

ISHPEMING CITY COUNCIL
Wednesday, February 7, 2024 at 6:00 p.m.
Ishpeming City Hall Council Chambers, 100 E. Division Street, Ishpeming MI
City Hall Telephone Number: (906) 485-1091

A ZOOM LINK IS AVAILABLE ON THE CITY'S WEBSITE @ WWW.ISHPEMINGCITY.ORG

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Approval of Agenda**
- 5. Public Comment** *(limit 5 minutes per person--to be used for general public comment or reserved for an agenda item)*
- 6. Consent Agenda**
 - a. Minutes of Previous Meeting (January 10th)
 - b. Approval of Disbursements
- 7. Monthly Reports from Departments**
 - a. Financial Statement Report
 - b. City Clerk Election Update
- 8. Public Hearings** - None
- 9. Unfinished Business**
 - a. Additional Information on Area South of Division (across from the High School)
- 10. New Business**
 - a. Special Event Applications
 - i. 2024 Fourth of July Festivities and Parade Permit
 - ii. Hiawathaland District Camp-o-Ree: Boy Scouts of America
 - b. Ordinance 11-700: Consideration of Sworn Statement
 - c. Resolution 2-2024, Adopt Poverty Exemption Income Guidelines and Asset Test
 - d. Proclamation: Spread Goodness Day
 - e. Renewal Proposal from HydroCorp: Cross-Connection Control Program
 - f. Proposed Policy 306: Utility Policy for Multi-unit Residential and Commercial Apartments
 - g. Authorize City Manager travel to Lansing for the Marquette County Ambassadors Spring Trip
April 15 – 18, 2024
- 11. Public Comment** *(limit 3 minutes per person)*
- 12. Mayor and Council Reports**
- 13. Manager's Report**
- 14. Adjournment**


Craig H. Cugini
City Manager

10(a)(i)



PARADE PERMIT APPLICATION FORM

I, Tia Ralda, an official representative of (Name of Organization)

Ishpeming Independence Day Committee

hereby make application to conduct a parade on (date) July 6th '24 It will begin at 10:30 a.m. and end at 12:00 p.m.

The parade will form at (location) Empire & Third St.

Line of march will be as follows (List Streets and Directions).

South on 3rd to Hemadite, West on Hemadite to Main St. South on Main St to Division, East on Division to disperse past Ishpeming H.S.

I wish to have parking restricted on the following streets: All of the streets above & Bessemer, Park, Wabash, Michigan, Maurice, Empire 2nd to 5th

I wish to have the following intersections blocked: Bessemer, Empire + Hemadite at 3rd, Main at 3rd + Division

Estimated number of units to be in the parade: 100

Equestrian (horse) units: 2(?)

Number of people provided to monitor the parade: 15

We understand that the parade route, parking restrictions, and street intersections to be blocked are subject to review and approval by officials of the City. It is also understood that the assignment of City personnel will be subject to review by the proper City officials.

I, hereby, assume full responsibility for the conduct of this parade.

Signature of Applicant: [Signature]

APPROVED BY:

Chief of Police: _____ City Clerk: _____

ORDINANCE NO. 11-700

AN ORDINANCE TO PROVIDE FOR THE METHOD FOR COMPLAINT, PROSECUTION,
TRIAL, AND CONVICTION FOR THE OFFENSE OF MISCONDUCT IN OFFICE

THE CITY OF ISHPEMING ORDAINS:

Section 11-701 - Definitions.

- (a) As used in this Ordinance, the term "officer" shall include the City Manager, City Clerk, City Treasurer, City Assessor, City Attorney, City Engineer, Chief of Police, Chief of the Fire Department, and every member of the City Council.
- (b) As used in this Ordinance, the term "misconduct in office" shall include all offenses defined in the Charter of the City of Ishpeming as being misconduct in office.

Section 11-702 - Charges. If any person claims that any officer of the City of Ishpeming is guilty of a misconduct in office, such person shall have the right to sign a statement under oath, setting forth specifically and in detail the acts complained of and identifying with particularity the officer complained against. Such written statement shall be known as the charges, and such charges shall be filed with the City Clerk, unless the City Clerk is complained against, in which event the charges shall be filed with the City Manager. The officer with whom the charges are filed shall make a record of the time and place of the filing thereof.

Section 11-703 - Processing of Charges. The City Clerk, or the City Manager, as the case may be, shall cause a copy of the charges to be personally served forthwith upon the officer against whom complaint has been made, and shall also cause a copy of the charges to be served forthwith upon all members of the City Council.

The charges shall be placed on the agenda for consideration at the next regular Council meeting, or shall be considered at a special meeting if one is called.

The City Council shall review the charges at the Council meeting and shall give the officer complained against an opportunity to refute or controvert the charges.

If the City Council, by a majority vote, determines that the charges are frivolous, unwarranted, without merit, or unfounded, it shall dismiss the charges and cause the person who filed the charges to be informed thereof. If the City Council, by a majority vote, determines that the charges may have merit, it shall set a hearing date thereon, which hearing date shall be not less than 10 days nor more than 30 days thereafter.

Section 11-704 - Hearing. The hearing shall be held in the regular Council chambers, and shall be a public hearing. The City Council shall secure the services of a certified court reporter and shall cause a full, complete and accurate transcript of the proceedings to be made.

The City Council shall act as a quasi-judicial tribunal and shall hear the evidence adduced by the person who filed the charges. In hearing the evidence, the City Council shall not be bound by the strict rules of evidence, but may admit and give probative effect to evidence of a type commonly relied upon by reasonably prudent men in the conduct of their affairs. Irrelevant, immaterial or unduly repetitious evidence may be excluded.

The hearing shall commence with evidence presented by the person who filed the charges.

At the completion of the proofs of the charging party, the officer charged shall have an opportunity to present his case. All testimony taken shall be under oath.

The officer shall be entitled to counsel at the hearing, and he shall have the right of cross-examination; the charging party shall have the same rights.

The charging party and the officer charged shall be entitled to compulsory process for the attendance of witnesses and the production of documents. Any party wishing to avail himself of compulsory process shall apply to the Mayor therefor, and the Mayor shall issue such subpoenas as may be necessary in the name of the City Council.

At the conclusion of the hearing, both sides shall have the opportunity to present oral arguments to the City Council.

Upon completion of all proofs, the City Council shall determine whether the charges have been proven by a preponderance of the evidence; provided, however, that in the event that a Councilman is complained against, it shall require the affirmative vote of two-thirds (2/3) of all of the Councilmen elect to sustain the charges, and in all other cases, it shall require the affirmative vote of a majority of the Councilmen elect to sustain the charges.

Section 11-705 - Disposition. If the charges are sustained by the City Council, the officer complained against shall be immediately advised thereof, his office shall be forfeited, and a successor shall be selected in the manner provided by law.

If the charges are dismissed, the charging party and the officer complained against shall be immediately advised thereof.

Irrespective of the disposition of the charges, a transcript of the hearing shall be prepared and the original thereof shall be filed with the City Clerk.

Section 11-706 - Miscellaneous Provisions. If any charges are filed, it shall be the duty of the City Attorney to advise the City Council with respect thereto. The City Attorney shall not represent either the charging party or the officer complained against, but he shall not be otherwise disqualified from examining or cross-examining any witness at the hearing.

Section 11-707. This Ordinance shall become effective upon legal publication.

Adopted: November 6, 1974

City of Ishpeming Resolution #2-2024

10c

Resolution to Adopt Poverty Exemption Income Guidelines and Asset Test

WHEREAS, the homestead of persons who, in the judgment of the Assessor and Board of Review, by reason of poverty, are unable to contribute to the public charges is eligible for exemption in whole or part from taxation under the General Property Tax Act; and

WHEREAS, the City Council is required by Section 7u of the General Property Tax Act, Public Act 206 of 1893 (MCL 211.7u), to adopt guidelines for poverty exemptions;

NOW, THEREFORE, BE IT HEREBY RESOLVED, pursuant to MCL 211.7u, that the City of Ishpeming, Marquette County, adopts the following guidelines for the Assessor and Board of Review to implement.

The guidelines shall include but not be limited to the specific income and asset levels of the claimant and all persons residing in the household, including any property tax credit returns, filed in the current or immediately preceding year.

To be eligible, a person shall do all the following on an annual basis

- 1) Be an owner of and occupy as a homestead the property for which an exemption is requested.
2) File a claim with the Assessor or Board of Review, accompanied by federal and state income tax returns for all persons residing in the homestead, including any property tax credit returns filed in the immediately preceding year or in the current year.
3) Produce a valid drivers' license or other form of identification if requested.
4) Produce a deed, land contract, or other evidence of ownership of the property for which an exemption is requested if requested.
5) Meet the federal poverty income guidelines as defined and determined annually by the United States Office of Management and Budget as attached.
6) Meet additional eligibility requirements as determined by the City Council, including maximum asset value and asset test policies as attached.

BE IT ALSO RESOLVED that the Board of Review shall follow the above stated policy and federal guidelines in granting or denying an exemption, unless the Board of Review determines there are substantial and compelling reasons why there should be a deviation from the policy and federal guidelines and these are communicated in writing to the claimant.

The foregoing resolution offered by _____ and seconded by _____.

Ayes: .

Nays:

Excused:

I, Cathy Smith the duly appointed City Clerk of the City of Ishpeming hereby certify that the foregoing resolution was adopted by the City Council of said City at the regular meeting held on February 7, 2024, at which meeting a quorum was present.

Cathy Smith, City Clerk

Date February 7, 2024

POVERTY EXEMPTION INFORMATION: MCL 211.7u (1) The principal residence of persons who, in the judgement of the Assessor and Board of Review, by reason

POVERTY INCOME GUIDELINES

How much income a person can receive per year and be eligible for the Poverty Exemption

2024 Federal Poverty Income Guidelines

Size of Family/Household	Maximum Total Income
1	\$14,580
2	\$19,720
3	\$24,860
4	\$30,000
5	\$35,140
6	\$40,280
7	\$45,420
8	\$50,560
Additional Person	\$5,140

According to the U.S. Census Bureau, "income" includes:

- Money, wages, and salaries before any deductions, regular contributions from persons not living in the residence
- Net receipts from nonfarm or farm self-employment (receipts from a person's own business, professional enterprise, or partnership, after business expense deductions).
- Regular payments from social security, railroad retirement, unemployment, worker's compensation, veteran's payments, public assistance, supplemental security income (SSI).
- Alimony, child support, military family allotments.
- Private and governmental retirement and disability pensions, regular insurance, annuity payments.
- College and university scholarships, grants, fellowships, assistantships.
- Dividends, interest, net income from rentals, royalties, estates, trusts, gambling or lottery winnings.

Total value of assets cannot exceed \$15,000.

ASSET TEST

(IF THE APPLICANT MEETS THE POVERTY INCOME GUIDELINES)

Things of value that the Board of Review may consider in determining asset value:

- A second home, land, vehicles
- Recreational vehicles (campers, motor homes, boats, ATV's, etc)
- Buildings other than the residence
- Jewelry, antiques, artwork
- Equipment, other personal property of value
- Bank accounts (over a specified amount), stocks
- Money received from the sale of property such as stocks, bonds, a house, or a car (unless a person is in the business of selling such property).
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments.
- Food or housing received in lieu of wages and the value of food and fuel produced and consumed on farms.
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps, and school lunches.

10(e)

PROPOSAL

DEVELOPED FOR

Craig H. Cugini

City of Ishpeming

100 Division Street
Ishpeming, MI 49849

January 30, 2024

KEEPING DRINKING WATER SAFE FOR INDUSTRIES AND MUNICIPALITIES

For over 30 years, HydroCorp™ has been dedicated to safe drinking water for companies and communities across North America. Fortune 500 firms, metropolitan centers, utilities, small towns and businesses – all rely on HydroCorp to protect their water systems, averting backflow contamination and the acute health risks and financial liabilities it incurs.

HYDR  **CORP.**
THE SAFE WATER AUTHORITY.

CROSS-CONNECTION CONTROL / BACKFLOW PREVENTION

WATER SYSTEM SURVEYS / AUDITS

PIPE SYSTEM MAPPING AND LABELING

WATER SAMPLING AND ANALYSIS / RISK ASSESSMENTS

PROGRAM AND PROJECT MANAGEMENT

COMPLIANCE ASSISTANCE / DOCUMENTATION



MICHIGAN CORPORATE OFFICE
5700 Crooks Road, Suite 100
Troy, MI 48098
800.690.6651 TOLL FREE
248.250.5000 PHONE
248.786.1788 FAX GENERAL
info@hydrocorpinc.com EMAIL

SCOPE OF WORK

Based on our conversations, HydroCorp™ will provide the following services to the City of Ishpeming. This project is a continued effort for an ongoing Cross-Connection Control Program and will provide the City with the necessary data and information to maintain compliance with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Water Bureau Cross Connection Control Regulations. Once this project has been approved and accepted by the City and HydroCorp, you may expect completion of the following elements within a two (2) year period. The components of the project include:

1. Annually, perform a minimum of 70 initial inspections, compliance inspections, and re-inspections at individual industrial, commercial, institutional facilities and miscellaneous water users within the City of Ishpeming served by the public water supply for cross-connections. Inspections will be conducted in accordance with the EGLE Water Bureau Cross Connection Control regulations.
2. Generate all backflow prevention assembly test notices, non-compliance notices and coordinate/monitor backflow prevention assembly testing compliance for all backflow prevention assemblies.
3. Perform administrative functions including: answering water user telephone calls, scheduling of inspections, mailing of all notices, verification of backflow prevention assembly tester credentials & proper testing results, and general customer service and program education inquiries.
4. Generate and document the required program data for the facilities using the HydroCorp Software Data Management Program.
5. Submit comprehensive management reports on a quarterly basis.
6. Conduct an annual review meeting to discuss the overall program status and recommendations.
7. Provide up to six- (6) ASSE-approved hose bibb vacuum breakers or anti-frost hose bibb vacuum breakers (i.e., combination) per facility as required in order to place a facility into immediate compliance at the time of inspection.
8. Prepare the annual State of Michigan EGLE Water Bureau Cross Connection Report.
9. Assist the City with a community-wide public relations program, including general awareness brochures and customized website cross-connection control program overview content and resources.
10. Provide ongoing support via phone, fax, internet, text or email.

The above services will be provided for:

Monthly Amount: \$790.00	Annual Amount: \$ 9,480.00	Contract Total: \$ 18,960.00
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Contract Amount is based upon a 24-month period. HydroCorp will invoice in 24 equal amounts of \$790.00.

(off)

Policy #306

Date Adopted _____

UTILITY POLICY FOR MULTI- UNIT RESIDENTIAL PROPERTIES & COMMERCIAL APARTMENTS

All new accounts for residential properties and commercial apartments will be held in the owner's name. For existing accounts this change will be prompted at the time a unit changes renters or occupants. The City will continue to collect information on the current occupants such as name and contact information when provided. Any resident or occupant may make payments on a utility account in person, online, or by mail regardless of account ownership.

Shut-off notices will be sent to the same address as the monthly bills, be that the service address or mailing address of the owner.

The number of meters installed after 2/8/2024 on any residential property shall not exceed the number of water stops (shut-off points). Likewise, the number of billing accounts for a residential property shall not exceed the number of meters and therefore stops. For example, a duplex with one water stop and two meters slated for replacement will be provided with one new meter to service the property for which an account will be opened in the name of the property owner. The use of additional meters to track flow to units is permitted at the owner's expense provided they are installed downline from the City's meter. The City will not be responsible for tracking the usage or calculating bills for different units.

Proposed