

**CITY OF MENOMINEE, MICHIGAN
MENOMINEE CITY COUNCIL AGENDA FOR
TUESDAY, FEBRUARY 16, 2021 at 6:00 P.M.
COUNCIL CHAMBERS – 2511 10th STREET - AND ELECTRONICALLY**

A) CALL THE MEETING TO ORDER.

B) ROLL CALL.

C) APPROVAL OF MEETING AGENDA.

D) MINUTES OF PREVIOUS MEETINGS.

- 1) Regular meeting of January 18, 2021.

E) COMMUNICATIONS.

F) PUBLIC HEARINGS.

G) PUBLIC COMMENT.

- 1) This public comment session is intended for statements, not debate, limited to three minutes per person *on agenda items only*. Please be prepared to state your name and address before speaking.

H) REPORTS OF OFFICERS.

- 1) Mayor Stegeman's "State of the City" address.
- 2) Mayor Stegeman's appointment of Wendy Baron to the Downtown Development Authority filling a vacancy with her term to expire January 25, 2024.
- 3) City Manager's report.

I) REPORTS OF BOARDS, COMMISSIONS, AND STANDING COMMITTEES.

- 1) The Water and Wastewater Utility Board on awarding the WWTP Primary Sludge Pump contract.
- 2) The Finance Committee on a payment to the Emergency Rescue Squad.
- 3) The Public Safety/Public Works Committee on purchasing portable radios for the Fire Department.
- 4) The Public Safety/Public Works Committee on updating the lighting system on the radio tower.

J) MISCELLANEOUS.

K) MOTIONS AND RESOLUTIONS.

- 1) Revised poverty exemption resolution.
- 2) Resolution regarding written Board of Review appeals.

L) PUBLIC COMMENT.

- 1) This public comment session is *not limited to agenda items*. It is intended for statements, not debate, limited to three minutes per person. Please be prepared to state your name and address before speaking.

M) ADJOURN.

Electronic Remote Access Information:

Call in # 312-626-6799 Enter Meeting ID: 885 5099 7115 Press #

Requests from individuals with disabilities who need special accommodations to participate in this meeting or hearing should be made to the City Clerk's Office at 1-906-863-2656 with as much advanced notice prior to the meeting as possible.

The City of Menominee is an Equal Opportunity Provider and Employer



**CITY OF MENOMINEE, MICHIGAN
REGULAR COUNCIL PROCEEDINGS
JANUARY 18, 2021**

A regular meeting of the Menominee City Council, City of Menominee, County of Menominee, State of Michigan, was held on Monday, January 18, 2021 electronically.

The Honorable Jean Stegeman called the meeting to order at 6:00 p.m.

PRESENT: Council Members Fifarek (remotely), Jones (remotely), Klitzke (remotely), Nelson (remotely), Nutter (remotely), Plemel (remotely), Pohlmann (remotely), and Robinson (remotely); Mayor Stegeman (remotely)
ABSENT: None

PRESENT: 9 ABSENT: 0

A motion was made by Council Member Plemel and seconded by Council Member Fifarek to add the recommendation from the Finance Committee on amending the Poverty Exemption Policy to the agenda and to approve the amended agenda for the meeting dated January 12, 2021. This motion was carried unanimously.

A motion was made by Mayor Stegeman Jones and seconded by Council Member Plemel to amend the minutes of the regular meeting of December 21, 2020 to include Mayor Stegeman's objection to the process used by the City Manager to determine the starting salary for the new Library Director.

AYES: Stegeman, Plemel, Fifarek, Jones, Klitzke, Nelson, and Nutter
NAYS: Pohlmann and Robinson

This motion was carried.

PUBLIC COMMENT:

Mayor Stegeman opened the public comment session that was called for the purpose of hearing citizen comments on agenda items only.

Oral comments were heard from Joe Dulak, Myron Berry, Derrick Schultz, Rita Tsalyuk, and Nancy Douglas. Written comments from Scott Nerat were received.

A motion was made by Council Member Plemel and seconded by Council Member Robinson to close public comment. This motion was carried unanimously.

REPORTS OF OFFICERS:

A report was heard from City Engineer, Director of Public Works Tricia Alwin.

COMMITTEE REPORT:

At a January 18, 2021 meeting, the Finance Committee discussed the need to update the Poverty Exemption Policy and they recommended to City Council that Council approve and adopt Resolution 2021-002 and the application for poverty exemptions.

FINANCE COMMITTEE

A motion was made by Council Member Pohlmann and seconded by Council Member Fifarek to adopt the recommendation.

AYES: Pohlmann, Fifarek, Jones, Klitzke, Nelson, Nutter, Plemel, Robinson, and Stegeman
NAYS: None

This motion was carried unanimously.

The resolution and application are as follows:

RESOLUTION #2021-002
CITY OF MENOMINEE RESOLUTION FOR 2021 POVERTY EXEMPTION
GUIDELINES

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City of Menominee City Council; and

WHEREAS, the principal residence of persons, who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Menominee City Council, Menominee County adopts the following guidelines for the 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. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. All other assets above that should be considered available; and

WHEREAS, the City shall follow the federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The following are the 2021 federal poverty income guidelines:

Size of Family Unit	2021 Poverty Guidelines
1	\$ 12,760
2	\$ 17,240
3	\$ 21,720
4	\$ 26,200
5	\$ 30,680
6	\$ 35,160
7	\$ 39,640
8	\$ 44,120
For each additional person	\$ 4,480

The annual allowable income includes income for all persons residing in the principal residence.

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

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.

2) File an application with the assessor or Board of Review, accompanied by required supporting documents and federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year for verification purposes.

3) File a claim reporting that the combined assets of all persons within the household do not exceed the asset threshold of \$ 25,000. Assets include but are not limited to:

- Ownership interest in a second home, land, vehicles
- Recreational vehicles such as campers, motor-homes, boats and ATV's
- Buildings other than the residence
- Jewelry, antiques, artworks
- Equipment, other personal property of value
- Financial institution accounts over \$2,000
- Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments
- Lottery and/or gambling winnings
- Food or housing received in lieu of wages
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

4) Produce a valid driver's license or other form of identification if requested.

5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.

6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services.

7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

WHEREAS, MCL 211.7u(1) allows for partial poverty exemptions to be granted, the following exemption percentage guidelines shall be used by the Board of Review.

- Year 1: 80%
- Year 2: 70%
- Year 3: 60%
- Year 4: 50%
- Year 5 & subsequent years: 40%

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

**2021
CITY OF MENOMINEE
POVERTY EXEMPTION APPLICATION**

I, _____, Petitioner, being the owner and residing at the property that is listed below as my principal residence, apply for property tax relief under MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893. The principal residence of the persons who, by reason of poverty are unable to contribute toward the public charges is eligible for exemption in whole or in part from taxation per MCL 211.7u(1).

Notice: Any willful misstatements or misrepresentations made on this form may constitute perjury, which, under the law, is a felony punishable by fine or imprisonment.

Notice: Per MCL 211.7u(2b), a copy of ALL household members federal income tax returns, state income tax returns (MI-1040) for the current and prior year and Homestead Property Tax Credit claims (MI-1040CR 1,2,3, or 4) must be attached as proof of income or a signed Form 4988, *Poverty Exemption Affidavit*. For verification purposes documentation for all income sources, including, but not limited to, credits, claims, Social Security income, child support, alimony income, and all other income sources must be provided at time of application.

Notice: Submitted incomplete applications will result in denial of the exemption application. In order to be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding ALL members residing within the household, and 3) include ALL required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

Notice: The Petitioner is required to be available to the Board of Review by phone or in-person subject to STC and/or DHHS direction. In-person Covid-19 protocol shall be followed with mask and social distancing required. Contact Assessor Peg Bastien at 863-1758 for an appointment. Failure to appear or answer phone at appointment time will result in denial of the poverty exemption.

PERSONAL INFORMATION: Petitioner must list all required personal information.

Property Address of Principal Residence:	Daytime Phone Number:
Age of Petitioner: Age of Spouse:	Marital Status:
Number of Legal Dependents:	Age of Dependents:
Applied for Homestead Property Tax Credit (yes or no):	Amount of Homestead Property Tax Credit:

REAL ESTATE INFORMATION: List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.

Property Parcel/ID Code Number: 051- - -	Name of Mortgage Company:
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Unpaid Balance Owed on Principal Residence & Monthly Payment:	Length of Time at This Residence:
Property Legal Description:	

LIST ALL PERSONS LIVING IN HOUSEHOLD: All persons residing in the residence must be listed.

First & Last Name	Age	Relationship to Petitioner	Place of Employment	Amount of Monetary Contribution to Family Income

ADDITIONAL PROPERTY INFORMATION: List information related to any other property you, or any member residing in the household owns or are joint owner, tenant in common, or have any other ownership interests.

Do you own, or are buying, other property (yes or no)? If yes, complete the information below.		Amount of Income Earned from Other Property:	
Property Address	Name of Owner(s)	Assessed Value	Amount & Date of Last Taxes Paid
		\$	
		\$	

EMPLOYMENT INFORMATION: List your current employment information.

Name of Employer:	Name of Contact Person:
Address of Employer:	Employer Phone Number:

INCOME SOURCE(S): List all income sources, including, but not limited to: money, wages/salaries before deductions, Social Security, rents, pensions, IRA's (individual retirement accounts), unemployment compensation, disability, public assistances, government pensions, worker's compensation, dividends, interest, net income from rentals, royalties, estates, trusts, claims and judgements from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, gambling, lottery winnings, or any other source of income, for all persons residing at the property. Monthly statements for the past six months for each income source must be attached. Indicate N/A as necessary.

Source of Income	Monthly or Annual Income (indicate which)

CHECKING, SAVINGS AND INVESTMENT INFORMATION: List any and all savings owned by all household members, including, but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property. Indicate N/A as necessary.

Name of Financial Institutions or Investments	Amount on Deposit	Current Interest Rate	Name on Account	Value of Investment

PERSONAL DEBT: All personal debt for all household members must be listed. Indicate N/A as necessary.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balanced Owed

LIFE INSURANCE: List all policies held by all household members. Indicate N/A as necessary.

Name of Insured	Amount of Policy	Monthly Payment	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

MOTOR VEHICLE INFORMATION: All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed. Indicate N/A as necessary.

Year	Monthly Payment	Balance Owed

2021 ASSET CLAIM

Name _____

Address: _____

ASSET	YES or NO	VALUE
Second Home		
Land		
Vehicles		
Camper		
Motor-home		
Boat		
ATV		
Buildings (other than residence)		
Jewelry		
Antiques		
Artworks		
Equipment/Tools (other personal property of value)		
Business Interests		
Bank Accounts		
Money received from sale of property, such as stocks, bonds, a house or car		
Withdrawals of bank deposits & borrowed money		
Gifts, loans, lump-sum inheritances, one-time insurance payments		
Food or housing received in lieu of wages		
Federal/State non-cash benefits such as Medicare, Medicaid, food assistance & school meals		
Other:		
Other:		
Other:		
Other:		
Other:		
Other:		

Applicant Signature _____

Date _____

MONTHLY EXPENSE INFORMATION: The amount of monthly expenses related to the principal residence for each category must be listed. Monthly statements for the past six months for each expense must be attached. Indicate N/A as necessary.

Heating:	Electric:	Water:
Phone:	Cable:	Internet:
Food:	Clothing:	Garbage:
Health Insurance:	Daycare:	Car Expense (gas, repair, etc.)
Storage:	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):
Other (list type):	Other (list type):	Other (list type):

Petitioners: **DO NOT SIGN** this application until witnessed by the Assessor, Board of Review or Notary Public. (Must be signed by either the Assessor, Board of Review Member or Notary Public.)

STATE OF MICHIGAN
COUNTY OF MENOMINEE

I, the undersigned Petitioner, hereby declare that the foregoing information is complete and true and that neither I, nor any household member residing within the principal residence, have money, income or property other than mentioned herein.

Petitioner Signature _____

Date _____

Subscribed and sworn this _____ day of _____, 2021

Assessor Signature: _____ Printed Name: _____

BOR Member Signature: _____ Printed Name: _____

Notary Signature: _____ Printed Name: _____

My Commission Expires: _____

This application shall be filed after January 1, but before the day prior to the last day of the December Board of Review to the address below.

Board of Review c/o City Assessor City of Menominee 2511 10th Street Menominee, MI 49858

DECISIONS OF THE MARCH BOARD OF REVIEW MAY BE APPEALED BY PETITION TO THE MICHIGAN TAX TRIBUNAL BY JULY 31 OF THE CURRENT YEAR. JULY OR DECEMBER BOARD OF REVIEW DENIALS MAY BE APPEALED TO MICHIGAN TAX TRIBUNAL BY PETITION WITHIN 35 DAYS OF THE DENIAL. A COPY OF THE BOARD OF REVIEW DECISION MUST BE INCLUDED WITH THE PETITION.

Michigan Tax Tribunal PO Box 30232 Lansing, MI 48909 Phone: 517-373-4400
E-mail: taxtrib@michigan.gov

MOTIONS AND RESOLUTIONS:

The following resolution was presented for consideration next:

Resolution #2021-001
CITY OF MENOMINEE
FIVE-YEAR PARKS AND RECREATION PLAN
RESOLUTION OF ADOPTION

WHEREAS, the City of Menominee Council has reviewed the *City of Menominee Five-Year Parks and Recreation Plan, 2020-2025*, which recognizes various City needs; and

WHEREAS, the City of Menominee Council has accepted the new development schedule that proposes a variety of improvements including but not limited to upgrades to the River Park Campground, Water Tower Park improvements, Reindl West End Park recreational play equipment upgrades, and Duby Park facility use improvements along with upgrades to the recreational play equipment and parking; and

WHEREAS, a five-year recreation plan is required to be eligible to apply for recreation grants administered by the Michigan Department of Natural Resources; and

WHEREAS, the City of Menominee Council held a public meeting on December 21, 2020 to accept public comment regarding the *City of Menominee Five-Year Parks and Recreation Plan, 2020-2025*; and

WHEREAS, during a public meeting, the City of Menominee Council voted to adopt the *City of Menominee Five-Year Parks and Recreation Plan, 2020-2025*;

NOW, THEREFORE IT BE RESOLVED, that the City of Menominee Council adopts the *City of Menominee Five-Year Parks and Recreation Plan, 2020-2025* as its official recreation planning document.

A motion was made by Council Member Nelson and seconded by Council Member Jones to adopt the resolution.

AYES: Nelson, Jones, Fifarek, Klitzke, Nelson, Plemel, Pohlmann, Robinson, and Stegeman

NAYS: None

This motion was carried unanimously.

The next item on the agenda was the following ordinance:

MARIHUANA ESTABLISHMENTS ZONING ORDINANCE

ORDINANCE NO.

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF MENOMINEE TO ALLOW FOR VARIOUS TYPES OF LICENSED MARIHUANA ESTABLISHMENTS AS USES PERMITTED BY RIGHT AND USES PERMITTED BY SPECIAL USE PERMITS WITHIN CERTAIN ZONING DISTRICTS IN THE CITY, AND TO ESTABLISH STANDARDS AND REQUIREMENTS FOR THE APPROVAL AND OPERATION OF SUCH ESTABLISHMENTS AS

AUTHORIZED PURSUANT TO ORDINANCE NO. _____ OF THE CITY OF MENOMINEE AND THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT; AND TO AMEND CERTAIN PROVISIONS OF THE SPECIAL LAND USE APPROVAL PROCESS FOR MARIHUANA ESTABLISHMENTS AND MEDICAL MARIHUANA FACILITIES.

THE CITY OF MENOMINEE ORDAINS THAT:

Section 109-1 of the Menominee City Code is hereby amended to amend and add the following definitions:

MARIHUANA means that term as defined in: the Public Health Code, MCL 333.1101, et seq.; the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq.; the Michigan Medical Marihuana Act, MCL 333.26421, et seq.; the Medical Marihuana Facilities Licensing Act, MCL 333.27101, et seq.; and the Marihuana Tracking Act, MCL 333.27901, et seq.

MARIHUANA ACCESSORIES mean that term as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.26421, et seq.

MARIHUANA CONCENTRATE means that term as defined in the Michigan Regulation and Taxation of Marihuana Act, MCL 333.26421, et seq.

MARIHUANA ESTABLISHMENT means an enterprise at a specific location at which a licensee is licensed to operate under the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27901, et seq., and under the City of Menominee's Marihuana Establishments Ordinance, including a marihuana grower establishment, marihuana safety compliance facility establishment, marihuana processor establishment, , marihuana retailer establishment, marihuana secure transporter establishment, or any other marihuana-related business licensed by the Michigan Department of Licensing and Regulatory Affairs under the Michigan Regulation and Taxation of Marihuana Act and by the City of Menominee under the City's Marihuana Establishments Ordinance.

MARIHUANA ESTABLISHMENT LICENSEE means a person or legal entity holding a state operating license issued under the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27901, et seq., and a license issued by the City of Menominee pursuant to its Marihuana Establishments Ordinance.

MARIHUANA FACILITY means an enterprise at a specific location at which a licensee is licensed to operate under the Michigan Medical Marihuana Facilities Licensing Act , MCL 333.27101, et seq., and under the City of Menominee's Medical Marihuana Facilities Ordinance, including a marihuana grower facility, marihuana processor facility, marihuana provisioning center facility, marihuana secure transporter facility, or marihuana safety compliance facility. The term does not include or apply to a "primary caregiver" or "caregiver" as that term is defined in the Michigan Medical Marihuana Act, MCL 333.26421, et seq.

MARIHUANA FACILITY LICENSEE means a person or legal entity holding a state operating license issued under the Michigan Medical Marihuana Facilities Licensing Act, MCL 333.27101, et seq, and a license issued by the City of Menominee pursuant to its Medical Marihuana Facilities Ordinance.

MARIHUANA GROWER ESTABLISHMENT means a marihuana establishment licensee licensed under the City's Marihuana Establishments Ordinance and under the Michigan Regulation and Taxation of Marihuana Act, MCL 333.27951, et seq., that is a commercial entity located in this state that cultivates marihuana and sells or otherwise transfers marihuana to marihuana establishments pursuant to the Ordinance and the Act.

MARIHUANA GROWER FACILITY means a marihuana facility licensee licensed under the City's Medical Marihuana Facilities Ordinance and under the Michigan Medical Marihuana Facilities Licensing Act that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center.

MARIHUANA-INFUSED PRODUCT means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana and other ingredients as defined in Section 3(j) of the Michigan Regulation and Taxation of Marihuana Act and in Section 102(l) of the Michigan Medical Marihuana Facilities Licensing Act. Marihuana-infused product shall not be considered a food for purposes of the food law, 2000 PA 92, MCL 289.1101 to 289.8111.

MARIHUANA MICROBUSINESS means a marihuana establishment licensee licensed under the City's Marihuana Establishments Ordinance and under the Michigan Regulation and Taxation of Marihuana Act to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility establishment, but not to other marihuana establishments.

MARIHUANA OUTDOOR PRODUCTION means growing marihuana in an expanse of open or cleared ground or in a greenhouse, hoop house, or similar non-rigid structure that does not utilize any artificial lighting, including, but not limited to, electrical lighting sources.

MARIHUANA PROCESSOR ESTABLISHMENT means a marihuana establishment licensee licensed under the City's Marihuana Establishments Ordinance and under the Michigan Regulation and Taxation of Marihuana Act to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

MARIHUANA PROCESSOR FACILITY means a marihuana facility licensee licensed under the City's Medical Marihuana Facilities Ordinance and under the Michigan Medical Marihuana Facilities Licensing Act that is a commercial entity located in this state that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a marihuana provisioning center.

MARIHUANA PROVISIONING CENTER means a marihuana facility licensee licensed under the City's Medical Marihuana Facilities Ordinance and under the Michigan Medical Marihuana Facilities Licensing Act that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana 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 through the department's marihuana registration process in accordance with the Michigan Medical Marihuana Act, MCL 333.26421, et seq., is not a provisioning center for purposes of this chapter.

MARIHUANA RETAILER means a marihuana establishment licensee licensed under the City's Marihuana Establishments Ordinance and under the Michigan Regulation and Taxation of Marihuana Act to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

MARIHUANA SAFETY COMPLIANCE FACILITY means a marihuana facility licensee licensed under the City's Medical Marihuana Facilities Ordinance and under the Michigan Medical Marihuana Facilities Licensing Act that is a commercial entity that receives marihuana from a marihuana facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the marihuana facility.

MARIHUANA SAFETY COMPLIANCE FACILITY ESTABLISHMENT means a marihuana establishment licensee licensed under the City's Marihuana Establishments Ordinance and under the Michigan Regulation and Taxation of Marihuana Act to test marihuana, including certification for potency and the presence of contaminants.

MARIHUANA SECURE TRANSPORTER ESTABLISHMENT means a marihuana establishment licensee licensed under the City's Marihuana Establishments Ordinance and under the Michigan Regulation and Taxation of Marihuana Act to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

MARIHUANA SECURE TRANSPORTER FACILITY means a marihuana facility licensee licensed under the City's Medical Marihuana Facilities Ordinance and under the Michigan Medical Marihuana Facilities Licensing Act that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

SECURITY PLAN means a plan for preventing unauthorized access to, or theft and pilferage from, a marihuana facility, approved for operation in the City of Menominee.

Section 109-189 of the Menominee City Code is hereby amended to add subsection (c), providing as follows:

(c) In addition to the requirements provided for in subsections (a) and (b) above, site plans submitted for a marihuana facility under the City's Medical Marihuana Facilities Ordinance or a marihuana establishment under the City's Marihuana Establishments Ordinance must meet the following minimum requirements:

(a) For all marihuana facilities and marihuana establishments:

i. Maintain a minimum 300-foot setback from all school, day care, child care, and playground properties. "Playground properties" means that area owned, leased, rented and/or operated by the City, where the City has established, installed or provided recreational facilities, including, by way of description, but not limitation, swings, slides, water fountains, teeter totters, jungle gyms and sand boxes. A playground may or may not be fenced in. "Playground properties" does not include that area used for baseball diamonds, soccer fields, football fields, etc., unless those properties are owned or occupied by any school.

ii. Except for marihuana provisioning centers or marihuana retailers, a six (6) foot tall perimeter fence, though fencing requirements may be included as part of the special use permit requirements for marihuana provisioning centers or marihuana retailers where they are located on property adjacent to residential property or where it is otherwise deemed appropriate due to the location of the property.

iii. A satisfactory exterior lighting system.

iv. A satisfactory building security system.

v. A satisfactory on-site security guard program.

vi. An off-site official contact list.

vii. Established hours of operation.

viii. Appropriate signage. No pictures or drawings depicting marihuana or any marihuana paraphernalia shall appear on the outside of the premises, or shall be visible from outside the premises. The words "marihuana," "cannabis" and any words used or intended to be used to convey the presence of marihuana shall not appear on the outside of the premises per state law. Marihuana products must not be marketed or advertised to minors aged 17 years or younger. Any signage targeting minors are prohibited.

ix. A plan for facility inspection by the City, which shall include no less than an annual comprehensive fire and security inspection.

x. A security plan approved by the State of Michigan or City Police Department.

xi. All waste and by-products must be securely stored in a locked and enclosed space.

xii. Co-location and stacking of marihuana facility or marihuana establishment licenses as permitted by applicable ordinance and state law, shall be permitted up to, but not beyond, any applicable lot coverage limitations set forth in this Chapter.

xiii. Such other conditions as may be suitable for the particular license, or facility to be operated by the marihuana facility or marihuana establishment licensee.

xiv. No outdoor grow facilities or establishments will be allowed

(b) For a marihuana grower facility or marihuana grower establishment, in addition to all other applicable requirements:

i. The odor must be managed at the site and by the installation of a suitable operable filtration system connected to appropriate ventilation and exhaust equipment, and odors must otherwise be effectively confined to the interior of the building from which the odor is generated.

ii. For a facility using artificial light for night time growing periods, a plan satisfactorily demonstrating that the marihuana facility or marihuana establishment licensee can contain all artificial light within the interior space of the facility.

(c) For a marihuana processor facility or a marihuana processor establishment, in addition to all other applicable requirements:

i. The odor must be managed at the site and by the installation of a suitable operable filtration system connected to appropriate ventilation and exhaust equipment, and odors must otherwise be effectively confined to the interior of the building from which the odor is generated.

ii. No marihuana shall be manufactured or processed in any manner that would create excessive noise beyond the interior of the structure if occupants of adjoining structures or properties may be disturbed by said noise.

iii. For a facility using artificial light for night time operations, a plan satisfactorily demonstrating that the marihuana facility licensee can contain all artificial light within the interior space of the facility.

(d) For a marihuana provisioning center or a marihuana retailer, in addition to all other applicable requirements:

i. The odor must be managed at the site and by the installation of a suitable operable filtration system connected to appropriate ventilation and exhaust equipment, and odors must otherwise be effectively confined to the interior of the building from which the odor is generated. This Ordinance shall take effect ten (10) days after publication, as provided by City Charter.

Section 109-332. – C-1, General Business District, of the Menominee City Code is hereby amended to provide as follows:

(a) *Scope, intent and purpose.* The provisions of this section apply to the C-1 district. The general business district encompasses the majority of the City's commercial districts and is intended to include a broad range of enterprises from the small commercial establishments and professional offices to neighborhood shopping centers to strict commercial development to shopping centers and malls. Parcels included in this district should be situated on either arterial or collector streets and be developed as not to harm adjoining residential areas. Small scaled uses are permitted by right while larger developments require a special use permit.

(1) *Uses permitted by right.*

- a. Retail greenhouses and nurseries.
- b. Veterinary hospitals.
- c. Automobile parts and tires.
- d. Convenience retail.

- e. General retail.
- f. Medical services.
- g. Banks and other financial institutions.
- h. Miscellaneous business service establishments.
- i. Funeral homes.
- j. Laundromats and dry cleaners.
- k. Motels and hotels.
- l. Office establishments.
- m. Indoor theaters.
- n. Pool halls, video arcades, bowling alleys, dance halls and similar uses.
- o. Restaurants and taverns.
- p. Rapid printing establishments.
- q. Child care/day care center.
- r. Public (federal, state and local) buildings and structures.
- s. Marihuana provisioning center.
- t. Marihuana Retailer

Section 109-333. – C-2, Waterfront and Central Business District

- (3) *Uses with special use permit.* Uses permitted by the issuance of a special use permit upon compliance with the provisions of article VI of this chapter:
 - a. Marihuana Provisioning Center.
 - b. Marihuana Retailer.

Section 109-334. – M-1, Industry District, of the Menominee City Code is hereby amended to provide as follows:

- (a) *Scope, intent and purpose.* The provisions of this section apply to the M-1 district. It is the intent of this district to provide for a variety of industrial uses characterized by relatively low traffic generation and the absence of objectionable external affects. Such areas are intended to have existing utilities and be free of incompatible uses and designed and developed so as not to harm adjoining conforming uses.

(1) *Uses permitted by right.*

- a. Building materials, farm implements or garden supplies for retail sales (with outdoor storage).
- b. Jobbing and machine shops.
- c. Manufacturing plants.
- d. Publishing houses.
- e. Truck and rail terminals.
- f. Warehousing.
- g. Millwork plants.
- h. Automobile parts and tires.
- i. Marihuana Grower Establishment.
- j. Marihuana Grower Facility.
- k. Marihuana Processor Establishment.
- l. Marihuana Processor Facility.
- m. Marihuana Safety Compliance Facility.
- n. Marihuana Safety Compliance Establishment.
- o. Marihuana Secure Transporter Establishment.
- p. Marihuana Secure Transporter Facility.

(3) *Uses with special use permit.* Uses permitted by the issuance of a special use permit upon compliance with the provisions of article VI of this chapter:

- a. Marihuana Provisioning Center.
- b. Marihuana Retailer.

Section 109-335. – M-2, Industrial Park District, of the Menominee City Code is hereby amended to provide as follows:

(3) *Uses with special use permit.* Uses permitted by the issuance of a special use permit upon compliance with the provisions of article VI of this chapter:

- a. Marihuana Provisioning Center.
- b. Marihuana Retailer.

Section 109-390 of the Menominee City Code is hereby amended to add subsection (4), providing as follows:

(4) A marihuana grower establishment, marihuana grower facility, marihuana processor establishment, marihuana processor facility, marihuana provisioning center, marihuana retailer, marihuana secure transporter establishment, marihuana secure transporter facility, marihuana safety compliance facility establishment, and marihuana safety compliance facility, in accordance with the provisions of state law and applicable City ordinance, may be permitted through the issuance of a special use permit pursuant to this section in a district where such facility is allowed as a special land use, provided that:

(a) At the time of the application for a special use permit the applicant must have submitted a completed application to the City for a medical marihuana facility license under the City's Medical Marihuana Facilities Ordinance or for a license under the City's Marihuana Establishments Ordinance and have paid the required application fee in full, must have provided proof that the applicant has applied for and received prequalification from the State of Michigan for a state operating license under either the Michigan Medical Marihuana Facilities Licensing Act or the Michigan Regulation and Taxation of Marihuana Act, and must be at all times in compliance with the laws of the State of Michigan, applicable City ordinance, and all applicable rules promulgated by the State of Michigan.

(b) The marihuana facility or marihuana establishment must be licensed by the City and by the State of Michigan prior to commencing operation, and must be at all times in compliance with the laws of the State of Michigan, applicable City ordinance, and all applicable rules promulgated by the State of Michigan.

(c) The City may suspend or revoke a special use permit based on a finding that the provisions of the special use standards in this section, all other applicable provisions of this zoning ordinance, the City's Medical Marihuana Facilities Ordinance, the City's Marihuana Establishments Ordinance, or the terms of the special use permit and approved site plan are not met.

(d) A marihuana facility, marihuana establishment, or activities associated with the licensed growing, processing, testing, transporting, or sale of marihuana, may not be permitted as a home business or accessory use, nor may they include accessory uses except as otherwise provided in this ordinance.

A motion was made by Council Member Plemel and seconded by Council Member Pohlmann to adopt the ordinance.

AYES: Plemel, Pohlmann, Robinson, Fifarek, Jones, Klitzke, Nelson, Nutter, and Stegeman

NAYS: None

This motion was carried unanimously.

PUBLIC COMMENT:

Mayor Stegeman opened the public comment session.

Comments were heard from Nancy Douglas, Derrick Schultz, Logan Stauber, Joe Dulak, Council Member Robinson, and Mayor Stegeman.

A motion was made by Council Member Plemel and seconded by Council Member Nutter to close public comment. This motion was carried unanimously.

ADJOURN:

A motion was made by Council Member Plemel and seconded by Council Member Nelson to adjourn the meeting. This motion was carried unanimously.


Susan K. Johnson

/skj

BOARD REPORT:

At a February 11, 2021 meeting, the Water and Wastewater Utility Board discussed equipment needs at the Wastewater Treatment Plant and they recommend to City Council that Council approve the award of the primary sludge pump contract which includes purchase of the pump, maintenance kit and spare lobes to Borger in the amount of \$9,113.68 with the funds being allocated from the wastewater capital outlay line item.

WATER AND WASTEWATER UTILITY BOARD

MOTION BY: _____ SECOND BY: _____

ADOPT

	FIFAREK	JONES	KLITZKE	NELSON	NUTTER	PLEMEL	POHLMANN	ROBINSON	STEGEMAN
AYES									
NAYS									



City of Menominee
City Council
Agenda Item

TITLE: Primary Sludge Pump

Requesting Agency:	Waste Water Department	Meeting Date:	February 16, 2021
Contact:	Mike Thorsen	Public Hearing:	NA
Phone:	906-630-1016	Advertising Date:	NA
		Council District:	City Wide
Attachments:	Primary Sludge Pump Bid Recommendation Sheet		

PURPOSE:

Request that the City Council approve the selection of Borger as the low bidder and supplier proposing the best pump for our application and award them with the purchase agreement.

BACKGROUND:

As part of the FY 2020-2021 CIP budget, the WWUB and Council approved the purchase of a new primary sludge pump with a Variable Frequency Drive (VFD). This pump will replace one of the two existing primary sludge pumps that were both installed in the early 1970s. These pumps are utilized for pumping sludge from the primary clarifiers into the primary digester. Even though the existing pumps have been work horses, they have reached their end of life. The VFD will be utilized to vary the speed of the pump.

BUDGET IMPACT:

The purchase agreement is for a total of \$9,113.68. The price includes the pump, maintenance tool kit and spare lobes. The pump bid is \$7,400.00. The maintenance kit is \$212.70 and includes the specialty tools needed to repair the pump. The most common wearable part, spare lobes, are \$1,500.98. The VFD will be purchased separately from a different vendor. The VFD will cost \$1,230.00. This will be encumbered from the FY 2020-2021 Wastewater CIP budget from the Account 590-536.000-970.000. This item has a budget of \$11,000.00.

STAFF RECOMMENDATION / ACTION REQUESTED:

The Waste Water Department recommends that the Water and Wastewater Utility Board approve the award of the primary sludge pump to Borger and recommend to City Council. This award is for the purchase of the pump, maintenance kit and spare lobes. The VFD will be purchased separately and installation of the pump and VFD will be done by WWTP staff.

BOARD RECOMMENDATION / ACTION:

At a February 11, 2021 meeting, the Water and Wastewater Utility Board recommended to City Council that Council approve the award of the primary sludge pump contract which includes purchase of the pump, maintenance kit and spare lobes to Borger in the amount of \$9,113.68 with the funds being allocated from the wastewater capital outlay line item.



City of Menominee

City Hall • 2511 10th Street • Menominee, MI 49858-1995

Phone (906) 863-2656 • FAX (906) 863-3266

Recommendation Sheet

The City of Menominee sent out "Request for Proposals (RFPs) during the month of September 2020 to pump suppliers for supplying a rotary lobe primary sludge pump and variable frequency drive (VFD) at the Waste Water Treatment Plant. We also requested the bidders include a quote for their tool kit and spare lobes. This summary describes the selection process and provides needed information for the Purchase Order. This summary consists of the following:

- (1) Name and address of the pump suppliers that were mailed (emailed) a copy of the RFP.
- (2) List of pump suppliers who responded to the RFP.
- (3) Criterion that was used to evaluate the pump supplier.
- (4) Recommendation and a brief explanation of why the supplier was selected.

Name & Addresses of Contractors

1. Crane Engineering
707 Ford Street
Kimberly, WI 54136

Contact: Eric Finnila
Phone: (920) 733-4425

2. Borger
2860 Water Tower Place
Chanhassen, MN 55317

Contact: Bryan Viitala
Phone: (612) 435-7329

Contractors who responded to the RFP

1. Crane Engineering	Pump - \$8,910.00, VFD - \$1,515.00, Tool Kit - \$285.00, Spare Lobe Kit - \$1,070.00
2. Borger	Pump - \$7,400.00, VFD - \$NA, Tool Kit - \$212.70, Spare Lobe Kit - \$1,500.98

Evaluation of the Proposals

Mike Thorsen, Waste Water Project Manager, reviewed and evaluated the proposals. Selection criteria included in the RFP that was sent to the pump suppliers is listed below:

1. Responsiveness to the conditions listed in the RFP.

2. Pump supplier's ability to support their products with service and parts throughout and beyond the warranty.
3. Technical proposal.
4. Cost estimate.
5. Warranty

Selection of Consultant

After review of all the proposals, the City of Menominee selected Borger. There were several reasons for selecting them as the pump supplier:

1. They put great effort in working on the proposal recommending a couple of different pump options.
2. Spare parts are fully stocked in their Minnesota office and shipped quickly.
3. They offer a two year warranty.
4. They are the lowest bidder.
5. We can vouch for the supplier's reputation as a pump and pump service provider. We purchased the same type of pump from them for the Water Plant's carbon feed system. Their team were a great help in the pump setup and making sure the pump works as specified.

COMMITTEE REPORT:

At a February 10, 2021 meeting, the Finance Committee discussed the request from the Emergency Rescue Squad for payment of the service fee for fiscal years 2019-2020 and 2020-2021, and they recommend to City Council that Council approve the payment to the Emergency Rescue Squad in the amount of \$4,000 with the funds allocated from line item 101-346.000-818.

FINANCE COMMITTEE

MOTION BY: _____ SECOND BY: _____

ADOPT

	FIFAREK	JONES	KLITZKE	NELSON	NUTTER	PLEMEL	POHLMANN	ROBINSON	STEGEMAN
AYES									
NAYS									



City of Menominee
City Council
Agenda Item

TITLE: Emergency Rescue Squad Update

Requesting Agency: Administration

Meeting Date: February 16, 2021

Contact: Tony Graff, City Manager

Public Hearing: N/A

Phone: 906-863-1747

Advertising Date: N/A

Council District: Citywide

Attachments:

PURPOSE: A request to increase the fee for the Emergency Rescue Squad Services for FY 20/21 Budget.

BACKGROUND: The current service fee for the Emergency Rescue Squad is \$2,000. This fee was reduced in FY 17/18 Budget. The previous fee was \$4,000.

The City did not receive and invoice request from the Rescue Unit for services for FY19/20 Budget Year. The City did receive an invoice on December 24, 2020 for FY19/20 Budget Year which was for \$4,000. There was no payment made in this FY19/20 which did have a budget expense of \$2,000 which wasn't used. Therefore, the Rescue Unit request for \$4,000 will be from the current budget FY20/21 and the invoice was received on 12/24/2020.

Furthermore, the Rescue unit calls for service has been heavily impacted from the COVID-19 pandemic and I anticipate further request for funding for the FY21/22 Budget Year for services for 7/1/2020 to 6/30/2021.

The Rescue Unit provided their annual service report to the Finance Committee on 2/10/2021.

BUDGET IMPACT: The FY20/21 impact will be an increase of \$2,000 to the budget line item #101-346.000-818.000

STAFF RECOMMENDATION / ACTION REQUESTED: City Manager is recommending the one-time payment for services to the Emergency Rescue Squad of \$4,000 and adjust the impact to the budget which should be able to absorb this additional expense.

COMMITTEE RECOMMENDATION / ACTION: At a February 10, 2021 meeting, the Finance Committee recommended to City Council that Council approve payment of the service fee for fiscal years 2019-2020 and 2020-2021 to the Emergency Rescue Squad in the amount of \$4,000 with the funds allocated from line item 101-346.000-818.

EMERGENCY RESCUE SQUAD, INC.

Dedicated Volunteers Serving The Tri-Cities



INVOICE

December 24, 2020

TO: City of Menominee
2511 Tenth Street
Menominee MI 49858

DESCRIPTION	
Emergency Rescue Squad Services for 7/1/2019 to 06/30/2020	
TOTAL DUE	<u>\$4,000.00</u>
THANK YOU	

MAIL PAYMENT TO:

Emergency Rescue Squad, Inc.
PO Box 547
Marinette, WI 54143-0547

COMMITTEE REPORT:

At a February 10, 2021 meeting, the Public Safety/Public Works Committee discussed Fire Department equipment needs and they recommend to City Council that Council approve the purchase of 14 VHF and two 800/VHF Kenwood portable radios from JS Electronics at the cost of \$19,798.30 with \$17,000 being allocated from the capital outlay line item and the difference being allocated from the Fire Department Operating Budget.

PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

MOTION BY: _____ SECOND BY: _____

ADOPT

	FIFAREK	JONES	KLITZKE	NELSON	NUTTER	PLEMEL	POHLMANN	ROBINSON	STEGEMAN
AYES									
NAYS									



City of Menominee
City Council
Agenda Item

TITLE: Portable Radio Purchase

Requesting Agency: Fire Department

Meeting Date: 02/16/2021

Contact: Mark Petersen, Chief

Public Hearing: N/A

Phone: 906-290-2281/906-863-1778

Advertising Date: N/A

Council District: Citywide

Attachments: Radio Cost Quotations

PURPOSE:

Request that the City Council approve the purchase of 14 VHF portable Radios and 2 800/VHF Portable Radios from JS Electronics 1108 20th Street Menominee, MI 49858

BACKGROUND:

During the Capital Improvement Budget process for fiscal year 2020/2021, replacing our portable radios was identified as a priority project. Specifications were developed and Radio brands and models were evaluated. The Kenwood NX-5200K2 radio was selected as the VHF radio which fits the needs of the Department, and the Kenwood Viking VP900M2 radio was selected as the 800/VHF radio which fits the needs of the Department. Pricing for VHF and 800 MHZ radios was solicited.

BUDGET IMPACT:

The cost of the 14 VHF & @ 800/VHF radios be \$19,798.30. The Capital Improvement Budget has \$17,000 allocated to this project. The overage would be covered with Fire Department operating budget monies.

STAFF RECOMMENDATION / ACTION REQUESTED:

The City Manager and Fire Chief respectfully request that the Public Safety / Public Works Committee recommend approval of the purchase of the Kenwood portable radios from JS Electronics.

COMMITTEE RECOMMENDATION / ACTION:

At a February 10, 2021 meeting, the Public Safety/Public Works Committee recommended to City Council that Council approve the purchase of 14 VHF and two 800/VHF Kenwood portable radios from JS Electronics at the cost of \$19,798.30 with \$17,000 being allocated from the capital outlay line item and the difference being allocated from the Fire Department Operating Budget.



JS Electronics, Inc.

1108 20th Street
Menominee, MI 49858
(906) 863-2820 (800) 831-4487

PURCHASE QUOTE

Customer

Name Menominee Fire Dept. Attn: Mark Petersen
Address 2509 10th St. Attn:
City Menominee St: MI Zip 49858
Phone Other Contact:

Date: 1/15/2021

Qty	Units	Description	Unit Price	TOTAL
1	ea.	Kenwood NX-5200K2: VHF, 6W, 1025 Ch. Portable radio. Includes: KNB-L2M 2600mAh Li Ion battery, KRA-26M VHF antenna, KSC-32 rapid rate single unit charger, KBH-11 belt clip, Universal connector cap, user guide, set up/programming up to 64 channels. Reg. Price \$1082.70 OPTIONS KSC-326AK rapid rate 6 unit gang charger \$633.25 KMC-70M Speaker mic MIL SPEC IP54/55/67/68 with active noise reduction \$108.40 KWD-OH-5000 Orange housing \$32.80 KWD-5002SD License key for micro SD memory card slot activation \$84.00 KWD-5100CV License Key for P25 Conventional \$336.00 KWD-5101TR License Key P25 Phase 1 trunking \$416.00 Notes: 3 Year Premium Parts/Labor Warranty on Kenwood Radios 1 Year Warranty Accessories	\$862.05	\$862.05
SubTotal				\$862.05
Shipping & Handling				
Taxes Exempt				
TOTAL				\$862.05

Payment Details

- ☐ Check
☐ Cash
☒ Account No.
☐ Credit Card

Name _____
CC # _____
Exp Date _____

Shipping Date

Approval

Signature: _____

Date _____
Order No _____
Sales Rep _____
Ship Via _____

Notes/Remarks

Prices quoted valid for 30 days from date of quote and reflect current State of Michigan
discount pricing. Additional quantity discounts do not apply. Free shipping from Kenwood.



QUOTE #: 415202
DATE: 4/15/2020

New Website!
<http://elcomsystems.net>

TO: Menominee Fire Dept.
Attn: Mark Petersen

Phone:
Email: mark.petersen@menomineefire.org

FROM: Elcom Systems
Gene Meyers
808 Quinnesec
Iron Mountain, MI 49801
Phone: 906-774-1256
Fax: 906-774-6238
Email: gene@elcomsystems.net

LINE ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1	1	Motorola APX4000 VHF P25 radio. Includes: Antenna, battery, P25 digital operation, and 3 year essential service warranty.		\$3,227.25
2	1	PMPN4174A Single Unit Impress charger.		\$64.60
3	1	PMMN4065A Remote Speaker Mic		\$96.30

EQUIP TOTAL	\$3,388.15
Plus Shipping	TBD
Tax	\$ -
TOTAL:	\$3,388.15

Actual shipping will be billed.

NOTE: This is State of Michigan Contract Pricing that has been negotiated between Motorola and the State of Michigan for 2017

Quote is good for 30 days.

Thank you for the opportunity to provide this quotation...Get Connected, Get Elcom!





JS Electronics, Inc.

1108 20th Street
Menominee, MI 49858
(906) 863-2820 (800) 831-4487

PURCHASE QUOTE

Customer

Name Menominee Fire Department Attn: Mark Petersen
Address 2509 10th Street Attn:
City Menominee St: MI Zip: 49858
Phone _____ Other Contact: _____

Date: 1/15/2020

Qty	Units	Description	Unit Price	TOTAL
1	ea.	Kenwood Viking VP900M2: 7/800MHz + VHF, Immersion housing. Multi-band 7/800 + VHF, Viking Li 3260mAh battery. Analog FM, P25 CAI AMBE+2, P25 Conventional, P25 Phase 1 Trunking, 2048 channels, Single-Key DES-OFB. TrueVoice Noise Cancellation, Premium speaker microphone w/24" cord (Immersion rated. Compatible with Viking software based frequency based noise cancellation in Analog and Digital communications. IP65 MIL-Std rated, PTT button, emergency button, 3.5mm earphone jack, and volume high/low button), rapid rate single unit charger, operator manual, set programming of VHF channels x 1 ea. up to 64 channels. Reg. price \$3875.00	\$3,120.00	\$3,120.00
		Notes: 3 Year Parts/Labor Warranty on Kenwood Viking Radios 1 Year Warranty Accessories		

Payment Details

- ☐ Check
☐ Cash
☒ Account No.
☐ Credit Card

Name _____
CC # _____
Exp Date _____

SubTotal	\$3,120.00
Shipping & Handling	
Taxes	Exempt
TOTAL	\$3,120.00

Shipping Date _____

Approval

Signature: _____

Date _____
 Order No _____
 Sales Rep _____
 Ship Via _____

Notes/Remarks

Prices quoted valid for 60 days from date of quote. Price does not include programming/activation fees charged by MPSCS. Does not include shipping charges from Kenwood or activation of encryption feature.



QUOTE #: 415203
DATE: 4/15/2020

New Website!
<http://elcomsystems.net>

TO: Menominee Fire Dept.
Attn: Mark Petersen

Phone:
Email: mark.petersen@menomineefire.org

FROM: Elcom Systems
Gene Meyers
808 Quinnesec
Iron Mountain, MI 49801
Phone: 906-774-1256
Fax: 906-774-6238
Email: gene@elcomsystems.net

LINE ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	EXTENDED PRICE
1	1	Motorola APX8000 Dual band radio. Includes: Antenna, battery, P25 digital operation, VHF/800 Mhz operation, and 3 year essential service warranty.		\$5,733.50
2	1	NNTN8860A Single Unit Impress charger.		\$140.25
3	1	PMMN4069A Remote Spekaer Mic		\$119.70
EQUIP TOTAL				\$5,993.45
Plus Shipping				TBD
Tax				\$ -
TOTAL:				\$5,993.45

Actual shipping will be billed.

NOTE: This is State of Michigan Contract Pricing that has been negotiated between Motorola and the State of Michigan for 2017

Quote is good for 30 days.

Thank you for the opportunity to provide this quotation...Get Connected, Get Elcom!



COMMITTEE REPORT:

At a February 10, 2021 meeting, the Public Safety/Public Works Committee discussed the need to update the 100-foot radio tower located at the Municipal Complex to meet FCC/FAA requirements and they recommend to City Council that Council approve the purchase of the radio tower lighting system from Wave Communications, Inc. at the cost of \$10,200.00 which will require a budget adjustment as the funds were not budgeted.

PUBLIC SAFETY/PUBLIC WORKS COMMITTEE

MOTION BY: _____ SECOND BY: _____

ADOPT

	FIFAREK	JONES	KLITZKE	NELSON	NUTTER	PLEMEL	POHLMANN	ROBINSON	STEGEMAN
AYES									
NAYS									



City of Menominee
City Council
Agenda Item

TITLE: FCC/FAA Radio Tower Lighting Replacement/Upgrade

Requesting Agency:	Fire Department	Meeting Date:	02/16/2021
Contact:	Mark Petersen, Chief	Public Hearing:	N/A
Phone:	906-290-2281/906-863-1778	Advertising Date:	N/A
		Council District:	Citywide
Attachments:	Quotation Tabulation Sheet		

PURPOSE:

Request that the City Council approve the purchase of a Radio Tower Lighting system from Wave Communications, Inc. 4587 County Road TT Sun Prairie, WI 53590

BACKGROUND:

The FCC/FAA requires lighting on the 100 foot radio tower located at the City Hall Complex which has failed. We determined that the light fixture was corroded beyond repair and needs to be replaced. The original lighting from 1978 on the tower does not meet the FCC/FAA requirements that were established when the tower was registered in 2001. Pricing for Radio Tower Lighting was solicited from the 3 vendors listed on the attached quotation tabulation sheet.

BUDGET IMPACT:

This project was not anticipated or funded within the current FY 20/21 Budget. Therefore, a budget amendment will be required for the purchase.

STAFF RECOMMENDATION / ACTION REQUESTED:

The City Manager and Fire Chief respectfully request that the Public Safety / Public Works Committee recommend to the City Council approval of the purchase of the radio tower lighting system from Wave Communications, Inc. for \$10,200.00.

COMMITTEE RECOMMENDATION / ACTION:

At a February 10, 2021 meeting, the Public Safety/Public Works Committee recommended to City Council that Council approve the purchase of the radio tower lighting system from Wave Communications, Inc. at the cost of \$10,200.00 which will require a budget adjustment as the funds were not budgeted.

Radio Tower Lighting Project

February 3rd, 2021

Vendor	TowerMRL	TowerTech	WaveComm
Light Warranty	5 Years	5 Years	?
Mid-Tower Lights	Yes – 2	Yes – 3	Yes – 3
Monitoring Capability	Has dry contacts No monitoring Included	Has dry contacts No monitoring Included	Has dry contacts No monitoring Included
Removal/Disposal Of old equipment	Yes unless utilized in New installation	Yes unless utilized in New installation	Yes unless utilized in New installation
Install Timeline	By end of March	By end of March	By end of March
Electrician needed For 120 volt hookup	Yes	Yes	No
Proposal Cost	\$10,975.00	\$10,991.00	\$10,200.00

REVISED RESOLUTION #2021-002

CITY OF MENOMINEE RESOLUTION FOR 2021 POVERTY EXEMPTION GUIDELINES

WHEREAS, the adoption of guidelines for poverty exemptions is required of the City of Menominee City Council; and

WHEREAS, the principal residence of persons, who the Board of Review determines by reason of poverty to be unable to contribute to the public charge, is eligible for exemption in whole or in part from taxation under Public Act 390 of 1994 (MCL 211.7u); and

WHEREAS, pursuant to PA 390 of 1994, the City of Menominee City Council, Menominee County adopts the following guidelines for the 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. An asset test means the amount of cash, fixed assets or other property that could be used, or converted to cash for use in the payment of property taxes. All other assets above that should be considered available; and

WHEREAS, the City shall follow the federal poverty income guidelines which are updated annually by the United States Department of Health and Human Services. The following are the 2021 federal poverty income guidelines:

Size of Family Unit	2021 Poverty Guidelines
1	\$ 12,760
2	\$ 17,240
3	\$ 21,720
4	\$ 26,200
5	\$ 30,680
6	\$ 35,160
7	\$ 39,640
8	\$ 44,120
For each additional person	\$ 4,480

The annual allowable income includes income for all persons residing in the principal residence.

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

- 1) Be an owner of and occupy as a principal residence the property for which an exemption is requested.
- 2) File an application with the assessor or Board of Review, accompanied by required supporting documents and federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns filed in the immediately preceding year or in the current year for verification purposes.
- 3) File a claim reporting that the combined assets of all persons within the household do not exceed the asset threshold of \$ 25,000. Assets include but are not limited to:
 - Ownership interest in a second home, land, vehicles
 - Recreational vehicles such as campers, motor-homes, boats and ATV's
 - Buildings other than the residence
 - Jewelry, antiques, artworks
 - Equipment, other personal property of value

- Financial institution accounts over \$2,000
- Money received from the sale of property, such as, stocks, bonds, a house or car (unless a person is in the specific business of selling such property)
- Withdrawals of bank deposits and borrowed money
- Gifts, loans, lump-sum inheritances and one-time insurance payments
- Lottery and/or gambling winnings
- Federal and/or stimulus payments
- Food or housing received in lieu of wages
- Federal non-cash benefits programs such as Medicare, Medicaid, food stamps and school lunches

4) Produce a valid driver's license or other form of identification if requested.

5) Produce, if requested, a deed, land contract, or other evidence of ownership of the property for which an exemption is requested.

6) Meet the federal poverty income guidelines as defined and determined annually by the United States Department of Health and Human Services.

7) The application for an exemption shall be filed after January 1, but one day prior to the last day of the December Board of Review. The filing of this claim constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

WHEREAS, Public Act 253 of 2020 amended MCL 211.7u, allows for partial poverty exemptions to be granted, the following exemption percentages shall be used by the Board of Review.

- Year 1: 80%
- Year 2: 70%
- Year 3: 60%
- Year 4: 50%
- Year 5 & subsequent years: 40%

100% or 50% or 25%

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

The foregoing resolution offered by City Council Member _____ and supported by City Council Member _____.

Upon roll call vote, the following voted:

"Aye": _____ "Nay": _____

The City Clerk declared the resolution _____.

_____ Kathleen Brofka, City Clerk Date _____



City of Menominee
City Council
Agenda Item

TITLE: Poverty Exemption Guideline – Asset Test Resolution & Application

Requesting Agency:	Assessor's Office	Meeting Date:	February 16, 2021
Contact:	Peg Bastien	Public Hearing:	NA
Phone:	863-1758	Advertising Date:	NA
		Council District:	Citywide
Attachments:	Revision of Poverty Exemption Resolution & Application		

PURPOSE:

For City Council to revise Resolution 2021-002 Poverty Exemption Guidelines and application to comply with recent law changes.

BACKGROUND:

The City Council approved the 2021 Poverty Exemption Resolution and Application at the January 2021 meeting.

Public Act 253 of 2020 amends MCL 211.7u pertaining to Poverty Exemptions. To comply with PA 253 of 2020 the following revisions are required:

- 1) In granting full or partial poverty exemptions, the only percentages in granting relief are: 100% or 50% or 25%.
I had requested permission to continue to use our local established percentages. The request was denied by the State Tax Commission.
- 2) Previously, the Board of Review had the ability to deviate from adopted policy/guidelines if the BOR determined there were substantial and compelling reasons which were documented in writing. PA 253 of 2020 removed the Board of Review's ability to deviate from adopted policy/guidelines.
- 3) The application developed by the State Tax Commission is required to be used statewide.

BUDGET IMPACT:

Dependent upon applications approved by the Board of Review.

STAFF RECOMMENDATION / ACTION REQUESTED:

Action Requested: Adoption of Revised Resolution 2021-002

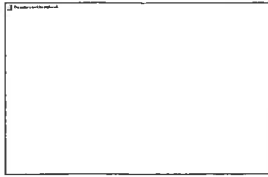
RESOLUTION #2021-

WHEREAS, the Board of Review for the City of Menominee meets periodically throughout the year; and

WHEREAS, the Board of Review hears oral appeals from resident property owners regarding their assessments;

NOW, THEREFORE, BE IT RESOLVED, that the Menominee City Council approves the ability of resident taxpayers to file a protest to the March Board of Review in writing without personal appearance;

BE IT FURTHER RESOLVED, that written appeals must be received by the Assessor's Office by the close of business on the first Tuesday following the second Monday of March to be eligible for consideration.



City of Menominee
City Council
Agenda Item

TITLE: Poverty Exemption Guideline – Asset Test Resolution & Application

Requesting Agency:	Assessor's Office	Meeting Date:	February 16, 2021
Contact:	Peg Bastien	Public Hearing:	NA
Phone:	863-1758	Advertising Date:	NA
		Council District:	Citywide
Attachments:	Resolution 2021-003 Allowing Resident Taxpayer Written Appeals to BOR		

PURPOSE:

To allow for resident taxpayers the ability to appeal to the March Board of Review in writing rather than requiring in person appeals.

BACKGROUND:

By law, non-resident taxpayers are not required to appear in person, instead they may file their appeal by letter. Resident taxpayers are required to appear in person to file an appeal, or in the case of electronic meetings, they are required to participate electronically or by phone.

If authorized by a City Council resolution, resident taxpayers may file an appeal by letter.

Residents should be given every opportunity to file an appeal with the March Board of Review. The proposed resolution provides for one more opportunity.

The 2021 March Board of Review is scheduled to be conducted electronically. Some taxpayers may not embrace this format for appeals. If the rules change prior to the scheduled meetings to allow for in person appeals, we will meet in person. However, some taxpayers may be uncomfortable with the risk associated with meeting in person.

Allowing resident appeals in writing will accommodate either scenario and assure we have provided resident and non-resident taxpayers with multiple opportunities to have their appeals heard.

BUDGET IMPACT:

None

STAFF RECOMMENDATION / ACTION REQUESTED: Respectfully request adoption of the resolution.