

ISHPEMING CITY COUNCIL
Wednesday, January 12, 2022 at 6:00 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**

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 (December 8th and 28th)
 - b. Approval of Disbursements
 - c. Declare 117 library books and 4 large beanbag chairs as surplus
 - d. Confirm 2022 Publishing Source – The Mining Journal
 - e. Confirm 2022 Depositories — Nicolet/Flagstar/TruNorth/First Bank/Comerica/Charles Schwab/Edward D. Jones
 - f. Confirm Payment to UPSET for 2022 - \$10,000
8. Monthly Financial Statement Report
9. Agreement with Plante Moran for Financial Services
10. Special Event Applications
 - a. The Fat-ish Race: January 15, 2022
 - b. Polar Roll Fat Bike Event: February 11 & 12, 2022
 - c. Iron Range Roll: June 4, 2022
11. Purchase of a 44" Snowblower Attachment for Department of Public Works
12. Purchase of 500 Gallon Double Wall Fuel Tanks for Cemetery and Parks
13. Lake Superior Community Partnership Agreement
14. Second reading of zoning map amendment to rezone the former Episcopal Church properties
15. Marijuana Ordinance and Zoning Ordinance Amendments
 - a. Second Reading of Amendment to Ordinance #2-1600, Ordinance to Regulate Marijuana Facilities
 - b. Second Reading of Amendment to Ordinance #8-100, Zoning Ordinance (Marijuana Text)
16. 2021 Compensation Commission Report
17. City Manager's Contract Renewal
18. Old Business
 - a. Cliffs Shaft Mining Museum – Shaft Lighting Discussion
19. New Business
20. Public Comment (*limit 3 minutes per person*)
21. Mayor and Council Reports
22. Manager's Report
23. Attorney's Report
24. Closed Session pursuant to MCL 15.268(c) to consider strategy and negotiations connected with a collective bargaining agreement
25. Adjournment


Craig H. Cugini, City Manager



7c

MEMO

To: City Manager

From: Jesse Shirtz, Library Director

12/29/2021

RE: Surplus library items

Craig,

The library has 117 books and 4 large beanbag chairs to be declared surplus. An itemized list of titles is attached.

10(a)

Ishpeming City Council,

Attached to the Special Event application I am including some additional information to make our application as complete as possible.

This is a two day outdoor community event which purpose is to raise money for schools supplies for our local Ishpeming school district students and teachers. Go Get Outside is a not for profit community organization based here in our great city of Ishpeming. We are requesting the use of Al Qual lower Teal Lake lodge and the rental of the Tube slide on Saturday January 15, 2022 from 7am to 5pm. We are also holding a Nordic Ski race on Sunday the 16th. This will require the use of the ski trails and the Wax Shack at the starting lines. The ski race should need additional grooming efforts by the city, on Saturday night or early Sunday morning. We will work with the DPW on more specific details. We understand that we will incur the expense.

Thank you very much for your consideration.

Matthew Bloch.

Sunday event has been cancelled

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 Go Get Outside Phone

Organization Address 219 S Main Street Ishpeming MI 49849

Organization's Agent Matthew Phone

Agent's Title

Agent's Address

Event Name The Fat-Ish

Event purpose To raise money for the area teachers and students to buy school supplies.

Also to get people outside and enjoy our great Ishpeming

Event Dates 01/15/22 01/16/21

Event Times sat and sun 7:00 am to 4pm

Sunday has been cancelled.

Event Location Al Qual

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 _____

Next year's Specific Dates: _____

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: AL Qual lower lodge and Tubing on Sat and ski trails on Sunday

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.

12/7/21

Date

Matthew Bloch

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

7/21/15

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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 Polar Run - 906 ADVENTURE TEAM Phone 906-748-0034

Organization Address 148 W. HENRI AV. MARQUETTE, MI 49835

Organization's Agent Todo Pooner Phone 906-748-0034

Agent's Title Director of Adventure

Agent's Address 51 LINCOLN ST. MARQUETTE, MI

Event Name Polar Run

Event purpose Fun Bike Event

Event Dates 2-11-2022 TO 2-12-2022

Event Times 5:00 AM - 7:00 PM

Event Location ISHPEMING HIGH SCHOOL, PEARL 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 PLEASE ATTACHED FIVE-YEAR DATE PLAN

Next year's Specific Dates: SEE ABOVE

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: * NOT-FOR-PROFIT KID STATION INSIDE SCHOOL CAMPUS

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.

12-13-21
Date



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



01.05.2022

**EVENT: POLAR ROLL
CITY OF ISH: DPW SCRIPT**

SATURDAY, FEBRUARY 12, 2022

Ishpeming DPW staff can set barricades and grab cones at predetermined* locations the night before the event. Event staff will place and remove barricades and grab cones through the course of the event.

***Maps will be provided.**

5:00AM

- Events staff arrives at Ishpeming High School.
- Event staff secures event space impacting Pearl Street and N 3rd Street up to Cleveland Ave.
- Barricades are put in place where Pearl Street meets: 2nd Street and 4th Street, and where 3rd Street meets Cleveland Avenue.
- Alleys between Pearl Street and Cleveland Avenue will require barricades too.

5:30AM

- Event staff will place numbered saw horses at strategic points along the route from: the corner of 4th Street and Division along Jasper to Hill. The sawhorses help volunteers identify their assigned location and keep the course clear of vehicles.

7:30AM

- Volunteers will report to assigned saw horses along the route from the school all the way up Hill Street.

7:45AM

- Event staff will prepare the race route.
- Access from Pearl Street onto 4th Street will open, using that barricade to block traffic on 4th Street that may approach from the north.
- 4th Street will be opened where it meets Division Street to allow racers access to Division as they head east toward Jasper Street.
- Division Street will be blocked at 4th Street by volunteers at this time (next to the school).



- West bound traffic will be diverted from Division Street onto Seventh Street to allow racers safe passage to Jasper Street.

8:00AM

- Wave #1 of racers take off.
- 4th Street is barricaded and staffed by volunteers.
- Division Street is closed from 4th Street to Seventh Street, detours in place on each end.

8:15AM

- Wave #2 of racers take off.
- 4th Street is barricaded and staffed by volunteers.
- Division Street is closed from 4th Street to Seventh Street, detours in place on each end.

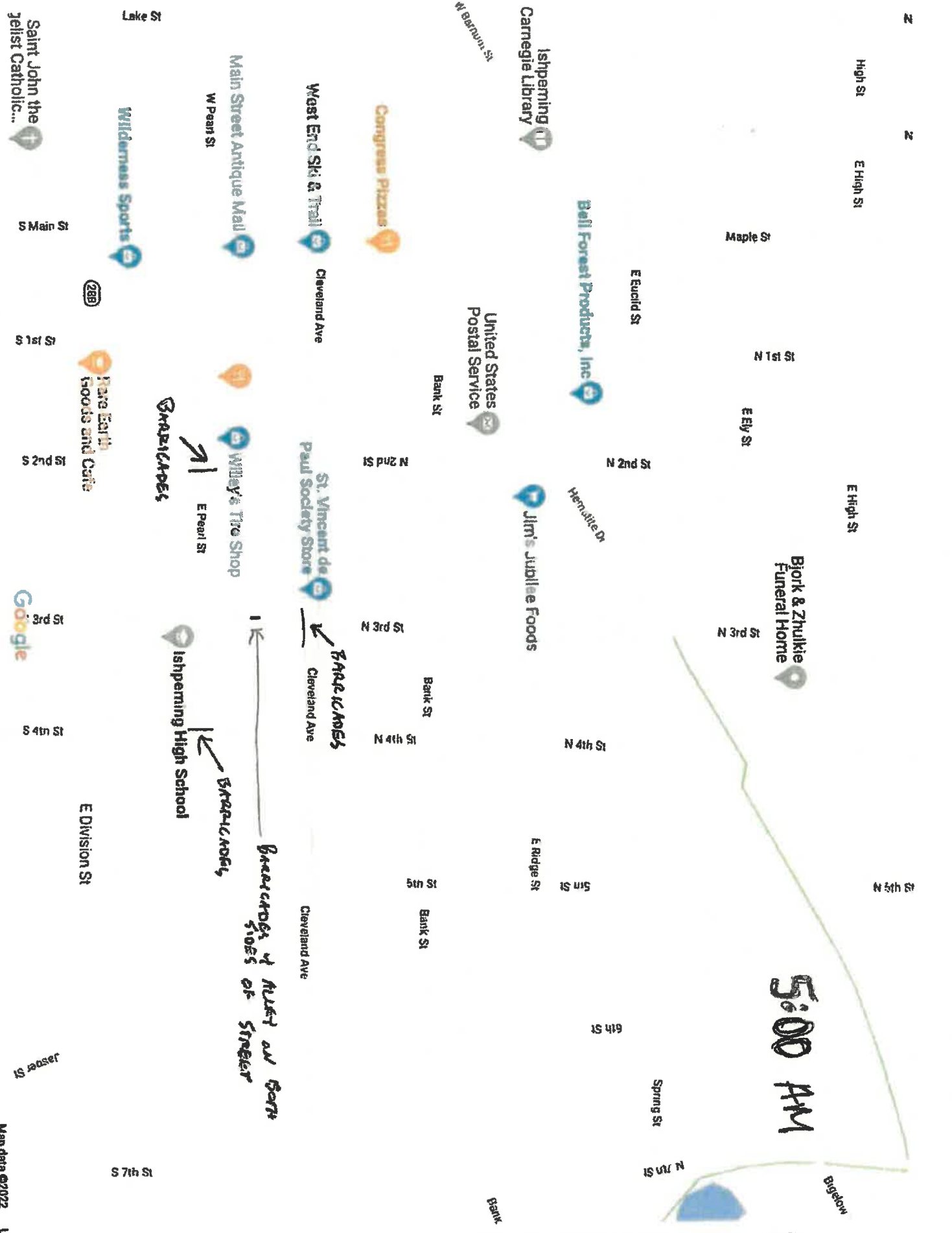
8:20AM

- Division Street can be re-opened.
- Event staff will re-set event perimeter around school and secure Pearl Street between 2nd Street and 4th Street.
- Saw horses and volunteers will be cleared from the race route from the school to top of Hill Street.

8:45AM

- Event staff will secure the race corridor from Hematite Drive south to Pearl Street.
- Access to 3rd Street will be blocked from all east or west bound traffic.
- Access to 3rd Street via surface streets AND alleys will be blocked until the event concludes Saturday evening.

We anticipate the event will be broke down and gone by 7:00PM.



N
High St
E High St
N 1st St
E Ely St
E High St
N 3rd St
N 4th St
N 5th St

5:00 AM

Bjork & Zhukie
Funeral Home

Ishpeming
Carnegie Library

Bell Forest Products, Inc.

Jim's Jubilee Foods

United States
Postal Service

Congress Pizzas

West End Ski & Trail

St. Vincent de
Paul Society Store

Main Street Antique Mall

Willie's Tire Shop

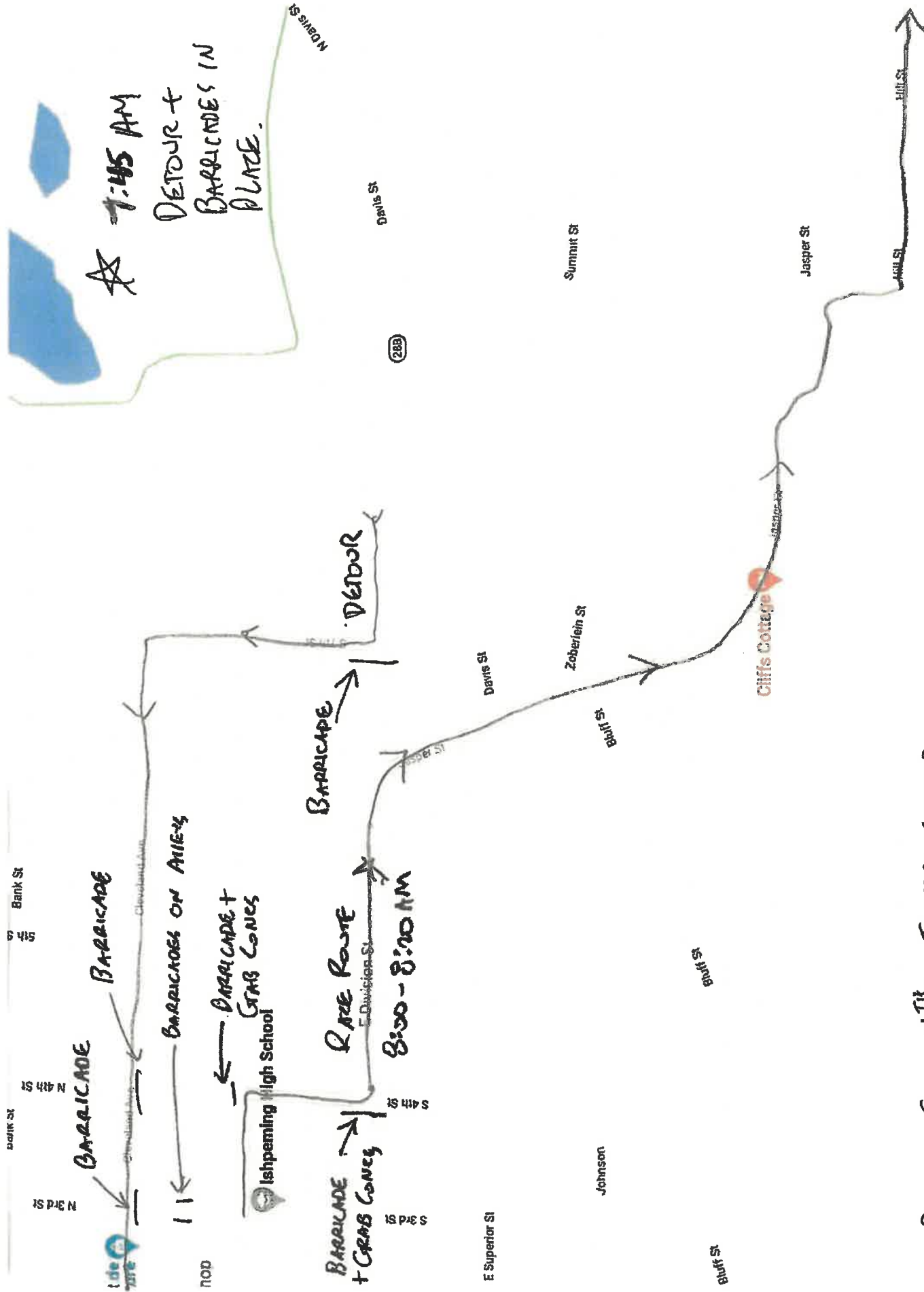
BROADWAYS

Ishpeming High School

Wilderness Sports

Rare Earth
Foods and Cafe

Saint John the
Baptist Catholic...



★ Division From 4th to JASPER CLOSED
From 7:45 AM till 8:25 AM

plc)

Cathy Smith

From: Iron Range Roll Connect Mqt <ironrangeroll@connectmarquette.org>
Sent: Thursday, December 16, 2021 1:21 PM
To: Cathy Smith
Subject: Iron Range Roll 2022 Special Event Application
Attachments: iron range '22 city of ish cert (1).pdf; 1619_001 (1).pdf

Hello Cathy,

I am contacting you on behalf of the 9th Annual Iron Range Roll. Attached is the completed application and the insurance certificate. The Iron Range Roll is an entity within Connect Marquette and we are a non-profit organization. In the past, this has been a co-sponsored event with the City of Ishpeming.

The event begins at Cliffs Shaft Mine Museum, runs south on Spruce Street and then East on Hemitite. If available, the crossing at 3rd and Hemitite it would be great to have police presence to slow/reduce traffic. The race begins at 1pm and the police presence would be needed for about 10-15 minutes as that is the max amount of time it should take riders to get from the start line to that intersection. We have also had barrels/street blocks at the corner of Lakeshore and Spruce for the 10 minutes leading up to the start and 5 minutes after (roughly). We will have volunteers at all crossings but our volunteers do not have the authority to stop traffic. They are there to warn the racers of traffic and make the racers stop, not the traffic.

Please review and provide feedback of additional information needed.

Thank you,
Daniel Croney
Iron Range Roll
(906)-285-2474

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 Connect Marquette Phone 906 285 2474

Organization Address 501 S Front St. Marquette, MI

Organization's Agent Daniel Goney Phone "

Agent's Title Race Director

Agent's Address 650 S Vandenberg Rd Marquette, MI

Event Name Iron Range Roll

Event purpose bike race on the Heritage Trail supporting Youth Programs @ YMCA of Mt County

Event Dates Sat. June 4, 2022

Event Times 1pm Race Start

Event Location Cliffs Shaft Mine Museum

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 First Saturday of June

Next year's Specific Dates: 6/3/23

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 *→ Announcer + Port-a-Potties on-site*

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

6. Other Requests: Change Barricade signs, police presence to temporarily reduce traffic @ 3rd + Hemetite (20 minutes total) → same as previous years

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

- A certificate of Insurance must be provided which names the City of Ishpeming as an additional named insured party on the policy.
- Event organizers and participants will be required to sign Indemnification Agreement forms.
- 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.
- 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.
- 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.
- 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.

7/21/2015

Policy #406

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.

12/16/21
Date

[Signature]
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

7/21/2015



Decision Brief Equipment Purchase Holder 44" Snowblower attachment

Problem Statement: How does the city best increase snow removal ability on narrow city sidewalks through use of a different Holder attachment, while establishing a lifecycle management strategy for the future.

Searching for best tool to efficiently accomplish clearing the narrow city sidewalks to allow for safe pedestrian traffic.



Facts and Assumptions

Facts

- Does not replace any equipment
- New snow blower will allow us to maintain sidewalk snow removal
- Quote from local business that has item in stock (Industrial Marketing- Gwinn)

Assumptions

- 44" snowblower provides versatility of cities Holder
- Increases efficiency for clearing sidewalks
- Maintain safe pedestrian traffic on city sidewalks



Constraints

- Must be narrower than current snow blade attachment
- Must be narrow enough to navigate down sidewalks
- Currently can not push more than 1 foot of snow with out having to haul snow- increases the time spent hauling snow after each storm



Holder 44" snowblower attachment

Pros

- 44 inches wide
- (47 inches wide with wings)
- Will fit between light poles and buildings, plow currently will not 3rd st an Main St
- Ability to keep sidewalks open
- Ability to stack snow so we do not have to haul as frequently

Cons



Sources of Funding / Options

- Cash Option
 - Winter Maintenance Fund
- Pricing of All
 - Industrial Marketing & Consulting (\$11,475)
 - Snowblower-\$9,975
 - Freight and set-up- \$1,500



Holder 44" Snowblower attachment





Recommendation

- Purchase a Holder 44" snowblower attachment from Industrial Marketing & Consulting of Gwinn MI
- Pay for with funds from Winter Maintenance Budget

Cost: \$11,475



Decision Brief Equipment Purchase 500 Gallon Double wall fuel tanks

Problem Statement: How does the city best increase a cost saving process of fueling Park and Cemetery equipment, while establishing a safe fueling practice.

Searching for best tool to efficiently accomplish fueling of Park and Cemetery equipment in a safe and cost effective manner



Facts and Assumptions

Facts	Assumptions
<ul style="list-style-type: none">• Currently the equipment is fueled by small fuel cans or from a pick-up mounted tank• Personnel must go to the fuel station, fuel cans, return to Cemetery and fuel equipment• Quote from local business that has item in stock (Insight FS- Escanaba)	<ul style="list-style-type: none">• Less manhours running to gas station• Safer practice of fueling equipment• Increases efficiency• Ability to finally track fuel consumption of the Parks/ Rec/ Cemetery Department funds• Fuel would be delivered by Certified Fuel Vendor truck, no more cans in City trucks



Constraints

- Fuel will be delivered by Certified Fuel Vendor



Pros & Cons 500 Gallon Double Wall Fuel Tanks

Pros

- Efficient use of manpower
- Cost savings per Gallon
- Ability to track fuel consumption

Cons

- Gator and Groomer would need to drive to Cemetery to fuel



Sources of Funding / Options

- Cash Option
 - Motor Pool Fuel Fund
- Pricing of All
 - \$4,336.72 for Diesel Tank
 - \$4,447.15 for Unleaded Fuel Tank



500 Gallon Double Wall Fuel Tanks





Recommendation

- Purchase 2- 500 Gallon Double Wall Fuel Tanks from Insight FS
- Pay for it out of the Motor Pool Fuel Fund

Cost: \$4,336.72 for Diesel Tank
\$4,447.15 for Unleaded Fuel Tank

Total Cost: \$8,783.87

Tank Install Quotes

12

Insight FS

PO Box 593

Escanaba MI 49829

906-789-0061

500 Gallon UL Double Wall Tank (Diesel)

12/17/2021

Stock #	Description	Price	qty	Price
74172	500 gallon UL DoubleWall Tank	\$ 3,217.65	1	\$ 3,217.65
74895	2" Updraft Vent (Diesel)	\$ 26.28	1	\$ 26.28
74944	4" Emergency Vent (Diesel)	\$ 111.23	2	\$ 222.45
16551	2" x 48" At a Glance Guage	\$ 44.08	1	\$ 44.08
74060	2"x48" Leak Guage	\$ 66.49	1	\$ 66.49
18010	2" Fill Cap	\$ 27.79	1	\$ 27.79
999	Misc Tank Fitting/Decals	\$ 100.00	1	\$ 100.00
				\$ -
208612	20 gpm Electric pump w/ meter complete with nozzle and hose	\$ 957.00	1	\$ 957.00
Misc	Draw Pipe and pigtail	\$ 50.00	1	\$ 50.00
73918	1" Adapter	\$ 20.00	1	\$ 20.00
903125	1" 30m Filter	\$ 12.00	1	\$ 12.00
				\$ -
	Delivery and set up fee	\$ 100.00	1	\$ 100.00
	Subtotal			\$ 4,843.72
	6% sales tax		exempt	
	Total			\$ 4,843.72

Please note: prices are subject to change

Different Pump options are available

978311	12 gpm without meter	\$ 450.00
216621	20 gpm without meter	\$ 697.00

Prices are subject to change

AMENDMENT TO ORDINANCES OF
THE CITY OF ISHPERING, CHAPTER 8-100

The City of Ishpeming, Michigan ORDAINS:

That Chapter 8-100 of the Ordinances of Ishpeming, Michigan, also known as the Zoning Ordinance, shall be, and the same hereby is, amended in order to change SECTION 9.2, the Official Zoning Map, as follows:

REPEALER

That certain parcel of land in the City of Ishpeming described as:

Lots 45 and 46 and the West ½ of the vacated alley between Lots 46 and 47,
all in Nelson's Addition to the City of Ishpeming, PIN: 52-51-250-045-00,

Shall be removed from the GR (General Residential) Zoning District.

This repeal shall be effective as of the effective date of the following Amendment.

AMENDMENT

That certain parcel of land in the City of Ishpeming described as:

Lots 45 and 46 and the West ½ of the vacated alley between Lots 46 and 47,
all in Nelson's Addition to the City of Ishpeming, PIN: 52-51-250-045-00,

Shall be added to the CBD (Central Business) Zoning District.

The above Ordinance Amendments shall be published as required by law, and shall be effective seven (7) days after the date of publication.

Upon roll call,

Council members voting aye:

Council members voting nay:

Council members absent:

WHEREUPON, these Ordinance Amendments are declared passed and adopted on this _____ day of _____, 2022.

CITY OF ISHPEMING

By: Lindsay Bean, Its Mayor

Attest:

By: Cathy Smith, Its Clerk

DATE OF PUBLICATION: _____

EFFECTIVE DATE: _____

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AMENDMENT TO ORDINANCES OF
THE CITY OF ISHPERING, CHAPTER 8-100

The City of Ishpeming, Michigan ORDAINS:

That Chapter 8-100 of the Ordinances of Ishpeming, Michigan, also known as the Zoning Ordinance, shall be, and the same hereby is, amended in order to change SECTION 9.2, the Official Zoning Map, as follows:

REPEALER

That certain parcel of land in the City of Ishpeming described as:

Bounded on the North by Euclid Street, on the East by First Street, on the South by Canda Street, and on the West by Maple Street, PIN: 52-51-112-009-00,

Shall be removed from the GC (General Commercial) Zoning District.

This repeal shall be effective as of the effective date of the following Amendment.

AMENDMENT

That certain parcel of land in the City of Ishpeming described as:

Bounded on the North by Euclid Street, on the East by First Street, on the South by Canda Street, and on the West by Maple Street, PIN: 52-51-112-009-00,

Shall be added to the CBD (Central Business) Zoning District.

The above Ordinance Amendments shall be published as required by law, and shall be effective seven (7) days after the date of publication.

Upon roll call,

Council members voting aye:

Council members voting nay:

Council members absent:

WHEREUPON, these Ordinance Amendments are declared passed and adopted on this ____ day of _____, 2022.

CITY OF ISHPEMING

By: Lindsay Bean, Its Mayor

Attest:

By: Cathy Smith, Its Clerk

DATE OF PUBLICATION: _____

EFFECTIVE DATE: _____

15(a)

AMENDMENT TO ORDINANCES OF
THE CITY OF ISHPEMING, CHAPTER 2-1600

The City of Ishpeming, Michigan ORDAINS:

That Chapter 2-1600 of the Ordinances of Ishpeming, Michigan, shall be, and the same hereby is, amended as follows:

REPEALER

The entirety of the existing Ordinance 2-1600, entitled:

“AN ORDINANCE TO PROHIBIT RECREATIONAL
MARIJUANA ESTABLISHMENTS WITHIN THE
BOUNDARIES OF THE CITY OF ISHPEMING”,

together with any ordinance, resolution, order or parts thereof in conflict with the provisions of this Amendment is, to the extent of such conflict, HEREBY REPEALED. This repeal shall be effective as of the effective date of the following Amendment.

AMENDMENT

Chapter 2-1600 of the Ordinances of Ishpeming, Michigan, shall be, and hereby is, amended in its entirety to add the following:

**ORDINANCE NO. 2-1600
CITY OF ISHPEMING**

AN ORDINANCE TO REGULATE MARIJUANA FACILITIES

THE CITY OF ISHPEMING ORDAINS:

Section 1. PURPOSE

It is the intent of this ordinance to authorize the establishment of certain types of marijuana facilities in the City of Ishpeming and provide for the adoption of reasonable restrictions to protect the public health, safety and general welfare of the community at large; to retain the character of neighborhoods; and to mitigate potential impacts on surrounding properties and persons.

Section 2. DEFINITIONS

- A. Any term defined by the MMA, (Medical Marihuana Act) MCL 333.26421 et seq. shall have the definition given in the MMA.
- B. Any term defined by the MFLA (Marihuana Facilities Licensing Act) MCL 333.27101 et seq. shall have the definition given in the MFLA.
- C. Any term defined by the MTA (Marihuana Tracking Act) MCL 333.27901 et seq. shall have the definition given in the MTA.
- D. Any term defined by the MRTMA (Michigan Regulation and Taxation of Marihuana Act) MCL 333.27951 et seq. shall have the definition given in the MRTMA.
- E. "Designated consumption establishment" means a commercial space that is licensed by the agency to permit adults 21 years of age and older to consume marijuana products at the location indicated on the state license.
- F. "Grower" means a licensee that is a commercial entity located in this state that cultivates, dries, trims or cures and packages marijuana for sale to a processor, provisioning center or marijuana retailer.
- G. "Licensee" means a person holding a state operating license issued under the MFLA, MCL 333.27101 et seq.; the MTA, MCL 333.27901 et seq. or the MRTMA, MCL 333.27901 et seq.
- H. "Marijuana" or "Marihuana" means that term as defined in the Public Health Code, MCL 333.1101 et seq.; the MMA, MCL 333.26421 et seq.; the MFLA, MCL 333.27101 et seq.; the MTA MCL 333.27901 et seq. and the MRTMA, MCL 333.27901 et seq.
- I. "Marijuana Event Organizer" means a person licensed to apply for a temporary marijuana event license under these rules.
- J. "Marijuana Facility" or "Marijuana Establishment" means an enterprise at a specific location at which a licensee is licensed to operate under the MFLA, MCL 333.27101 et seq., or the MRTMA, MCL 333.27951 et seq. including a marijuana grower, marijuana processor, marijuana provisioning center, marijuana establishment, marijuana secure transporter, marijuana safety compliance facility, or any other type of marijuana-related business licensed by the State of Michigan. The term does not include or apply to a "primary caregiver" or "caregiver" as that term is defined in the MMA, MCL 333.26421 et seq.
- K. "Marijuana Microbusiness" means a person licensed to cultivate not more than 150 marijuana plants; process and package marijuana; and sell or otherwise transfer marijuana to individuals who are 21 years of age and older or to a marijuana safety compliance facility, but not to other marijuana establishments.

I. "Provisioning center" means a licensee that is a commercial entity located in Michigan that purchases marijuana from a grower or processor and sells, supplies, or provides marijuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marijuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver in accordance with the MMA, MCL 333.26421 et seq., is not a provisioning center for purposes of this article.

M. "Person" means an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity.

N. "Processor" means a licensee that is a commercial entity located in Michigan that purchases marijuana from a grower and that extracts resin from the marijuana or creates a marijuana-infused product for sale and transfer in packaged form to a provisioning center or marijuana retailer.

O. "Retailer" means a person licensed to obtain marijuana from marijuana establishments and to sell or otherwise transfer marijuana to marijuana establishments and to individuals who are 21 years of age or older.

P. "Safety Compliance Facility" means a licensee that is a commercial entity that receives marijuana from a marijuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marijuana to the marijuana facility.

Q. "Secure Transporter" means a licensee that is a commercial entity located in this state that stores marijuana and transports marijuana between marijuana facilities for a fee.

R. "Temporary Marijuana Event License" means a state license held by a marijuana event organizer for an event where the onsite sale or consumption of marijuana products, or both, are authorized at the location indicated on the state license during the dates indicated on the state license.

Section 3. AUTHORIZATION OF FACILITIES AND FEES.

A. The maximum number of each type of marijuana facility allowed in the City of Ishpeming shall be as follows:

<u>Facility</u>	<u>Total number</u>
Marijuana retailer or Provisioning center <i>or</i> <i>Combined retailer/provisioning center</i>	2
Marijuana Grower	None

Marijuana Processor	None
Marijuana Secure Transporter facility	None
Marijuana Safety Compliance facility	None
Marijuana Microbusiness	None
Marijuana Event Organizer	None
Temporary Marijuana Event	None
Designated Consumption Establishment	None

B. Two (2) Marijuana Retailer/Provisioning Centers may be located within the CBD (Central Business District) or Two (2) Marijuana Retailer/Provisioning Centers may be located within the GC (General Commercial) zoning district, or One (1) Marijuana retailer/ Marijuana Provisioning Center may be located in each of the said zoning districts, but not more than two (2) establishments licensed as Marijuana retailers or Marijuana Provisioning Centers, whether operating as combined retailer/provisioning centers or as stand-alone establishments, may be located within the City.

C. No marijuana establishment shall be located within 250 feet of the real property comprising an elementary or secondary school. This distance shall be measured as the shortest straight line distance between the property lot lines of the marijuana establishment and the school.

D. A non-refundable fee of \$5000.00 shall be paid by each marijuana facility licensee under this ordinance, which shall be paid before a license or renewal is issued. This fee is intended to help defray administrative and enforcement costs associated with the operation of a marijuana establishment in the City of Ishpeming.

E. Marijuana facilities may not have images of marijuana products nor of consumption of marijuana products depicted on the exterior of the building nor on signs. Marijuana facilities shall be configured so that marijuana products are not visible through windows or otherwise from the exterior of the building.

F. Marijuana facilities may not be open for business between the hours of nine o'clock (9:00) p. m. and seven o'clock (7:00) a. m.

**Section 4. REQUIREMENTS AND PROCEDURE FOR ISSUING A LICENSE OR
LICENSE RENEWAL**

A. No person shall operate a marijuana facility in the City of Ishpeming without a valid marijuana facility license issued by the City pursuant to the provisions of this ordinance.

B. Every applicant for a license to operate a marijuana facility shall file an application in the Zoning Administrator's office upon a form provided by the City. The application shall contain the following information:

- 1. Type of application and type of license.**
- 2. Applicant name, business name, phone number, email address, physical address and mailing address.**
- 3. Owner and Manager information, including government issue photo identification.**
- 4. Property information, including legal description, ownership, zoning compliance.**
- 5. If property is leased, include a notarized letter from owner authorizing use for intended facility.**
- 6. Water and waste information, including estimated amounts, measures for hygiene, rubbish, hazardous waste, pest, mold and odor control.**
- 7. Business operations, including hours of operation, record keeping, logs and data bases.**
- 8. Security information, including surveillance cameras, alarms and secure storage.**
- 9. Any other information the City requests that is relevant to the processing or consideration of the application.**
- 10. Applicants have a duty to supplement submitted applications if there are any changes in the relevant state law, or any changes that would make the proposed township permit holder ineligible for a state license under the MMFLA and/or the MRTMA.**
- 11. Required fee.**

C. Upon an applicant's completion of the above-provided form and furnishing of all required information and documentation, the Zoning Administrator shall accept the application and assign

it a sequential application number by facility type based on the date and time of acceptance. The Zoning Administrator shall act to approve or deny an application not later than fourteen (14) days from the date the application was accepted. If approved, the Zoning Administrator shall issue the applicant a provisional license and act to schedule a Public Hearing of the Planning Commission to review the Conditional Use Permit and all associated documents.

D. A provisional license means only that the applicant has submitted a valid application for a marijuana facility license, and the applicant shall not locate or operate a marijuana facility without obtaining all other permits and approvals required by all other applicable ordinances and regulations of the City. A provisional license will lapse and be void if such permits and approvals are not completed within six months of issuance.

E. Within fourteen (14) days from the applicant submitting proof of obtaining all other required permits and approvals and payment of the license fee, the Zoning Administrator shall approve or deny the marijuana facility license. The Zoning Administrator shall issue marijuana facility licenses in order of the sequential application number previously assigned.

F. Maintaining a valid marijuana facility license issued by the state is a condition for the issuance and maintenance of a marijuana facility license under this ordinance and continued operation of any marijuana facility. The applicant is responsible for providing a copy of the valid license to the City.

G. License holders shall report any change in the information required by this ordinance to the Zoning Administrator within ten (10) days of the change. Failure to do so may result in suspension or revocation of the license.

H. A marijuana facility license issued under this ordinance is not transferable.

Section 5. DENIAL OF APPLICATION; APPEAL

A. Should the Zoning Administrator deny an application, the applicant shall have ten (10) days from the mailing of the denial to appeal the denial to the City Manager by filing a notice of appeal with the City Clerk. The City Manager may require additional information or act upon the appeal based upon the information supplied to the Zoning Administrator. Should the City Manager reverse the decision of the Zoning Administrator, he shall issue a provisional license. Should the City Manager affirm the Zoning Administrator's decision, the City Manager shall issue a written notice affirming the decision.

B. The applicant shall have ten (10) days from the mailing of a decision by the City Manager affirming the decision of the Zoning Administrator to appeal to the City Council by filing a notice of appeal with the City Clerk. The City Council shall hear the appeal at its next regular meeting, but not sooner than five (5) days from the receipt of the appeal notice.

Section 6. LICENSE RENEWAL

- A. A marijuana facility license shall be valid for one year from the date of issuance, unless revoked as provided by law.
- B. A valid marijuana facility license may be renewed on an annual basis by submitting a renewal application upon a form provided by the City, gaining approval by the Zoning administrator and payment of the annual license fee. The Zoning Administrator shall evaluate the renewal application using the same criteria applicable to new applications. Application to renew a marijuana facility license shall be filed at least thirty (30) days prior to the date of its expiration.
- C. Should the renewal application be denied, the procedure outlined in Section 5. above shall apply.

Section 7. PENALTIES AND ENFORCEMENT

- A. Any person who violates any of the provisions of this Ordinance shall be responsible for a municipal civil infraction and subject to the payment of a civil fine of not more than Five Hundred dollars (\$500.00) plus costs. Each day a violation of this Ordinance continues to exist constitutes a separate violation. A violator of this Ordinance shall also be subject to such additional sanctions, remedies and judicial orders as are authorized under Michigan law.
- B. A violation of this ordinance is deemed to be a nuisance per se. In addition to any other remedy available at law, the City may bring an action for an injunction or other process against a person to restrain, prevent, or abate any violation of this Ordinance.
- C. A license issued under this ordinance may be revoked on any of the following bases:
1. Any violation of this ordinance.
 2. Conviction of a licensee, owner, stakeholders, or its employees of delivery of a controlled substance to a minor.
 3. Fraud, misrepresentation or the making of a false statement by an applicant, licensee, owner or stakeholder while engaging in any activity for which this ordinance requires a license or in connection with the application for a license or request to renew a license.

4. The license holder or any of its stakeholders is in default to the City personally or in connection with any business in which they hold ownership interest, for failure to pay property taxes, special assessments, fines or fees.

5. The marijuana establishment is determined by the City to have become a public nuisance.

6. The State of Michigan has denied, revoked or suspended the applicant's state operating license.

D. Acceptance of a license by a licensee constitutes consent by the licensee and its owners, officers, managers, agents and employees for any federal, state or local fire, emergency or law enforcement personnel to conduct random and unannounced examinations of the facility and all articles of property in that facility at any time to ensure compliance with this ordinance, any other local ordinances or regulations, and with the license.

Section 8. AUTHORITY

A. Authority for the enactment of these provisions is set forth in the Medical Marijuana Facilities Licensing Act (MFLA), MCL 333.2701 et seq. and the Michigan Regulation and taxation of Marijuana Act (MRTMA), Initiated Law 1 of 2018 MCL 333.27951 et seq.

B. Nothing in this ordinance is intended to grant immunity from criminal or civil prosecution, penalty, or sanction for the cultivation, manufacture, possession, use, sale, or distribution of marijuana in any form that is not in compliance with the Medical Marijuana Act (MMA), Initiated Law 1 of 20008, MCL 333.26421 et seq.; the MFLA, MCL 333.27101 et seq.; the Marijuana Tracking Act (MTA), MCL 333.27901 et seq.; the (MRTMA), Initiated Law 1 of 2018 MCL 333.27951 et seq.; and all other applicable rules promulgated by the State of Michigan.

C. As of the effective date of this ordinance, marijuana remains classified as a Schedule 1 controlled substance under the Federal controlled Substance Act, U.S.C. Sec. 801 et seq., which makes it unlawful to manufacture, distribute, or dispense marijuana, or possess marijuana with intent to manufacture, distribute, or dispense marijuana. Nothing in this ordinance is intended to grant immunity from any criminal prosecution under federal laws.

Section 9. SEVERABILITY

In the event that any one or more sections, provisions, phrases or words of this ordinance shall be found to be invalid by a court of competent jurisdiction, such holding shall not affect the validity or the enforceability of the remaining sections, provisions, phrases or words of this ordinance.

The above Ordinance shall be published as required by law, and shall be effective on the date of publication.

Upon roll call,

Council members voting aye:

Council members voting nay:

Council members absent:

WHEREUPON, this Ordinance is declared passed and adopted on this
____ day of _____, 2022.

CITY OF ISHPEMING

By: Lindsay Bean, Its Mayor

Attest:

By: Cathy Smith, Its Clerk

DATE OF PUBLICATION: _____, 2022

15(b)

AMENDMENT TO ORDINANCES OF
THE CITY OF ISHPEMING, CHAPTER 8-100

The City of Ishpeming, Michigan ORDAINS:

That Chapter 8-100 of the Ordinances of Ishpeming, Michigan, also known as the Zoning Ordinance, shall be, and the same hereby is, amended as follows:

REPEALER

Any ordinance, resolution, order or parts thereof in conflict with the provisions of this Amendment is, to the extent of such conflict, HEREBY REPEALED. This repeal shall be effective as of the effective date of the following Amendment.

AMENDMENT

Chapter 8-100 of the Ordinances of Ishpeming, Michigan, shall be, and hereby is, amended to add the following:

SECTION 3.0: DEFINITIONS

Marijuana or Marihuana: means that term as defined in the Public Health Code, MCL 333.1101 et seq.; the MMA, MCL 333.26421 et seq.; the MFLA, MCL 333.27101 et seq.; the MTA, MCL 333.27901 et seq. and the MRTMA, MCL 333.27901 et seq. Marijuana means all *parts of the plant of the genus Cannabis, growing or not; the seeds of the plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin, including marijuana concentrate and marijuana-infused products. Marijuana does not include any of the following: (i) The mature stalks of the plant, fiber produced from the mature stalks, oil or cake made from the seeds of the plant, or any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks; (ii) Industrial hemp; (iii) Any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink or other products.*

Marijuana provisioning center: means a licensee that is a commercial entity located in Michigan that purchases marijuana from a grower or processor and sells, supplies, or provides marijuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marijuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver in accordance with the MMA, MCL 333.26421 et seq., is not a provisioning center for purposes of this article.

Marijuana Retailer: means a person licensed to obtain marijuana from marijuana establishments and to sell or otherwise transfer marijuana to marijuana establishments and to individuals who are 21 years of age or older.

AND:

SECTION 14.0: (GC) GENERAL COMMERCIAL DISTRICT

14.3: **Conditional Uses:**

G. Marijuana retailer/Marijuana provisioning center. See Section 25.5

AND:

SECTION 15.0: (CBD) CENTRAL BUSINESS DISTRICT

15.4: **Conditional Uses:**

H. Marijuana retailer/Marijuana provisioning center. See Section 25.5

AND:

SECTION 25.5: MARIJUANA FACILITY CONDITIONAL USE REQUIREMENTS

*This section addresses specific requirements for a **Marijuana retailer and/or a Marijuana provisioning center**. Ordinance No. 2-1600 authorizes and regulates Marijuana facilities in the City of Ishpeming. Two (2) **Marijuana retailer/ Marijuana provisioning centers** may be located within the CBD (Central Business District) or Two (2) **Marijuana retailer/ Marijuana provisioning centers** may be located within the GC (General Commercial) zoning district, or One (1) **Marijuana retailer/ Marijuana provisioning center** may be located in each of the said zoning Districts, but not more than two (2) establishments licensed as Marijuana retailers or Marijuana Provisioning Centers, whether operating as combined retailer/provisioning centers or as stand-alone establishments, may be located within the City. The definitions for the bolded text are located in the Zoning Ordinance.*

Marijuana Facility Requirements:

A. At the time of application for a Conditional Use Permit, the Marijuana Facility must have a provisional license from the State of Michigan and also follow the Michigan Regulation and Taxation of Marijuana Act, MCL 333.27951 et seq.

- B. Marijuana facilities may not be permitted as a home business or an accessory use.
- C. All county, state and federal laws pertaining to the emission of odor, smoke, noise, vibration etc. shall be met at all times during operation.
- D. Odor from Marijuana retail or provisioning shall be addressed with an activated carbon filtration system to ensure that air leaving the building through an exhaust vent passes through an activated carbon filter. The filtration system shall consist of one or more fans and activated carbon filters sized for the Cubic Feet per Minute (CFM) equivalent of the volume of the building divided by three. The filters shall be rated for the applicable CFM, and be in use and maintained in working order.
- E. Negative air pressure shall be maintained inside the building. Doors and windows shall remain closed except for the minimum time required for ingress and egress.
- F. No trash, garbage or waste material shall be stored outdoors unless effectively screened from view.
- G. Marijuana retailer / Marijuana provisioning center facilities shall have a minimum of 1 parking space per 1,000 square feet of floor area, and a minimum of two (2) spaces, *when located within the GC (General Commercial) zoning district.*

The above Ordinance Amendments shall be published as required by law, and shall be effective seven (7) days after the date of publication.

Upon roll call,

Council members voting aye:

Council members voting nay:

Council members absent:

WHEREUPON, these Ordinance Amendments are declared passed and adopted on this _____ day of _____, 2022.

CITY OF ISHPEMING

By: Lindsay Bean, Its Mayor

Attest:

By: Cathy Smith, Its Clerk

DATE OF PUBLICATION: _____

EFFECTIVE DATE: _____



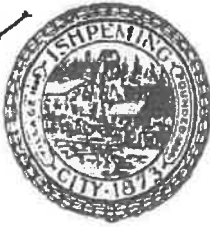
16

TO: Cathy Smith, City Clerk
FROM: Ishpeming Compensation Commission
RE: 2021 Compensation Commission Meetings
DATE: December 17, 2021

At the December 16, 2021 Compensation Commission meeting, the following motions were approved regarding the compensation of the Ishpeming City Council and the Ishpeming Board of Review.

- A motion was made by Member Demarest, supported by Member Koski and carried unanimously to maintain the same compensation for the Ishpeming City Council -- Mayor, Mayor Pro Tem, and Councilmembers.
- A motion was made by Member Demarest, supported by Member Koski and carried unanimously to increase the compensation for the Ishpeming Board of Review from \$12.50/hour to \$15.00/hour.

No other changes were made to the report from the 1999 Compensation Commission.



CITY OF ISHPERING, MICHIGAN 49849

City Hall, 100 E. Division Street
Council-Manager Government

City Manager	485-1091
City Clerk	485-1091
Treasurer	485-1091
Police	486-4416
Public Works	486-9371
Assessor	485-1091
Fire	486-4426
Library	486-4381
Cemetery	486-6181
City Attorney	485-1091
Fax	485-6246

April 21, 1999

TO: Corbin Neuman, City Clerk *Corbin Neuman 4-27-99*
FROM: Ishpeming Compensation Commission
SUBJECT: Report of Ishpeming Compensation Commission for City Council

The following compensation for the Ishpeming City Council was recommended at the Ishpeming Compensation Commission meeting of April 19, 1999.

1. Set the compensation for Councilmembers at \$180.00 per month, to include attendance at all meetings within Marquette County, retroactive to January 1, 1999.
2. Set the compensation for the Mayor Pro Tempore at \$200.00 per month, to include attendance at all meetings within Marquette County, retroactive to January 1, 1999.
3. Set the compensation for the Mayor at \$220.00 per month, to include attendance at all meetings within Marquette County, retroactive to January 1, 1999.
4. The Mayor shall receive \$400.00 per year in addition to any other compensation.
5. Mileage shall be paid at the rate used by the Marquette County Board of Commissioners, excluding any mileage payment for travel within the Ishpeming city limits.
6. Compensation of \$100.00 per eight hour day shall be authorized by City Council resolution for attendance by elected officials at conferences and meetings. Periods of less than one day shall receive compensation as follows: 0-2 hours, \$25.00; more than two hours up to four hours, \$50.00; more than four up to six hours, \$75.00; and over six hours, \$100.00 (full day). Additional reasonable documented expenses shall be reimbursed upon submission of receipts. Councilmembers shall submit a voucher for attendance at meetings. (Payment shall not be eligible if attendance is not approved by Council resolution.)
7. The City Council shall police its own attendance at meetings.
8. Requests for reimbursement of expenses shall be submitted no later than one quarter following the date of occurrence or expenses.

The City of Ishpeming is an equal opportunity program/employer.

Auxiliary aids and service are available upon request to individuals with disabilities.



HOME OF THE U.S. NATIONAL SKI HALL OF FAME

9. There shall be no other benefits, such as insurance or other fringe benefits.

Allen Kutchie
Chairman

AK:cah

ORDINANCE NO. 11-1200

AN ORDINANCE TO CREATE A LOCAL OFFICERS COMPENSATION COMMISSION

THE CITY OF ISHPEMING ORDAINS:

Section 11-1201. There is hereby created a local officers compensation commission, which commission is created under, and shall be subject to, all rights, powers, duties, privileges and immunities enumerated in M.S.A. 5.2084(3).

Section 11-1202. The local officers compensation commission created hereunder shall consist of five (5) members, to be appointed by the Mayor and confirmed by a majority vote of the members elected and serving on the Ishpeming City Council.

Section 11-1203. Each member of the local officers compensation commission shall be a registered elector of the City of Ishpeming. A member or employee of the legislative, judicial, or executive branch of government or a member of the immediate family of a member or employee of the legislative, judicial, or executive branch of government shall not be a member of the Commission.

Section 11-1204. The term of office of each member of the local officers compensation commission shall be five (5) years, except that of the members first appointed, one (1) each shall be appointed for a term of 1, 2, 3, 4 and 5 years.

In the event of a vacancy in the office of any member of the local officers compensation commission, such vacancy shall be filled in the same manner as the original appointment, for the balance of the term of the vacant office.

Section 11-1205. The first members of the local officers compensation commission shall be appointed by the Mayor and confirmed by the City Council within thirty (30) days after the effective date of this ordinance.

Section 11-1206.

- (a) The local officers compensation commission shall determine the salary of each elected official of the City of Ishpeming; and such determination shall be the salary unless the Ishpeming City Council, by resolution adopted by two-thirds (2/3) of its members elected and serving on the City Council, rejects the determination of the local officers compensation commission.
- (b) The determination of the local officers compensation commission shall be effective thirty (30) days following the filing thereof with the City Clerk, unless the determination is rejected by the City Council.
- (c) If any determination of the local officers compensation commission is rejected by the City Council, the existing salary or compensation with respect to that elected office shall prevail.

A rejection of the determination of the local officers compensation commission with respect to one or more classes of elected offices shall not constitute rejection of all of the determinations made by the local officers compensation commission, and the City Council shall specify which, if any, determinations are rejected; provided, however, that elected officials within the same class shall all be treated equally with respect to rejection or non-rejection of the salary determination of that class.

- (d) Expense allowance or reimbursement paid to elected officials, if determined by the local officers compensation commission, shall be for expenses incurred in the course of City business and accounted for to the City.

Section 11-1207

- (a) The local officers compensation commission shall meet for not more than fifteen (15) session days in each odd numbered year and shall make its determination within forty-five (45) calendar days after its first meeting.
- (b) A majority of the members of the local officers compensation commission shall constitute a quorum for conducting business.
- (c) The local officers compensation commission shall not make a determination without a concurrence of a majority of the members appointed and serving on the commission.
- (d) The local officers compensation commission shall elect a chairperson from among its members.
- (e) The members of the local officers compensation commission shall not receive compensation, but shall be entitled to actual and necessary expenses incurred in the performance of official duties.
- (f) The business which the local officers compensation commission may perform shall be conducted at a public meeting of the commission held in compliance with the Michigan Open Meetings Act, being M.C.L.A. 15.261-15.275, and public notice of the time, date, and place of each meeting of the commission shall be given as required under the Open Meetings Act.
- (g) All writings prepared, owned, used, in the possession of, or retained by the local officers compensation commission in the performance of an official function shall be made available to the public in compliance with M.C.L.A. 15.231-15.246.

Section 11-1208. Not more than sixty (60) days after the effective date of this ordinance, a petition for a referendum on this ordinance may be filed pursuant to the procedure provided in the Charter of the City of Ishpeming, or otherwise by filing a petition with the City Clerk containing the signatures of at least five (5%) per cent of the registered electors of the City on the effective date of this Ordinance. The election shall be conducted in the same manner as an election on a charter amendment. If a petition for referendum is timely filed, a determination of the local officers compensation commission shall not be effective until this Ordinance has been approved by the electors of the City of Ishpeming.

Section 11-1209. This ordinance shall be effective upon publication.

September 2, 1981