

**ISHPEMING CITY COUNCIL  
ORGANIZATIONAL MEETING  
Wednesday, December 7, 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](http://WWW.ISHPEMINGCITY.ORG)**

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
  - a. Council Appointment of a Mayor Pro Tem
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 (November 9th)
  - b. Approval of Disbursements
  - c. Appoint Joseph Erickson to a vacancy on the Building Authority with term expiring 6/2025
  - d. Appoint Sarah Trumbley to a vacancy on the Building Authority with term expiring 6/2024
  - e. Reappoint John Jackson to 3-year term on Housing Appeals Board: Term Expiring: 12/2025
  - f. Reappoint John Jackson to 3-year term on Waste Water Treatment Board: Term expiring: 12/2025
8. Monthly Financial Statement Report
9. 2023 City Health Insurance Coverage
10. Consider Resolution #14-2022: Authorizing Notice of Intent to Issue Bonds for CWSRF Project
11. UP Engineers and Architects – Empire Street Action Plan
12. Confirm TriMedia Proposal for Groundwater Sampling at the Negaunee-Ishpeming Landfill site
13. UPPCO Utility Billing Correction
  - a. Resolution #15-2022: Sewer and Water Fund Budget Amendment-UPPCO utility billing
14. Emergency Reading of Amendment to Ordinance #8-100, Zoning Ordinance-addition of Childcare Services in four Commercial Districts
15. Request from Tilden Township regarding Mutual Aid Water Supply Agreement
16. 2023 City Council Meeting Schedule Proposed Changes
  - a. Reschedule January meeting from January 4<sup>th</sup> to January 11<sup>th</sup>
  - b. Reschedule July meeting from July 5<sup>th</sup> to July 12<sup>th</sup>
17. Discuss water line freeze up notification letter to residents
18. Confirm emergency repairs to Plow Truck #157
19. Confirm additional emergency repairs to the Old Bell Hospital Storm Sewer Repair and Removal Project: Moyle Trucking and Excavating
20. City Council Committee Appointments by Mayor
21. New Business
22. Old Business
  - a. Update on Inventory of Playgrounds
23. Public Comment (*limit 3 minutes per person*)
24. Mayor and Council Reports
25. Manager's Report
26. Attorney's Report
27. Adjournment

  
Craig H. Cugini  
City Manager

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**RESOLUTION #14-2022 AUTHORIZING NOTICE OF INTENT AND  
DECLARING INTENT TO REIMBURSE  
(2023 CWSRF BONDS)**

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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, held on the 7<sup>th</sup> day of December, 2022, 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, the City of Ishpeming, County of Marquette, State of Michigan (the "City"), has determined that it is necessary for the public health, safety and welfare of the City to acquire, construct, furnish and equip improvements to the City's existing Sewage Disposal System (the "System"), including manhole replacements, lead service improvements and SCADA system acquisition, together with all related appurtenances and attachments thereto (the "Project"); and

WHEREAS, the City has been advised by the Michigan Department of Environment, Great Lakes and Energy ("EGLE"), that financial assistance to accomplish the acquisition and construction of the Project is available through the Clean Water State Revolving Fund ("CWSRF") Loan Program administered by EGLE and the Michigan Finance Authority (the "MFA"); and

WHEREAS, the Revenue Bond Act, Act 94, Public Acts of Michigan, 1933, as amended ("Act 94"), provides a means for financing the purchase, acquisition, construction, improvement, enlargement, extension, and repair of public improvements such as the Project through the issuance of revenue bonds; and

WHEREAS, the issuance of bonds payable from revenues of the System under Act 94 in a total amount not to exceed Eight Million Twenty-Five Thousand Dollars (\$8,025,000) (the "Bonds"), for the purpose of financing all or part of the Project represents the most practical means to that end; and

WHEREAS, the City has made application for participation in the CWSRF loan program; and

WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Bonds in order to comply with the requirements of Section 33 of Act 94; and

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

WHEREAS, the City intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the City for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Bonds in *The Mining Journal*, a newspaper of general circulation in the City.

2. The notice of intent shall be published as a display advertisement not less than one-quarter (1/4) page in size in substantially the form attached to this resolution as Exhibit A.

3. The City Council does hereby determine that the foregoing form of Notice of Intent to Issue Bonds, and the manner of publication directed, is adequate notice to the electors of the City and users of the System and the City's taxpayers and electors, and is the method best calculated to give them notice of the City's intent to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed.

4. The City makes the following declarations for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the City reasonably expects to reimburse the City for the expenditures described in (b) below with proceeds of debt to be incurred by the City.
- (b) The expenditures described in this paragraph (b) are for the costs of acquiring and constructing the Project which were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (c) The maximum principal amount of debt expected to be issued for the Project, including issuance costs, is \$8,025,000.

5. The Mayor, City Clerk, City Treasurer, City Manager and Finance Director are each authorized to act as an authorized officer or designated representative in connection with the Project and execute and deliver such applications, documents or certificates with EGLE, the MFA or other entities as may be necessary or advisable to enable the City to issue and sell the Bonds as contemplated herein and to meet its obligations under the CWSRF loan program.

6. The City hereby confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. ("Miller Canfield"), as bond counsel in connection with the Bonds. The City has been advised that Miller Canfield has represented the MFA in the past and may be representing the MFA presently in connection with various matters including the CWSRF loan program and the City consents to the representation of the MFA by Miller Canfield in connection with the CWSRF loan program that may be utilized by the City in connection with the Bonds.

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

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

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 December 7, 2022, 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.

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

## EXHIBIT A

### NOTICE TO TAXPAYERS AND ELECTORS OF THE CITY OF ISHPEMING AND TO USERS OF THE CITY'S SEWAGE DISPOSAL SYSTEM OF INTENT TO ISSUE REVENUE BONDS AND THE RIGHT OF REFERENDUM RELATING THERETO

PLEASE TAKE NOTICE that the City Council of the City of Ishpeming, County of Marquette, State of Michigan (the "City"), intends to issue and sell revenue bonds pursuant to Act 94, Public Acts of Michigan, 1933, as amended, in a total amount not to exceed Eight Million Twenty-Five Thousand Dollars (\$8,025,000), for the purpose of paying all or part of the cost to acquire, construct, furnish and equip improvements to the City's existing Sewage Disposal System, including manhole replacements, lead service improvements and SCADA system acquisition, together with all related appurtenances and attachments thereto.

#### SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE REVENUE BONDS SHALL BE PAYABLE solely from the revenues received by the City from the operations of the Sewage Disposal System (the "System"). The revenues will consist of rates and charges billed to the users of the System, a schedule of which is presently on file in the office of the City Clerk. The rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the bonds and to pay other obligations of the System.

#### BOND DETAILS

THE REVENUE BONDS will be payable in annual installments not to exceed thirty (30) in number and will bear interest at the rate or rates to be determined at public or private sale but in no event to exceed such rates as may be permitted by law on the unpaid balance from time to time remaining outstanding on said bonds.

IN THE EVENT THAT THE CITY DEEMS IT DESIRABLE TO SELL THE REVENUE BONDS TO THE MICHIGAN FINANCE AUTHORITY, THE CITY MAY ALSO PLEDGE ITS LIMITED TAX FULL FAITH AND CREDIT AS SECURITY FOR THE BONDS. IN SUCH CASE, IF REVENUES OF THE SYSTEM ARE INSUFFICIENT TO PAY DEBT SERVICE AT ANY TIME, THEN TO PAY DEBT SERVICE THE CITY SHALL ADVANCE LEGALLY AVAILABLE FUNDS INCLUDING, IF NECESSARY, FUNDS FROM THE LEVY OF TAXES UPON ALL TAXABLE PROPERTY IN THE CITY, SUBJECT HOWEVER TO CONSTITUTIONAL, STATUTORY AND CHARTER TAX RATE LIMITATIONS. IN ADDITION, THE CITY MAY BE REQUIRED TO PLEDGE FOR THE PAYMENT OF THE BONDS MONEY RECEIVED OR TO BE RECEIVED BY THE CITY DERIVED FROM IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. The City may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to the City as provided by law, to the authority or a trustee, and such funds may be pledged for the payment of the revenue bonds.

#### RIGHT OF REFERENDUM

THE REVENUE BONDS WILL BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS OF THE CITY IS FILED WITH THE CITY CLERK WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS OF THE CITY VOTING THEREON.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

Cathy Smith  
City Clerk, City of Ishpeming

39950058.1/043278.00015

Cathy Smith

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**From:** City Manager  
**Sent:** Friday, November 11, 2022 9:33 AM  
**To:** Joe Erickson; Sarah Trumbley; Bill Anderson  
**Cc:** Nick Leach; Gary Wommer; nheffron@cityofnegaunee.com; Cathy Smith  
**Subject:** RE: FW: Landfill PFAS  
**Attachments:** TriMedia Proposal Number 2022-7556.pdf

Split Costs (Breakdown) – TriMedia Contract for PFAS Testing

Negaunee: \$2170  
Negaunee Township: \$1040  
Ishpeming: \$3290

Total: \$6500

Ishpeming will contract and issue invoices separately to each of your municipalities.

Craig H. Cugini  
City Manager  
City of Ishpeming  
100 E. Division Street  
Ishpeming, MI 49849  
906-485-1091, ext 204  
citymanager@ishpemingcity.org

**From:** Nathan Heffron <citymanager@cityofnegaunee.com>  
**Sent:** Thursday, November 10, 2022 5:19 PM  
**To:** City Manager <citymanager@ishpemingcity.org>  
**Cc:** Nick Leach <nleach@negauneetownship.org>; Gary Wommer <GWommer@negauneetownship.org>; nheffron@cityofnegaunee.com  
**Subject:** Re: FW: Landfill PFAS

Like I said, we are willing to give 1/3.

NH

On Nov 10, 2022 4:38 PM, City Manager <[citymanager@ishpemingcity.org](mailto:citymanager@ishpemingcity.org)> wrote:

Gentlemen –

We have the cost proposal for PFAS compliance testing...



GRETCHEN WHITMER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF  
ENVIRONMENT, GREAT LAKES, AND ENERGY  
MARQUETTE DISTRICT OFFICE



LIESL EICHLER CLARK  
DIRECTOR

September 28, 2022

VIA EMAIL

Craig H. Cugini  
Negaunee-Ishpeming Landfill  
100 East Division Street  
Ishpeming, Michigan 49849

Dear Craig H. Cugini:

**SUBJECT: Perfluoroalkyl and Polyfluoroalkyl Substances Sample of Select Groundwater Monitoring Wells; Negaunee Ishpeming Landfill; Marquette County, Waste Data System Number 494734**

Perfluoroalkyl and Polyfluoroalkyl Substances (PFAS) are a growing environmental concern to the State of Michigan. These man-made chemicals have been widely used in industry and consumer products since the 1950's, and are most commonly associated with food packaging, non-stick coatings, plating operations, firefighting foams, and stain- and water-resistant treatments for clothing, furniture, and carpet. Due to their unique chemical properties, PFAS are very mobile in groundwater and do not readily break down.

Based on the potential for PFAS containing material to have been disposed of at the Negaunee-Ishpeming Landfill (Landfill) and combined with the facts that there is known groundwater contamination associated with the Landfill, the Department of Environment, Great Lakes, and Energy (EGLE) has determined that it is necessary to determine if PFAS contamination is present at the Landfill at levels that require further action.

To determine whether PFAS is present in concentrations of concern, EGLE is requesting that the following locations be sampled and analyzed for PFAS constituents:

Monitoring Wells:

MW-1  
MW-2  
MW-3

Sampling these locations would likely provide insight as to the potential for a PFAS plume to be associated with the Landfill.

The above-referenced sample locations should be analyzed for PFAS constituents listed in the enclosed EGLE PFAS Minimum Laboratory Analyte List. If PFAS is detected at the sample locations, it is likely that additional sampling would be required.

EGLE recently established cleanup criteria for PFAS under Part 201, Environmental Remediation of the Natural Resources and Environmental Protection Act, 1994 PA 451 as amended. Due to the extremely low laboratory method detection limits required by Part 201 PFAS cleanup criteria, special protocol needs to be followed when sampling for PFAS. Sampling guidance can be found at EGLE's website at [www.michigan.gov/pfasresponse](http://www.michigan.gov/pfasresponse), and then by clicking "Testing and Treatment," followed by "PFAS Sampling Guidance." A list of accredited laboratories capable of analyzing for the Michigan EGLE PFAS Minimum Analyte List can also be found at the website.

Please respond to this office to my attention, no later than October 28, 2022, regarding your willingness to conduct this sampling. At that time, we can discuss the need for a work plan and summary report associated with this sampling event.

As always, EGLE looks forward to a continued joint effort to protect Michigan's natural resource. If you have any questions, please feel free to contact me at the telephone number below or by email at [StantoineM@Michigan.gov](mailto:StantoineM@Michigan.gov).

Sincerely,



Mary Ann St. Antoine  
Senior Environmental Quality Analyst  
Materials Management Division  
989-370-8035

Enclosure

cc: Nate Heffron, City of Negaunee  
Gary Wommer, Negaunee Township  
Phil Roycraft, EGLE  
James Arduin, EGLE  
Amy Peterson, EGLE



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**City of Ishpeming**

**Resolution No. 15- 2022**

**RESOLUTION TO AMEND THE 2022 BUDGET IN ACCORDANCE WITH P.A. 621 OF 1978**

**WHEREAS**, budgets were adopted by the City Council to govern the receipts and expenditures of the various city funds; and

**WHEREAS**, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budgets; and

**WHEREAS**, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

**NOW, THEREFORE, BE IT RESOLVED** that the aforesaid budgets be hereby modified as described in the Appendix to this Resolution.

Upon a call of the roll, the vote was as follows:

Ayes:

Nays:

Absent:

I, Cathy Smith, City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution duly made and passed by the City Council of Ishpeming at a Regular Meeting held on December 7<sup>th</sup>, 2022, at 6:00 pm, with a quorum present.

\_\_\_\_\_  
Cathy Smith

\_\_\_\_\_  
Date

Fund 590 - SEWER FUND					
GL NUMBER	DESCRIPTION	ADOPTED BUDGET JNDER 2022	YTD EXPENDITURES 08/31/2022	2022	BUDGET
BUDGET NCREASE (DECREASE)					

**TOTAL REVENUES** 1,689,300.00 1,350,131.80 1,689,300.00 0.00

**Expenditures**

Dept 543 - CUSTOMER ACCOUNTS

590-543-964.000	REFUNDS AND REBATES	0.00	0.00	13,923.00	13,923.00
Total Dept 956 - TRANSFERS OUT			0.00	13,923.00	13,923.00

**TOTAL EXPENDITURES** 1,571,131.00 960,728.13 1,585,054.00 13,923.00

Fund 591 - WATER FUND					
GL NUMBER	DESCRIPTION	ADOPTED BUDGET JNDER 2022	YTD EXPENDITURES 08/31/2022	2022	BUDGET
BUDGET NCREASE (DECREASE)					

**TOTAL REVENUES** 2,610,590.00 2,097,904.00 2,610,590.00 0.00

**Expenditures**

Dept 542 - CUSTOMER ACCOUNTS

591-542-964.000	REFUNDS AND REBATES	0.00	0.00	18,780.00	18,780.00
Total Dept 956 - TRANSFERS OUT			0.00	18,780.00	18,780.00

**TOTAL EXPENDITURES** 2,079,600.00 1,364,405.95 2,098,380.00 18,780.00

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TILDEN TOWNSHIP  
3145 CO. RD. PG  
ISHPEMING, MI 49849

Phone: (906) 486-6580

Fax: (906) 486-6560

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November 23, 2022

Craig Cugini  
Ishpeming City Manager  
101 East Division Street  
Ishpeming, MI 49849

Dear Craig Cugini,

The Tilden Township Board has made the decision to demolish an idled pumphouse building located within your city limits. We have contracted with Moyle Trucking and Excavation to handle the project and it will be completed in the remainder of this year or next spring depending on weather conditions.

To alleviate any water supply concerns, our DPW foreman has an EGLE approved emergency backup plan to utilize an Ishpeming City hydrant located at the corner of Saginaw and Washington Streets.

If you have any concerns concerning this project, please contact our office as soon as possible.

Thank you for your attention to this matter.



Fred VanLuven  
Tilden Township Supervisor

Cc: William Anderson



## DEPARTMENT OF PUBLIC WORKS

CITY OF ISHPEMING, MICHIGAN

100 EAST DIVISION STREET

ISHPEMING, MICHIGAN 49849

906-486-9371

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**To:**

**From:** Bill Anderson, DPW General Foreman

**Date:**

**Re: Water line freeze ups**

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In accordance with Section 12-102 of Ordinance #12-100 below, the City will not be thawing the water line or allowing a let run at this property until measures are taken to prevent it from freezing. The water line at this location needs to be insulated and/or buried deeper. Please contact me at 906-250-0979 when this is completed or if you have any questions

### ORDINANCE NO. 12-100

#### Section 12-102

*(b) In the event that any user or consumer of water experiences a freeze-up of underground water lines or pipes during the winter months, the City Water Utility may provide thawing service from the water main to curb stop valve at no charge to the customer. See Annual Fee Schedule to thaw a water service from the curb stop valve to the water meter.*

*(c) No consumer, user or service receiving water from the City Water Utility shall be authorized to "let-run" the water in any property during the winter months unless written permission has been issued by the Operator in Charge.*

*Before the Operator in Charge shall issue such permission to let-run, the user or consumer shall make a request therefor and shall establish to the satisfaction of the Operator in Charge that the water lines in question cannot be prevented from freeze-up by wrapping in insulation, attachment of heat cables, or the application of any other reasonable means which the Operator in Charge may direct in an effort to alleviate a freeze-up problem. The Operator in Charge is specifically authorized to direct that the user or consumer requesting a "let-run" shall insulate the water lines or attach heat cables thereto, or take such other reasonable precautions to prevent freeze-ups, at the expense of the person requesting the "let-run".*

*The City of Ishpeming is an equal opportunity provider/employer.  
Auxiliary aids and service are available upon request to individuals with disabilities*



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**Northern Machining & Repair, Inc.**  
1701 N 26th Street - Escanaba, Michigan 49829 USA  
"We Work To Keep You Working"

# QUOTATION

(906) 786-0526 / 1-800-397-6632

Fax (906) 786-0566

[dickl@northernmachine.us](mailto:dickl@northernmachine.us)

Cell 906-280-6008

[www.northernmachining.com](http://www.northernmachining.com)

City of Ishpeming DPW  
Ishpeming, MI

Date: 11/18/22  
Quotation NO: DL111822A  
Requested Date:  
Required Delivery:

Your RFQ No:	Requested By:	Quote Prepared By	Terms	Ship Via	Purchase Order No
	Phil Cobb	Dick Liberty		TBD	-

Quantity	Description	Each	Total
1	<p>Repair of one plow bracket Replacing forward bracket for plow mount incl pk up and del.</p> <p>2-4 week lead</p> <p>#157</p> <p>Due to the volatility of the materials market. The material prices are based on the best estimate of material costs at this moment. All orders resulting from this quote will be priced at the time the order is processed.</p> <p>NOTE: Quote is subject to steel surcharge at time of order.</p>	\$ 3,401.59	\$ 3,401.59