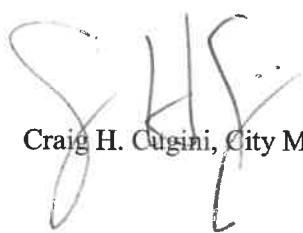


**ISHPEMING CITY COUNCIL**  
**Wednesday, July 7, 2021 at 7:00 p.m.**  
**Ishpeming City Hall Council Chambers, 100 E. Division Street, Ishpeming MI**  
**City Hall Telephone Number: (906) 485-1091**

**MEETINGS WILL NOW BE OPEN TO THE PUBLIC; HOWEVER, A ZOOM LINK WILL STILL BE AVAILABLE ON  
THE CITY'S WEBSITE @ [WWW.ISHPEMINGCITY.ORG](http://WWW.ISHPEMINGCITY.ORG)**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Public Comment (*limit 5 minutes per person*)
5. Approval of Agenda
6. Agenda Comment (*limit 3 minutes per person*)
7. Consent Agenda
  - a. Minutes of Previous Meeting (Revised May 5<sup>th</sup>, June 9<sup>th</sup>)
  - b. Approval of Disbursements
  - c. Appoint Stevie Parks to vacancy on the Parks and Recreation Commission, term expiring May 2024
  - d. Reappoint Carrie Meyer to a four-year term on the Downtown Development Authority
  - e. Reappoint Jay Clancy to a four-year term on the Downtown Development Authority
  - f. Declare 166 Library books as surplus
8. Monthly Financial Statement Report
9. Presentation: Sarah Lucas, Chief Executive Officer, Lake Superior Community Partnership
10. Public hearing for sale of Lot 48—Southwest corner of First Street and Pearl Street
11. Special Event Application
  - a. Special Event Application: Buzz the Gut Car Show – 8/14/2021
  - b. Special Event Application: Ore to Shore Mountain Bike Race – 8/14/2021
  - c. Special Event Application: Historical Society 2021 Garden Tour – 7/25/2021
  - d. Special Event Application: Historical Society Main Street Tour – Tuesdays in August & last Thursday
  - e. Special Event Application: Historical Society Cemetery Tour – Tuesdays in August & Last Thursday
  - f. Special Event Application: Swim Teal Lake Benefit for Diabetes – 7/31/21
12. Application request for a Neighborhood Enterprise Zone Certificate: 1064 Highland Drive
13. First reading of Amendment to Ordinance #11-200, Time and Place of Regular City Council meetings
14. Resolution #8-2021, Authorizing Limited Tax General Obligation Bonds, Series 2021
15. Fire Tower Assessment from Tunnel Vision
16. Quote from Associated Constructors for correcting drainage at the new Senior Center
17. City Legal Services Agreement renewal
18. Police Officers Association of Michigan 2021 Union Contract Approval per Letter of Agreement
19. City Manager request for travel to Grand Rapids for the MML 2021 Convention: September 22-24, 2021
20. Set Special Council Meeting for 2020 Audit Presentation
21. Old Business
  - a. Permission to apply for a 20% match Reforestation Grant for Campground on Malton Road
22. New Business
23. Public Comment (*limit 3 minutes per person*)
24. Mayor and Council Reports
25. Manager's Report
26. Attorney's Report
27. Closed Session pursuant to MCL 15.268(c) to consider strategy and negotiations connected with a collective bargaining agreement
28. Adjournment

  
Craig H. Cugini, City Manager

10

## **CITY OF ISHPEMING**

### **NOTICE OF PUBLIC HEARING**

Notice is hereby given that a public hearing will be held by the Ishpeming City Council on Wednesday, July 7, 2021 at 7:00 p. m. in the Council Chambers at Ishpeming City Hall, 100 E. Division Street, to consider oral or written comments regarding the proposed sale of the following described public property in the City of Ishpeming:

The parcel is located on the southwest corner of Pearl Street and First Street in Ishpeming, Michigan and is further described as follows:

Lot 48 of the original plat and the east 0.78 feet of the south 31.00 feet of Lot 47 of the Original Plat of the City of Ishpeming, as recorded in Liber 12 of Plats, p. 8B, in the Office of the Marquette County Register of Deeds.

Written comments may be submitted to the City Manager's office at 100 E. Division Street prior to the meeting. Questions may be directed to the City Manager's office at the above address or 906/485-1091, Ext. 203.

1100

CITY OF ISHPEMING

SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 45 calendar days prior to the starting date of the event.

Organization's Name Ishpeming VFW Phone 458-1442  
Organization Address 310 Bank St.  
Organization's Agent Steve Skanga Phone 458-1442  
Agent's Title Commander  
Agent's Address 458 Oak St.  
Event Name Buzz the Gut  
Event purpose Car show

Event Dates Aug 14  
Event Times 1 pm - 7 pm (5 pm - 7 pm - show)  
Event Location Lake Bacroft - Mining Her. Pavilion

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 August - 1<sup>st</sup> WK End

Next year's Specific Dates: ?

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) VFW WILL SELL HOT Dogs + Hamb.

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

6. Other Requests: Block Euclid St. between Sprua & Lakeshore

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.

Date 6/24/21

  
Signature of Organization's Agent

Return this Application at least forty-five (45) days prior to the first day of the event to:

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



11(b)

June 28, 2021

Craig Cugini, City Manager  
City of Ishpeming  
100 E. Division St.  
Ishpeming MI 49849

Dear Mr. Cugini:

This year marks the 22nd anniversary of the Ore to Shore, one of the largest mountain bike races in the Midwest, with over 2,000 riders gearing up at the start lines in Negaunee. The 28-mile Soft Rock course starts near Lakeview School in Negaunee, immediately turns north and then east towards Marquette. The 48-mile Hard Rock course starts in downtown Negaunee, winds it's way up to Ishpeming and then proceeds east to Marquette.

The Ore to Shore Mountain Bike Epic is requesting the support of the city for this year's event which is scheduled for Saturday, August 14, 2021. Within Ishpeming, the event spans a period of about two hours from 9:30am to 11:30am. We are requesting the same services that the city has traditionally provided on an "in-kind" basis including street barricades, street closures and police. I'm happy to meet with the appropriate people from the Police Department and DPW at their convenience to review details.

The Ore to Shore is a 501c(3) non-profit organization that benefits area trails and youth riding programs. Your support of the event is greatly appreciated and helps us further our mission.

Sincerely,

A handwritten signature in cursive script that reads "Jonathan Becker".

Jonathan Becker  
O2S Event Organizer

11(C)

Policy #406

CITY OF ISHPERING

SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 45 calendar days prior to the starting date of the event.

Organization's  
Name Ishpeming Area Historical Society Phone \_\_\_\_\_  
Organization Address 358 Cleveland Ave  
Organization's Agent Karen Kasper Phone 486-9550  
Agent's Title Vice President  
Agent's Address 111 Bluff St. #309  
Event Name 2021 Garden Tour  
Event purpose Fundraising

Event Dates July 25<sup>th</sup>  
Event Times 12 - 4

Event Location Multiple Locations - We will have a stop at Old Ish & will relate the history of the statue

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: \_\_\_\_\_

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: \_\_\_\_\_

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.

22 June 2024  
Date

Karen Kasper  
Signature of Organization's Agent

Return this Application at least forty-five (45) days prior to the first day of the event to:

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

11(d)

Policy #406

CITY OF ISHPEMING

SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 45 calendar days prior to the starting date of the event.

Organization's

Name Ishpeming Area Historical Society Phone \_\_\_\_\_

Organization Address 308 Cleveland Ave

Organization's Agent Karen Kasper Phone 486-9550

Agent's Title Vice President

Agent's Address 111 Bluff St. #309

Event Name Main St. Tour

Event purpose To educate people on the history of some of the buildings on Main Street

Event Dates Every Tuesday in August & Last Thursday

Event Times 6:30 pm

Event Location Main Street

1. Type of Event:

☐ City Operated Event ☐ Co-Sponsored Event

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

☐ Political or Ballot Issue Event

7/21/2015

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: \_\_\_\_\_

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: \_\_\_\_\_

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.

22 June 2021  
Date

Karen Kasper  
Signature of Organization's Agent

Return this Application at least forty-five (45) days prior to the first day of the event to:

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

## CITY OF ISHPEMING

## SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 45 calendar days prior to the starting date of the event.

## Organization's

Name Ishpeming Area Historical Society Phone \_\_\_\_\_Organization Address 308 Cleveland AveOrganization's Agent Karen Kasper Phone 486-9550Agent's Title Vice PresidentAgent's Address 111 Bliss St. #309Event Name Cemetery TourEvent purpose To educate people on some of our former citizensEvent Dates Every Tuesday in August plus last ThursdayEvent Times Starts at 6:30 pmEvent Location Ishpeming Cemetery

## 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: \_\_\_\_\_

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: \_\_\_\_\_

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.

22 June 2021  
Date

Karen Kasper  
Signature of Organization's Agent

Return this Application at least forty-five (45) days prior to the first day of the event to:

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

11(f)

Policy #406

CITY OF ISHPEMING

SPECIAL EVENT APPLICATION

Please complete this application and return it to the City Manager's Office at least 45 calendar days prior to the starting date of the event.

Organization's

Name UPCAP/U.P. Diabetes Outreach Network Phone 906-273-1120

Organization Address 1135 County Road 492, Marquette, MI 49855

Organization's Agent Kristen Cambensy Phone 906-360-6906

Agent's Title UPDON Project Manager

Agent's Address Same as above

Event Name 18th Annual Swim Teal Lake:Benefit for Diabetes

Event purpose Fundraiser for the U.P. Diabetes Outreach Network

Event Dates Friday, July 30 (set up) and Saturday, July 31, 2021 (event)

Event Times Friday 3:00 pm and Saturday from 8 am until 1 pm

Event Location Lower Lodge of Al Quaal

1. Type of Event:

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

7/21/2015



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: Friday, July 29 and Saturday, July 30, 2021

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: None

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.

6-30-2021  
Date

*Kristen Cambensy*  
Signature of Organization's Agent

Return this Application at least forty-five (45) days prior to the first day of the event to:

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

ORDINANCE NO. 11-200

AN ORDINANCE TO PROVIDE FOR THE TIME AND PLACE OF THE  
REGULAR MEETINGS OF THE CITY COUNCIL

THE CITY OF ISHPERING ORDAINS:

Section 11-201. That the City Council shall hold its regular meetings ~~once~~ twice each month on the first and third Wednesday at 6:00 p.m., local time, ~~the first Wednesday following the first Monday in the month at 7:00 P.M. local time,~~ unless the same shall fall on a legal holiday, in which event, said regular meeting ~~for that month~~ shall be held on the evening of the following day, or, unless by motion, the City Council sets a different day of the month for the regularly scheduled meeting. ~~by indicating the meeting date being changed and establishing another meeting date to take its place.~~ Any change in the regular meeting dates ~~because of other City business, which is the first Wednesday following the first Monday,~~ shall be published in the official newspaper at least one week prior to the regularly scheduled ~~Wednesday~~ meeting and posted on the City's Website.

Section 11-202. That the City Council shall hold its meetings at City Hall ~~or at the Ishpeming Senior Citizens Center~~ or at such other place as determined by the City Council.

Section 11-203. This ordinance amendment shall take effect upon legal publication. ~~is declared to be an emergency ordinance and shall take immediate effect.~~

Adopted: February 21, 1944  
Amended: August 5, 1970  
Amended: June 9, 1971  
Amended: June 7, 1972  
Amended: April 22, 1992  
Amended: November 8, 2000  
Amended: August

**RESOLUTION #8-2021**  
**AUTHORIZING LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2021**  
**(FEDERALLY TAXABLE)**

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**CITY OF ISHPEMING**  
County of Marquette, State of Michigan

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Minutes of a regular meeting of the City Council of the City of Ishpeming, County of Marquette, State of Michigan (the "City"), held on Wednesday, July 7, 2021, at 7:00 p.m., prevailing Eastern Time.

PRESENT: Members: \_\_\_\_\_  
\_\_\_\_\_

ABSENT: Members: \_\_\_\_\_

The following preamble and resolution were offered by Member \_\_\_\_\_ and supported by Member \_\_\_\_\_:

WHEREAS, as part of the City's retirement program (the "Retirement Program"), the City has previously established a defined benefit pension plan for general government City employees (the "Defined Benefit Plan") which is administered through the Municipal Employees' Retirement System of Michigan ("MERS"); and

WHEREAS, the City has closed its Defined Benefit Plan to new hired employees; and

WHEREAS, as part of the Retirement Program, the City is also implementing a defined contribution plan (the "Defined Contribution Plan"); and

WHEREAS, Section 518 of Act 34, Public Acts of Michigan, 2001, as amended ("Act 34") authorizes a city, in connection with the partial or complete cessation of accruals to a defined benefit plan, such as the Defined Benefit Plan, or the closure of the defined benefit plan to new or existing employees, and the implementation of a defined contribution plan, such as the Defined Contribution Plan, to issue bonds to pay all or part of the costs of the unfunded pension liability for that retirement program and the costs of issuance of the bonds; and

WHEREAS, the City has prepared a Comprehensive Financial Plan for Pension and Other-Post Employment Benefits (the "Comprehensive Financial Plan") in accordance with Section 518 of Act 34; and

WHEREAS, the City intends to issue limited tax general obligation bonds pursuant to Section 518 of Act 34, in one or more series, in an aggregate principal amount of not to exceed Twelve Million Dollars (\$12,000,000) (the "Bonds") for the purpose of paying part of the costs of the unfunded pension liability for its Defined Benefit Plan; and

WHEREAS, the City desires to negotiate the sale of the Bonds to an underwriter within

the parameters established by this Resolution; and

WHEREAS, a notice of intent for bonds (the "Notice of Intent") has been published in accordance with Act 34 which provides that the bonds may be issued without a vote of the electors of the City unless a proper petition for an election on the question of the issuance of the bonds is filed with the City Clerk within a period of forty-five (45) days from the date of publication and no petition was filed with the City Clerk within the applicable 45-day period; and

WHEREAS, prior to the publication of the Notice of Intent, the City Clerk posted the Comprehensive Financial Plan on the City's website and at the office of the City Clerk to be available to the public, in accordance with Section 518 of Act 34; and

WHEREAS, it is necessary for the City to obtain the approval of the Michigan Department of Treasury prior to the issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Authorization of Bonds; Bond Terms. Bonds of the City designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2021 (FEDERALLY TAXABLE) (the "Bonds") are authorized to be issued in the aggregate principal sum of not to exceed Twelve Million Dollars (\$12,000,000) for the purpose of paying part of the costs of the unfunded pension liability for the City's Defined Benefit Plan and the costs incidental to the issuance, sale and delivery of the Bonds. The issue shall consist of bonds in fully-registered form of the denomination of \$5,000, or multiples thereof not exceeding for each maturity the maximum principal amount of that maturity, numbered as determined by the Transfer Agent (hereinafter defined) and dated as of the date of delivery (or such other date as determined at the time of sale thereof). The Bonds shall mature on May 1 in the years and in the principal amounts as determined by the City Manager or Finance Director (each an Authorized Officer" and together, the "Authorized Officers") at the time of sale, and be subject to prior redemption as determined at the time of sale of the Bonds. The Bonds shall bear interest at a rate or rates to be determined upon negotiated sale thereof, but in any event producing a true interest cost not to exceed four percent (4.00%) per annum, payable semiannually on May 1 and November 1 of each year, first payable on such date as determined at the time of sale thereof, by check or draft mailed by the Transfer Agent (as hereinafter defined) to the registered owner of record as of the 15th day of the month prior to the payment date for each interest payment. The record date of determination of registered owner for purposes of payment of interest as provided in this paragraph may be changed by the City to conform to market practice in the future. The principal of the Bonds shall be payable at a bank or trust company selected by an Authorized Officer, as registrar and transfer agent for the Bonds (the "Transfer Agent").

The Bonds shall be sold through a negotiated sale and shall be awarded, subject to the parameters of this resolution, upon entry of an order by an Authorized Officer.

2. Execution of Bonds. The Bonds of this issue shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and City Clerk of the City and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bonds. No Bond executed by facsimile signatures shall be valid until authenticated by an authorized officer or representative of the Transfer Agent. The Bonds shall be delivered to the Transfer Agent for authentication and be delivered by the Transfer Agent to the purchaser or other person in

accordance with instructions from the Authorized Officer upon payment of the purchase price for the Bonds in accordance with the bid therefor when accepted.

The Bonds may be issued in book entry only form through the Depository Trust Company in New York, New York ("DTC") and each Authorized Officer is authorized to execute such custodial or other agreements with DTC as may be necessary to accomplish the issuance of the Bonds in book entry only form and to make such change in the Bond Form within the parameters of this resolution as may be required to accomplish the foregoing.

Unless waived by any registered owner of Bonds to be redeemed, official notice of redemption shall be given by the Transfer Agent on behalf of the City. Such notice shall be dated and shall contain at a minimum the following information: original issue date; maturity dates; interest rates; CUSIP numbers, if any; certificate numbers (and in the case of partial redemption) the called amounts of each certificate; the redemption date; the redemption price or premium; the place where Bonds called for redemption are to be surrendered for payment; and that interest on Bonds or portions thereof called for redemption shall cease to accrue from and after the redemption date.

In addition, further notice shall be given by the Transfer Agent in such manner as may be required or suggested by regulations or market practice at the applicable time, but no defect in such further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as prescribed herein.

3. Transfer of Bonds. The Transfer Agent shall keep the books of registration for this issue on behalf of the City. Any Bond may be transferred upon such registration books by the registered owner of record, in person or by the registered owner's duly authorized attorney, upon surrender of the Bond for cancellation, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Transfer Agent. Whenever any Bond or Bonds shall be surrendered for transfer, the City shall execute and the Transfer Agent shall authenticate and deliver a new Bond or Bonds, for like aggregate principal amount. The Transfer Agent shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer.

4. Limited Tax Pledge; Bond Fund; Defeasance. The City hereby pledges its limited tax full faith and credit for the prompt payment of the Bonds. The City shall, each year budget the amount of the debt service coming due in the next fiscal year on the principal of and interest on the Bonds and shall advance moneys as a first budget obligation from its general funds available therefor, or, if necessary, levy taxes upon all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations, such sums as may be necessary to pay such debt service in said fiscal year.

The Treasurer is authorized and directed to open a separate fund with a bank or trust company designated as the LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2021 – BOND FUND (the "Bond Fund"), the moneys to be deposited into the Bond Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bonds as they mature. Into said fund there shall be placed the accrued interest, if any, received at the time of delivery of the Bonds.

In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional redemption, the principal of, premium, if any, and interest on the Bonds, shall be deposited in trust, this resolution shall be defeased and the owners of the Bonds shall have no further rights under this resolution except to receive payment of the principal of, premium, if any, and interest on the Bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange Bonds as provided herein.

5. Costs of Issuance; Proceeds of Bond Sale. The Treasurer is authorized and directed to open a separate depository account with a bank or trust company or establish a separate account on the books of the City, to be designated LIMITED TAX GENERAL OBLIGATION BONDS, SERIES 2021 – PROCEEDS FUND (the “Proceeds Fund”) and deposit into the Proceeds Fund the proceeds of the Bonds less accrued interest, if any, which shall be deposited into the Bond Fund. The moneys in the Proceeds Fund shall be used solely to pay the costs of issuance of the Bonds and to pay costs of the unfunded pension liability of the Defined Benefit Plan to MERS.

6. Bond Form. The Bonds shall be in substantially the following form with such changes as may be required to conform to the final terms of the Bonds established in the Sale Order:

BOND FORM

UNITED STATES OF AMERICA  
STATE OF MICHIGAN  
COUNTY OF MARQUETTE

CITY OF ISHPEMING  
LIMITED TAX GENERAL OBLIGATION BOND  
SERIES 2021  
(FEDERALLY TAXABLE)

<u>Interest</u> <u>Rate</u>	<u>Maturity</u> <u>Date</u>	<u>Date of</u> <u>Original Issue</u>	<u>CUSIP</u>
	May 1, _____	_____, 2021	

Registered Owner:

Principal Amount: \_\_\_\_\_ Dollars

The City of Ishpeming, County of Marquette, State of Michigan (the “City”), acknowledges itself to owe and for value received hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Maturity Date specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon (computed on the basis of a 360-day year consisting of twelve 30-day months) from the Date of Original Issue specified above or such later date to

which interest has been paid, until paid, at the Interest Rate per annum specified above, first payable on May 1, 2022 and semiannually thereafter. Principal of this bond is payable at the corporate trust office of \_\_\_\_\_, \_\_\_\_\_, Michigan, or such other transfer agent as the City may hereafter designate by notice mailed to the registered owner not less than sixty (60) days prior to any interest payment date (the "Transfer Agent"). Interest on this bond is payable to the registered owner of record as of the fifteenth (15th) day of the month preceding the interest payment date as shown on the registration books of the City kept by the Transfer Agent by check or draft mailed to the registered owner of record at the registered address. For prompt payment of this bond, both principal and interest, the full faith, credit and resources of the City are hereby irrevocably pledged.

This bond, including the interest thereon, is payable as a first budget obligation from the general funds of the Issuer, and the City is required, if necessary, to levy ad valorem taxes on all taxable property in the Issuer for the payment thereof, subject to applicable constitutional, statutory and charter tax rate limitations.

This bond is one of a series of bonds aggregating the principal sum of \$ \_\_\_\_\_, issued for the purpose of paying part of the costs of the unfunded pension liability for certain of the City's retirement programs. This bond is issued under the provisions of Act 34, Public Acts of Michigan, 2001, as amended and a duly adopted resolution of the City.

Bonds of this issue maturing in the years 20\_\_ to 20\_\_, inclusive, shall not be subject to redemption prior to maturity. Bonds or portions of bonds of this issue in multiples of \$5,000 maturing in the year 20\_\_ and thereafter shall be subject to redemption prior to maturity, at the option of the City, in any order of maturity and by lot within any maturity, on any date on or after May 1, 20\_\_, at par and accrued interest to the date fixed for redemption.

[Insert term bond provisions, if necessary]

In case less than the full amount of an outstanding bond is called for redemption, the Transfer Agent, upon presentation of the bond called in part for redemption, shall register, authenticate and deliver to the registered owner of record a new bond in the principal amount of the portion of the original bond not called for redemption.

Notice of redemption shall be given to the registered owner of any bond or portion thereof called for redemption by mailing of such notice not less than thirty (30) days prior to the date fixed for redemption to the registered address of the registered owner of record. A bond or portion thereof so called for redemption shall not bear interest after the date fixed for redemption provided funds are on hand with the Transfer Agent to redeem said bond or portion thereof.

This bond is transferable only upon the registration books of the City kept by the Transfer Agent by the registered owner of record in person, or by the registered owner's attorney duly authorized in writing, upon the surrender of this bond together with a written instrument of transfer satisfactory to the Transfer Agent duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond or bonds in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this bond and upon the payment of the charges, if any, therein prescribed.



It is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this bond and the series of bonds of which this is one, exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this bond and the series of bonds of which this is one, does not exceed any constitutional, statutory or charter debt limitation.

This bond is not valid or obligatory for any purpose until the Transfer Agent's Certificate of Authentication on this bond has been executed by the Transfer Agent.

IN WITNESS WHEREOF, the City of Ishpeming, by its City Council, has caused this bond to be signed in the name of the City by the facsimile signatures of its Mayor and City Clerk and a facsimile of its corporate seal to be printed hereon, all as of the Date of Original Issue.

CITY OF ISHPEMING  
County of Marquette  
State of Michigan

By: \_\_\_\_\_  
Its: Mayor

(SEAL)

By: \_\_\_\_\_  
Its: City Clerk

(Form of Transfer Agent's Certificate of Authentication)

DATE OF AUTHENTICATION:

#### CERTIFICATE OF AUTHENTICATION

This bond is one of the bonds described in the within-mentioned resolution.

\_\_\_\_\_, Michigan  
Transfer Agent

By: \_\_\_\_\_  
Authorized Signature

[Bond printer to insert form of assignment]

*[End of Bond Form]*

7. Negotiated Sale. The City Council has considered the option of selling the Bonds through a competitive sale and a negotiated sale, and, pursuant to the requirements of Act 34 determines that a negotiated sale of the Bonds will allow more flexibility in accessing the municipal bond market, and to price and sell the Bonds at the time that is expected to achieve the most advantageous interest rates and costs to the City, and will provide the City with greater flexibility in structuring bond maturities and adjusting terms for the Bonds.

8. Bond Purchase Agreement; Award. The City hereby appoints Stifel, Nicolaus & Company, Incorporated as senior managing underwriter for the Bonds (the "Underwriter"). The Authorized Officers are hereby individually authorized to negotiate the sale of the Bonds with the Underwriter, negotiate and execute a bond purchase agreement with the Underwriter, execute a Sale Order specifying the final terms of the Bonds and take all other necessary actions required to effectuate the sale, issuance and delivery of the Bonds within the parameters authorized in this Resolution, *provided that* the true interest cost of the Bonds shall not exceed 4.00%, the underwriter's discount on the Bonds shall not exceed 1.00% of the par amount of the Bonds, the Bonds shall mature in no more than twenty (20) annual installments, and the net present value savings between the actuarially determined payments at the Defined Benefit Plan's investment rate of return and the debt service payments on the Bonds shall be at least 15% of the par amount of the Bonds.

9. Adjustment of Bond Terms. The Authorized Officers are hereby individually authorized to adjust the final bond details as set forth herein to the extent necessary or convenient to complete the sale of the Bonds and in pursuance of the foregoing is authorized to exercise the authority and make the determinations pursuant to Section 315(1)(d) of Act 34, including but not limited to determinations regarding interest rates, prices, discounts, maturities, principal amounts, denominations, date of issuance, interest payment dates, redemption rights and other matters within the parameters established by this resolution.

10. Official Statement; Qualification for Insurance; Ratings. The Authorized Officers are authorized and directed to cause the preparation and circulation of a preliminary and final Official Statement with respect to the Bonds; to procure qualification of the Bonds for a policy of municipal bond insurance, if deemed appropriate by the City's financial advisor; and to obtain ratings on the Bonds.

11. Continuing Disclosure. The City agrees to enter into a continuing disclosure undertaking for the benefit of the holders and beneficial owners of the Bonds in accordance with the requirements of Rule 15c2-12 promulgated by the Securities and Exchange Commission, and either Authorized Officer is authorized to execute such undertaking prior to delivery of the Bonds.

12. Covenant with Bondholders and State of Michigan. The City hereby covenants with the holders of the Bonds and the State of Michigan that it will not, after the issuance of the Bonds and while the Bonds are outstanding, rescind whatever action it has taken to make a partial or complete cessation of accruals to the Defined Benefit Plan or the closure of the Defined Benefit Plan for new or existing employees.

13. Authorization of Other Actions. The Authorized Officers are individually authorized and directed to take all other actions necessary or advisable, and to make such other filings with any parties, including the Michigan Department of Treasury, to enable the sale and

delivery of the Bonds as contemplated herein, including, if necessary, an application to the Michigan Department of Treasury for approval to issue and sell the Bonds, in such form as shall be approved by either Authorized Officer. The Authorized Officers are further individually authorized to pay any necessary fees in connection with any such applications or waivers.

14. Appointment of Bond Counsel. The appointment of the law firm Miller, Canfield, Paddock and Stone, P.L.C. of Detroit, Michigan, as Bond Counsel for the Bonds is hereby confirmed, notwithstanding the periodic representation by Miller, Canfield, Paddock and Stone, P.L.C. in unrelated matters of potential parties to the issuance of the Bonds, including the Underwriter.

15. Appointment of Financial Advisor. The City hereby confirms the appointment of PFM Financial Advisors LLC as Municipal Advisor with respect to the Bonds.

16. Rescission. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES:           Members: \_\_\_\_\_  
\_\_\_\_\_

NAYS:           Members: \_\_\_\_\_

RESOLUTION DECLARED ADOPTED.

\_\_\_\_\_  
Cathy Smith, City Clerk

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Ishpeming, County of Marquette, State of Michigan, at a regular meeting held on July 7, 2021, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

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Cathy Smith, City Clerk

## City Manager

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**From:** Gabriel Kloet <gkloet@upconcretepipe.net>  
**Sent:** Wednesday, June 23, 2021 10:34 AM  
**To:** City Manager  
**Subject:** Fire Tower Assessment for Repair

Craig,

Thanks for the opportunity to see if our services could assist in extending the service life of the fire tower.

Unfortunately, I do not believe we would be able to warranty the work for a couple of reasons:

1. The "spray-on" application needs a strong surface to bond against. The existing state of the host material on the inside of the tower is deteriorating. Therefore, this would need to be manually removed which would be fairly labor intensive. It would only be marginally more labor-intensive for a trowel-applied application of mortar or other type of material following the removal – this type of work may be well suited for a team of masons.
2. Adding a new layer to the tower may add significant weight (depending on material and thickness – however, mortar is heavy). The structural implications of adding a significant amount of internal weight may require full review by a structural engineer.
3. Adding to #2 above, we are unsure our pump would be able to push mortar that far vertical because mortar is so heavy. This would bring us back to #1 and #2 above, which would be a smaller-scale hand-application.

Let me know if I can be of any further assistance.

Gabriel Kloet  
President  
Tunnel Vision Pipeline Services  
[www.tvpipeservices.com](http://www.tvpipeservices.com)  
M: 734 945 0147  
O: 906 786 0460

