid.

All prospective bidders shall have current PACP certification for all CCTV operators and provide with bid.

Contractor's Bid Price for Cleaning and Televising shall include two (2) full cleaning passes.

The contractor shall complete all work under the pay items listed on the bid schedules. Cost for any item of work required to complete this project not listed on the bid schedules shall be included in other pay items listed on the bid schedules.

Disposal will be done at the Ishpeming Area Joint Wastewater Treatment Facility. Contractor will be responsible for coordination of disposal, however the facility will bill the City directly. Disposal fees shall not be a part of the bid.

UPPER PENINSULA RUBBER CO DA TUNNEL VISION
CONTRACTOR NAME (PRINTED)

\$ 232,960
TOTAL BASE BID

SIGNATURE OF AUTHORIZED INDIVIDUAL

PO Box 541 ESCANABA, MI 49829
CONTRACTOR ADDRESS

1/30/18

906 786 0460

DATE

BID FORM

CONTRACTOR PHONE NUMBER

CITY OF ISHPEMING
 2018 SANITARY/ STORM SYSTEM TELEVISIONING
 BID SCHEDULE
 GEI PROJECT NO. 1506660

Item Description	Estimated Quantity	Unit	Estimated Unit Price	Estimated Extension
Mobilization	1.00	LSUM	4500	\$ 4500
Sanitary Sewer Cleaning and Televising, Less than 8"	400	LFT	1.95	\$ 780
Sanitary Sewer Cleaning and Televising, 8"-24"	31,500	LFT	1.95	\$ 61425
Sanitary Sewer Cleaning and Televising, Unknown Size	100	LFT	1.95	\$ 195
Storm Main Cleaning and Televising, Less than 8"	400	LFT	2.30	\$ 920
Storm Main Cleaning and Televising, 8"-48"	71,000	LFT	2.30	\$ 163300
Storm Main Cleaning and Televising, Unknown Size	800	LFT	2.30	\$ 1840

TOTAL BASE BID ==> \$ 232,960

Alternate Bid Pricing:

Item Description	Estimated Quantity	Unit	Estimated Unit Price	Estimated Extension
Heavy Cleaning	40	HOUR	2.95	\$ 11,800

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Agreement Between
The City of Ishpeming
And
The Negaunee-Ishpeming Water Authority Board

Whereas, the City of Ishpeming (City) requires an S-2 Water Distribution License holder to oversee and be the operator-in-charge of the City of Ishpeming water distribution system; and

Whereas, the Negaunee-Ishpeming Water Authority Board (NIWAB) staff possess the required water distribution licenses.

Now, therefore, the City and the NIWAB agree as follows:

1. NIWAB employee, Tony McGrath will perform the following functions in consultation with the City of Ishpeming DPW Acting Director, Carl Peterson:
 - a. Complete the annual Consumer Confidence Report, including all required elements.
 - b. Complete the annual cross-connection sampling report, including all required elements.
 - c. Supervise all required water sampling and water sampling reports as required by the MDEQ.
 - d. Meet with MDEQ as required.
 - e. Serve as "Operator-in-Charge" of the City of Ishpeming Water Distribution System.
2. The City will do the following:
 - a. Provide DPW personnel, primarily Carl Peterson (other qualified personnel if Mr. Peterson is unavailable) to collect water samples per the direction of the Operator-in-Charge.
 - b. Pay NIWAB \$250 per calendar month of service, as billed by NIWAB.
 - c. The City will provide liability and property insurance coverage through MMRMA regarding the Water Distribution System and all employees involved with working on the Water Distribution System.
3. This agreement is effective from January 1, 2018 and will continue in effect until such time as the City of Ishpeming obtains a permanent "Operator-in-Charge."
4. Either party may terminate this agreement with 30 days written notice to the other party.

City of Ishpeming

Negaunee-Ishpeming Water Authority Board

Joe Juidici, Mayor

John Jackson, Chairman

Date: _____

Date: _____

11/

City of Ishpeming

Goals, Capital Improvement Plan (CIP), and Budget Process

Purpose: The goals, CIP, and budget planning effort is intended provide an efficient and logical process to make Ishpeming the best it can be, using the limited and precious resources available.

Background: For many years, the City has set goals. Two years ago, the City began a CIP process. The requirement for CIP is found in the Michigan Planning Enabling Act (Public Act 33 of 2008, as amended) and is required by the State of Michigan. CIP investment has two elements: planning and budgeting. The CIP is not intended to be limited by financial constraints; although, it should be reasonable and realistic. The CIP should include all major projects that the community reasonably seeks to obtain. Then, during the budget process, financial constraints create choices among proposed projects. There is **no** requirement to fund all capital projects listed in the CIP.

The CIP is a six year schedule of known proposed major capital improvement projects including project priorities, costs estimates, methods of financing, and annual estimated operating and maintenance costs for the proposed projects. Each year the CIP is revised/updated for the next six years. Once Council approves the CIP, the annual budget process will determine available funding for capital projects. Also, the CIP helps adjust multi-year projects to changing financial circumstances and ensures that needed projects are tracked to successful conclusion. Even with good planning, not all identified capital projects or capital purchases will be funded. At the end of each fiscal year, the projects completed during that year are removed from the CIP. An additional year's proposed projects may be added. Also, the order or timing of known projects may be rearranged. Finally, projects can be added or subtracted as needs and resources change.

An effective and ongoing goals, CIP, and budget process is beneficial to elected officials, staff, and the general public. Among the benefits are:

1. Balancing needs with financial reality;
2. Facilitate decision making on priorities;
3. Create a framework and context for specific project efforts;
4. Provide information to assist in decisions making regarding tax levies;
5. Providing adequate time for planning and engineering of proposed projects;
6. Ensuring the maximum benefit to the community from the monies expended; and
7. Permitting municipal construction activities to be coordinated with those of other activities within the community.

Discussion: This process (goals + CIP + budget) allows elected officials to establish priorities for capital expenditures and ensure maximum benefit to the community. Capital investments serve the City for a long period of time. Choosing priorities among different types of capital investments can be a challenge. For example, which of the following investments are most important?

February 1, 2018

- Street Repairs and reconstruction
- Sidewalk repairs
- Utility Infrastructure
- City Building maintenance
- Public Works Vehicles and specialized equipment
- Fire Trucks
- Park Improvements and Trails
- Computers, software, and other equipment needed to run automated operations
- Security systems
- Police vehicles and equipment

The goals, CIP, and budget process attempts to provide a framework to facilitate the City in the selection of and timing of major capital expenditures. Listed below are several criteria to consider in the review of potential projects:

1. Importance to City Council members (goals)
2. As required by judicial orders
3. Availability of funds
4. Impact on annual operating and maintenance costs
5. Overall fiscal policy and capabilities
6. Project's readiness for implementation
7. Overall community needs (public input)
8. Relationship to other projects
9. Distribution of projects throughout the community
10. Other community plans, potential economic benefit, and increases to the tax base

These factors and potentially many other considerations, are relevant and should be part of the decision-making process. Per the Michigan Planning Enabling Act, the community's approved list of capital projects should reflect the overall goals and vision of the community's Master Plan. The CIP should be realistic and achievable. **Most importantly, if possible, Ishpeming's goals and CIP should reflect a consensus of the elected officials.**

February 1, 2018

2018 Process Flow Chart



2018 Process Time Table

<u>Date</u>	<u>Action</u>	<u>Objective</u>
February & March	Staff work	Gather Input for Council Goals
April	Council workshop(s)	Establish Council goals
May	Staff work	Gather Input for CIP
June	Council workshop(s)	Establish Council approved CIP
July to September	Staff work	Assemble proposed budget
October 3	Regular Council meeting	Plan to submit proposed budget
October 15	Charter requires Budget	Ensure ample time for review
October (as needed)	Council budget workshops	Discuss allocations and savings
November 7	Regular Council Meeting	Public hearing on budget
November 28	Special Council Meeting	Approve Budget
December	Publish Approved Budget	Have copies available for use

February 1, 2018

THE FOLLOWING CODES ARE USED THROUGHOUT THE DOCUMENT TO INDICATE THE
SOURCE OF FUNDING FOR THE POSSIBLE PROJECTS

BRA – Brownfield Redevelopment Authority
DDA – Downtown Development Authority
DO – Donations
EF – Equipment Fund (new in 2018)
FF—Fire Fighter’s Longevity Fund
FG – Federal Grant
GF – General Fund
GO – General Obligation Bonds
LB – Land Bank
LF – Library Fund
LS – Local Street Fund
LG – Local Grant
MS – Major Street Fund
LS – Local Street Fund
PD – Private Developer
PIF – Public Improvement Fund
SA – Special Assessment
SF – Sewer Fund
SG – State Grant
SM – Special Millage
UTB – Unlimited Tax Bonds
USB -- USDA-RD Bonds
WF – Water Fund

February 1, 2018

City of Ishpeming

2019-2024 Fiscal Year

(SAMPLE) CAPITAL IMPROVEMENT PLAN -- EXECUTIVE SUMMARY

2019 Fiscal Year		
Project	Cost	Funding Source
Finish USDA Water Project	remaining	USB, WF, SW
Street Repairs	\$200,000	MS, LS, GO
BS&A Software Purchase	\$80,000	PIF
Police Vehicle Purchase	\$50,000	USB, PIF

2020 Fiscal Year		
Project	Cost	Funding Source
Street Repair	\$100,000	DO, SG, DDA
Police Vehicle	\$50,000	FG, USB, PIF, GF
DPW Vehicle Purchases	\$250,000	USB, EF

2021 Fiscal Year		
Project	Cost	Funding Source
Street Repairs	\$100,000	PIF/GF
DPW Vehicle Purchases	\$250,000	USB, ERF
LED Street Lights	\$500,000	GO, PIF

2022 Fiscal Year		
Project	Cost	Funding Source
New USDA Project	\$2,000,000	USB, WF, SW
Police Vehicle	\$50,000	SG, USB, GF
DPW Vehicle Purchases	\$250,000	USB, ERF

2023 Fiscal Year		
Project	Cost	Funding Source
Street Repairs	\$100,000	SG, SF
Police Vehicle	\$50,000	FG, USB, PIF, GF
DPW Vehicle Purchases	\$250,000	USB, ERF

2024 Fiscal Year		
Project	Cost	Funding Source
New Storage for DPW	\$300,000	USB, ERF
Police Vehicle	\$50,000	FG, USB, PIF, GF
DPW Vehicle Purchase	\$250,000	USB, ERF

February 1, 2018

ORDINANCE NO. 9-300

AN ORDINANCE PROHIBITING THE PURCHASE, POSSESSION
OR CONSUMPTION OF ALCOHOLIC BEVERAGES BY MINORS

THE CITY OF ISHPEMING ORDAINS:

~~Section 9-301. A person less than 21 years of age shall not purchase or attempt to purchase, or knowingly possess or consume alcoholic beverages, except as provided under Section 33a(l) of the Michigan Liquor Control Act.~~

~~Section 9-302. A person less than 21 years of age who violates Section 9-301 is guilty of a misdemeanor punishable by the following fines:~~

- ~~a) — for the first violation, a fine of not more than \$100.00;~~
- ~~b) — for a second violation, a fine of not more than \$200.00;~~
- ~~e) — for a third or subsequent violation, a fine of not more than \$500.00.~~

~~Section 9-303. This ordinance shall become effective upon legal publication.~~

Section 9-301. Except as permitted by state law, a minor shall not purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, possess or attempt to possess alcoholic liquor, or have any bodily alcohol content.

Section 9-302. Any minor who violates section 9-301 shall be punishable as follows:

- a. For the first violation a fine of not more than \$100.00 and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in state law.
- b. For a violation following a prior conviction or juvenile adjudication for a violation of Section 9-301 or a substantially corresponding state law, by imprisonment for not more than 30 days but only if the minor has been found by the court to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, a fine of not more than \$200.00 and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, to perform community service and to undergo substance abuse screening and assessment at his or her own expense as described in state law.
- c. For a violation following 2 or more prior convictions or juvenile adjudications for a violation of Section 9-301 or a substantially corresponding state law, by imprisonment for not more than 60 days but only if the minor has been found by the court

to have violated an order of probation, failed to successfully complete any treatment, screening, or community service ordered by the court, or failed to pay any fine for that conviction or juvenile adjudication, a fine of not more than \$500.00 and may be ordered to participate in substance abuse prevention services or substance abuse treatment and rehabilitation services, to perform community service, and to undergo substance abuse screening and assessment at his or her own expense as described in state law.

- d. In accordance with and as provided in state law, when an individual who has not previously been convicted of or received a juvenile adjudication for a violation of Section 9-301 or a substantially corresponding state law pleads guilty to a violation of Section 9-301, the court, without entering a judgment of guilt and with the consent of the accused, may defer further proceedings and place the individual on probation upon terms and conditions as provided in state law. Upon violation of a term or condition of probation or upon a finding that the individual is utilizing this subsection in another court, the court may enter an adjudication of guilt and proceed as otherwise provided by law. Upon fulfillment of the terms and conditions of probation, the court shall discharge the individual and dismiss the proceedings, which shall have the same effect as provided in state law.

Section 9-303. This ordinance shall become effective on March 7, 2018 and after publication in accordance with the Charter of the City of Ishpeming.

Adopted: April 4, 1995

Amended: January 8, 1997

March, 7, 2018

ORDINANCE NO. 2-1500

AN ORDINANCE PROHIBITING ANY LOUD, UNNECESSARY OR
UNUSUAL NOISE DISTURBING THE PUBLIC HEALTH, WELFARE,
SAFETY, PEACE AND COMFORT

THE CITY OF ISHPEMING ORDAINS:

SECTION 1. UNLAWFUL NOISE PROHIBITED

(A) It shall be unlawful for any person, firm, business, or corporation, to make or cause any loud, unnecessary, or unusual noise, or any noise which annoys or disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others within the limits of the city.

(B) The following acts, among others, are declared to be loud, disturbing, injurious, and unnecessary and unlawful noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(1) Continuous horn, signaling devices, compression brakes, or any harsh and unreasonable loud sounds emanating from a motor vehicle;

(2) Using radios, T.V. sets, musical instruments, loud speakers, amplifiers, or other machines or devices for the producing or reproducing of sound in a manner as to disturb the peace, quiet, and comfort of any person in the vicinity with louder volume than necessary for the person or persons who are in the room, vehicle, or chamber in which the machine or device is operating. The operation of any of the above-named devices between the hours of 11:00 p.m. and 7:00 a.m. (EST) or in such a manner that the noise is plainly audible at a distance of 50 feet from the source of the noise will be prima facie evidence of a violation of this subsection;

(3) Continuous yelling or shouting on the public street at any place or time, disturbing any person in the vicinity;

(4) The keeping of any animal causing long and continued noises disturbing the comfort, peace, or repose of any person in the vicinity; and/or

(5) The operation of any electric motors, compressors, or internal combustion engines on parked vehicles, or other construction equipment between the hours of 11:00 p.m. and 7:00 a.m. (EST).

SECTION 2. EXCEPTIONS

None of the terms or provisions of SECTION 1 shall apply to or be enforced against:

(A) *Emergency vehicles.* Any police or fire vehicle, or ambulance while responding to, or engaged in, an emergency; and/or

(B) *Special events.* Any participant in a football game, parade, or other special, lawful public event.

SECTION 3. PENALTY

Any person in violation of any section of Section 1 shall be guilty of a municipal civil infraction and shall be subject to payment of a civil fine as provided in the schedule below.

(1) *First violation.* Any person who admits responsibility for, or who is found responsible for, a violation of Section 1 shall be subject to a civil fine of \$50.

(2) *Second violation.* Any person who admits responsibility for, or who is found responsible for, a second violation of Section 1, in any 12-month period shall be subject to a civil fine of \$100.

(3) *Third and subsequent violations.* Any person who admits responsibility for, or who is found responsible for, a third or subsequent violation of Section 1, in any 12-month period shall be subject to a civil fine of \$500.

SECTION 4. EFFECTIVE DATE

This ordinance shall become effective after publication in accordance with the Charter of the City of Ishpeming.

Adopted: March 7, 2018