

CITY COUNCIL MEETING
St. Ignace, Michigan
Monday, July 20, 2020 – 7:00 p.m.
Little Bear East Conference Room

******A G E N D A******

- I. Call to Order
- II. Pledge of allegiance
- III. Invocation
- IV. Roll call
- V. Consideration of minutes of the July 6, 2020 meetings (Public Hearing ORD 651/Council meeting)
- VI. Public Comment
- VII. Additions to the Agenda (Council and Staff Only)
- VIII. Business

- 1. **UPDATE ON WASTEWATER PROJECT 16-0072 BY DARREN PIONKE OF C2AE**
- 2. **APPROVAL OF PAYMENT #6 FOR WASTEWATER PROJECT 16-0072**
- 3. **APPROVAL OF CHANGE ORDER #5 FOR WASTEWATER PROJECT 16-0072**
- 4. **UPDATED ORDINANCE 651 SHORT TERM RENTAL**
- 5. **RESOLUTION FOR WEEKLY EVENTS 2020**
- 6. **UPDATE ON CITY MANAGER POSITION**
- 7. **FINANCIALS**

- VII. Public Comment
- VIII. Consideration of Bills

CITY OF ST IGNACE
PUBLIC HEARING: ORDINANCE 651 SHORT TERM RENTAL
Monday, July 6, 2020 6 p.m.
Little Bear East Conference Center

The Public Hearing for Ordinance 651 was held on Monday, July 6, 2020, in the Little Bear East Arena Conference Center and also available via Zoom conference. The meeting was called to order at 6:00 p.m. by Mayor Litzner.

Present: Councilmember Fullerton, Mayor Litzner, Mayor Pro-Tem Paquin, Councilmembers Pelter and St. Louis.

Absent: Councilmembers Clapperton and Tremble.

Staff Present: Kyle Mulka, City Assessor; Morgan Mills, Recreation Director; Al Mitchell, Police Sergeant; Gary Sorenson, Fire Chief; Charles Palmer, City Attorney.

1. PUBLIC HEARING OF ORDINANCE NO 651, "SHORT TERM RENTAL":

Public comments were received from five residents attending the meeting and three others via letters read by Rick Perry, both in favor and against the proposed Ordinance.

Concerns and comments included the distance parameters between rental properties, required guest registry information for safety purposes, the benefits of introducing newcomers to our community in a more welcoming way, potential parking issues, monitoring the use of the rental property, trespassing and neighborly behavior/noise issues.

Over fifteen people attended the Public Hearing.

There being no further business the meeting adjourned at 6:59 p.m.

Andrea Insley, Assistant City Clerk

**City of St. Ignace
Council Proceedings
(Unofficial)**

A Regular Meeting of the St. Ignace City Council was held on Monday, July 6, 2020, in the Little Bear East Conference Center.

The meeting was called to order at 7:00 p.m. by Mayor Litzner, followed with the Pledge of Allegiance. Councilmember Clapperton gave the invocation.

Present: Councilmembers Clapperton, Fullerton, Mayor Litzner, Mayor Pro-Tem Paquin, Councilmembers Pelter, St. Louis and Tremble.

Absent: None.

Staff Present: Kyle Mulka, City Assessor; Bill Fraser, Interim City Manager; Charles Palmer, City Attorney; Andrea Insley, City Clerk/Treasurer; Lauren Yoder, Marina Director; Morgan Mills, Recreation Director; Al Mitchell, Police Sergeant.

Consideration of minutes from June 15, 2020 Council meeting:

It was moved by Councilmember Clapperton, seconded by Councilmember St. Louis, to approve the minutes from June 15, 2020. Motion carried unanimously.

Limited Public Comment:

Public comment was received regarding duties of the Mayor, public meetings with Council and reporting for the St. Ignace News.

Additions to the Agenda:

Mayor Pro-Tem Paquin – City launch lights, July 4th fireworks and online information.

1. ADOPT ORDINANCE 651:

After much discussion during the Public Hearing held prior to the Regular Council meeting, it was the consensus of Council to postpone the adoption of Ordinance 651, to review the concerns brought forward.

It was moved by Councilmember Fullerton, seconded by Councilmember Clapperton, to postpone the adoption of Ordinance 651 Short Term Rental to a later date. Motion carried unanimously.

2. APPOINTMENT TO EUP PLANNING OF CHRIS BYNES:

Mayor Litzner informed Council she would like to appoint Chris Bynes, Director of the Mackinac Economic Alliance, to the Eastern Upper Peninsula Planning board.

It was moved by Mayor Litzner, seconded by Councilmember Clapperton, to approve appointing Chris Bynes to the EUP Planning. Motion carried unanimously.

3. OTTAWA INNOVATIONS PRESENTATION ON CANNABIS DISPENSARY:

Mayor Litzner introduced Joni Moore of Ottawa Innovations to present Council with information about cannabis dispensaries and the growing business.

It was moved by Councilmember Clapperton, seconded by Councilmember Tremble, to hold a public outreach meeting. Motion carried six to one (Fullerton).

4. RESOLUTION TO GRANT EASEMENT TO CLOVERLAND ELECTRIC COOPERATIVE FOR FIRE HALL ELECTRICAL SERVICE:

RESOLUTION
Cloverland Easement

The following Resolution was offered for adoption by Councilmember Pelter, supported by Councilmember St. Louis.

Whereas, it is in the best interest of the City of St. Ignace to grant an easement, on the property known as TAX# 052-007-025-10, to Cloverland Electric Cooperative, Inc. for the purpose of providing electrical service to the City of St. Ignace Fire Hall;

Whereas, the City of St. Ignace has approved the grant of this easement;

Whereas, the City of St. Ignace has authorized Bill Fraser, Interim City Manager, to carry out the grant of this easement;

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the City Council of St. Ignace, Mackinac County authorizes the easement to Cloverland Electric Cooperative Inc. on the property known as TAX# 052-007-025-10 for the purpose of providing electrical service to the City of St. Ignace Fire Hall;

Roll Call Vote:

Yes: Mayor Pro-Tem Paquin, Councilmembers Pelter, St. Louis, Tremble, Clapperton, Fullerton and Mayor Litzner.

No: None.

Absent: None.

Resolution declared Adopted.

5. APPROVAL OF DPW TRUCKS FINANCING:

Interim City Manager Fraser presented Council with the bids for financing two new F-150 pick-ups for the DPW and Water Departments:

FNB: 3y = 2.9% 5y = 3.10%

CSB: 3y = 3.75% 5y = 4.24%

It was moved by Councilmember St. Louis, seconded by Councilmember Clapperton, to approve financing the DPW trucks through First National Bank of St. Ignace. Motion carried unanimously.

6. PERMISSION TO PURCHASE LIFT FOR DPW GARAGE:

Interim City Manager Fraser informed Council that the spring 2% funding received from the Sault Tribe contributed \$4,000 to the DPW for a Challenger Lift from Napa Auto. The remaining \$1,249 will be paid by the scrap metal fund.

7. UPDATE ON MAYOR/COUNCIL MEETING SPACE:

Mayor Litzner updated Council regarding the remodeled rooms on the top floor of City Hall, confirming one will be utilized by the CEDAM program and the other will be available for conferences and smaller meetings.

8. POLICY MAYOR DUTIES:

Mayor Litzner presented Council with a proposal regarding duties of the Mayor working with the City Manager. After some discussion, it was agreed the proposal needed further review.

9. APPROVAL OF ELECTION INSPECTORS & RECEIVING BOARD:

City Clerk Insley requested Council's approval for the August 4th Primary Election Inspectors: Laurie Steiner (Chairperson), Donna LaLonde, Renee Vonderwerth, Susan Paul, Mary Kay Tamlyn, Sherry Cece and Jean Thibault.

Also presented to represent the Receiving Board were Sherry Cece and Donna LaLonde.

It was moved by Councilmember Pelter, seconded by Councilmember Clapperton, to approve those presented for the Election Inspectors and Receiving Board for the August 4, 2020 Primary Election. Motion carried unanimously.

ADDITIONS TO THE AGENDA:

Mayor Pro-Tem Paquin –Information on the City Website:

Mayor Pro-Tem Paquin stated that he would like to see more information readily available on the City's website for residents and interested parties.

Mayor Pro-Tem Paquin – City Launch Lights:

Mayor Pro-Tem Paquin reported there were multiple lights at the City's launch that were either out or not working properly.

Mayor Pro-Tem Paquin – July 4th Fireworks:

Mayor Pro-Tem Paquin commended the fireworks presentation for the Fourth of July.

Public Comment:

Public comment was received regarding the proposal for Mayor Duties & Relationship with the City Manager Policy and the City Charter.

Consideration of Bills:

It was moved by Councilmember Pelter, seconded by Councilmember Clapperton, to approve payment of the bills in the amount of \$49,097.68. Motion carried unanimously.

ADVANCED VOIP DATA LLC	665.67
ALFRED FELEPPA	204.75
BELONGA EXCAVATING, LLC	1,072.50
BELONGA'S PLUMBING AND HEATING	216.54
CHARLES J. PALMER, P.C.	1,520.32
CHEMSEARCH	198.91
CHRISTOPHER WILLIAM BOUCHA	2,840.00
CUT RIVER SMALL ENGINE REPAIR	90.00
FIRST DUE FIRE SUPPLY	793.92
HARRELL'S INC	2,290.00
HAWKINS	2,638.58

HD SUPPLY FACILITIES MAINTENANCE LT	2,445.71
HYDRITE CHEMICAL CO	9,402.71
IDEXX DISTRIBUTION CORP	955.63
JACK DOHENY SUPPLIES	62.26
JAMES WEST	1,505.29
KSS ENTERPRISES	1,243.06
KYLE JAMES BROW	2,400.00
MACKINAC COUNTY EQUALIZATION DEPT	857.00
MACKINAC PLUMBING AND HEATING CO	224.00
MARK WILK	372.00
MARQUETTE MINING JOURNAL	551.00
MERS	6,000.00
MICHAEL RICHARD LAMB	70.00
MICROBIOLOGICS INC	140.84
MUNICODE	250.00
NATIONAL PEN	403.50
NORRIS CONTRACTING, INC	1,500.00
NORTHERN TREE SERVICE	2,400.00
PARAGON LABORATORIES, INC	13.00
R S SCOTT ASSOCIATES	697.82
SCIENTIFIC BRAKE AND EQUIPMENT CO	457.34
SPARTAN DISTRIBUTORS, INC	834.40
STATE INDUSTRIAL PRODUCTS	320.00
TRUCK AND TRAILER SPECIALTIES	1,117.35
UIS SCADA	2,343.58
Grand Total:	\$49,097.68

There being no further business, the meeting adjourned at 8:20 p.m.

Connie Litzner, Mayor

Andrea Insley, City Clerk/Treasurer

CITY OF ST. IGNACE, MI
WASTEWATER SYSTEM IMPROVEMENTS

PROJECT: 16-0072

USDA-RD

APPROVAL OF PAYMENTS (#06)

Meeting Date: July 20, 2020

It was moved by: _____

and seconded by: _____

that the following invoices be approved for payment:

Invoice	Dated	From	Contract	Category	Amount
69403	02/26/20	C2AE	16-0072		\$3,082.84
69574	03/31/20	C2AE	16-0072		\$579.72
69850	05/29/20	C2AE	16-0072		\$839.44
69953	06/25/20	C2AE	16-0072		\$19,777.67
			Basic Engineering	\$6,720.00	
			Inspection	\$17,379.67	
			Additional Engineering	\$180.00	
			Total	\$24,279.67	
PPE #5	10/07/19	Elmer's Crane & Dozer	16-0072	Development	\$286,010.37
				TOTAL	\$310,290.04

Ayes: _____

Nays: _____

Absent: _____

Motion: Passed / Failed

By: _____

Title: _____

Date: _____

ESTIMATE OF FUNDS NEEDED
FOR
30-Day Period Commencing
Feb. 2, 2020

Name of Borrower City of St. Ignace, MI, Wastewater System Improvements, Project 16-0072

Items	Amount of Funds
Development	\$ 286,010.37
Contract or Job No. <u>PPE #5</u>	
Contract or Job No. _____	
Contract or Job No. _____	
Land and Rights-of-Way	
Legal Services	
Engineering Fees	24,279.67
Interest	
Equipment	
Contingencies	
Refinancing	
Initial O & M	
Other	
TOTAL	\$ 310,290.04

Prepared by City of St. Ignace, MI _____
Name of Borrower

By _____

Date _____

Approved by _____

Date _____

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.



Escanaba, MI
 Gaylord, MI
 Grand Rapids, MI
 Kalamazoo, MI
 Lansing, MI
 Canton, NY
 Syracuse, NY

Please Remit Payment To:
 106 West Allegan Street Suite 500
 Lansing, MI 48933
 1-866-454-3923

February 26, 2020
 Project No: 16-0072
 Invoice No: 69403

Michael Stelmaszek
 City of Saint Ignace
 396 N. State Street
 St. Ignace, MI 49781

Project 16-0072 St. Ignace USDA South State Street Area Wastewater
Professional Services for the period ending February 16, 2020

Phase	02	Design				
Fee						
Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing	
Preliminary Design	27,500.00	100.00	27,500.00	27,500.00	0.00	
Final Design	11,000.00	100.00	11,000.00	11,000.00	0.00	
Bidding	12,000.00	100.00	12,000.00	12,000.00	0.00	
Total Fee	50,500.00		50,500.00	50,500.00	0.00	
Total Fee					0.00	
Total this Phase					0.00	

Phase	03	Construction				
Fee						
Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing	
Construction	28,000.00	74.1444	20,760.44	18,480.00	2,280.44	
Post-Construction	1,000.00	0.00	0.00	0.00	0.00	
Total Fee	29,000.00		20,760.44	18,480.00	2,280.44	
Total Fee					2,280.44	
Total this Phase					\$2,280.44	

Phase	04	Resident Project Representative				
		10.00				
		10.00				
Total Labor					802.40	

Invoices are due upon receipt.

Project	16-0072	St. Ignace USDA South State Street Area		Invoice	69403
Contract Recap		Current Billing Amount	Previous Billed Amount	To-Date	
Total Billings		802.40	62,334.07	63,136.47	
Contract Amount				100,000.00	
Contract Balance				36,863.53	
				Total this Phase	\$802.40
				Total this Invoice	<u>\$3,082.84</u>

Outstanding Invoices

Number	Date	Balance
69242	1/23/2020	1,701.20
Total		1,701.20



Escanaba, MI
 Gaylord, MI
 Grand Rapids, MI
 Kalamazoo, MI
 Lansing, MI
 Canton, NY
 Syracuse, NY

Please Remit Payment To:
 106 West Allegan Street Suite 500
 Lansing, MI 48933
 1-866-454-3923

March 31, 2020
 Project No: 16-0072
 Invoice No: 69574

Michael Stelmaszek
 City of Saint Ignace
 396 N. State Street
 St. Ignace, MI 49781

Project 16-0072 St. Ignace USDA South State Street Area Wastewater

Professional Services for the period ending March 22, 2020

Phase 02 Design
 Fee

Billing Phase	Fee	Percent Complete	Previous Fee Earned	Current Fee Billing
Preliminary Design	27,500.00	100.00	27,500.00	0.00
Final Design	11,000.00	100.00	11,000.00	0.00
Bidding	12,000.00	100.00	12,000.00	0.00
Total Fee	50,500.00		50,500.00	0.00
Total Fee				0.00
Total this Phase				0.00

Phase 03 Construction
 Fee

Billing Phase	Fee	Percent Complete	Previous Fee Earned	Current Fee Billing
Construction	28,000.00	75.572	21,160.16	399.72
Post-Construction	1,000.00	0.00	0.00	0.00
Total Fee	29,000.00		21,160.16	399.72
Total Fee				399.72
Total this Phase				\$399.72

Phase 05 Additional Services

Task 0052 Construction Compaction Testing

Project	16-0072	St. Ignace USDA South State Street Area	Invoice	69574
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Consultants

Tester Construction Inspection Services, 12/19/2019 Tester Construction Inspection Services, Inc.	180.00	
Total Consultants	180.00	180.00

Contract Recap

	Current Billing Amount	Previous Billed Amount	To-Date	
Total Billings	180.00	0.00	180.00	
Contract Amount			2,000.00	
Contract Balance			1,820.00	
			Total this Task	\$180.00
			Total this Phase	\$180.00
			Total this Invoice	<u><u>\$579.72</u></u>



Escanaba, MI
 Gaylord, MI
 Grand Rapids, MI
 Kalamazoo, MI
 Lansing, MI
 Canton, NY
 Syracuse, NY

Please Remit Payment To:
 106 West Allegan Street Suite 500
 Lansing, MI 48933
 1-866-454-3923

May 29, 2020
 Project No: 16-0072
 Invoice No: 69850

Michael Stelmaszek
 City of Saint Ignace
 396 N. State Street
 St. Ignace, MI 49781

Project 16-0072 St. Ignace USDA South State Street Area Wastewater
Professional Services for the period ending May 17, 2020

Phase 02 Design
 Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Preliminary Design	27,500.00	100.00	27,500.00	27,500.00	0.00
Final Design	11,000.00	100.00	11,000.00	11,000.00	0.00
Bidding	12,000.00	100.00	12,000.00	12,000.00	0.00
Total Fee	50,500.00		50,500.00	50,500.00	0.00
Total Fee					0.00
Total this Phase					0.00

Phase 03 Construction
 Fee

Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing
Construction	28,000.00	78.57	21,999.60	21,160.16	839.44
Post-Construction	1,000.00	0.00	0.00	0.00	0.00
Total Fee	29,000.00		21,999.60	21,160.16	839.44
Total Fee					839.44
Total this Phase					\$839.44
Total this Invoice					<u>\$839.44</u>



Escanaba, MI
 Gaylord, MI
 Grand Rapids, MI
 Kalamazoo, MI
 Lansing, MI
 Canton, NY
 Syracuse, NY

Please Remit Payment To:
 106 West Allegan Street Suite 500
 Lansing, MI 48933
 1-866-454-3923

June 25, 2020
 Project No: 16-0072
 Invoice No: 69953

Michael Stelmaszek
 City of Saint Ignace
 396 N. State Street
 St. Ignace, MI 49781

Project 16-0072 St. Ignace USDA South State Street Area Wastewater
Professional Services for the period ending June 21, 2020

Phase	02	Design				
Fee						
Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing	
Preliminary Design	27,500.00	100.00	27,500.00	27,500.00	0.00	
Final Design	11,000.00	100.00	11,000.00	11,000.00	0.00	
Bidding	12,000.00	100.00	12,000.00	12,000.00	0.00	
Total Fee	50,500.00		50,500.00	50,500.00	0.00	
Total Fee					0.00	
Total this Phase					0.00	

Phase	03	Construction				
Fee						
Billing Phase	Fee	Percent Complete	Earned	Previous Fee Billing	Current Fee Billing	
Construction	28,000.00	90.00	25,200.00	21,999.60	3,200.40	
Post-Construction	1,000.00	0.00	0.00	0.00	0.00	
Total Fee	29,000.00		25,200.00	21,999.60	3,200.40	
Total Fee					3,200.40	
Total this Phase					\$3,200.40	

Phase	04	Resident Project Representative				
		179.00				
		179.00				
Total Labor			14,649.36			

Invoices are due upon receipt.

Contractor's Application for Payment No. 5

To (Owner): City of St. Ignace City Hall, 196 North State St., St. Ignace, MI 49781 Project: Wastewater System Improvement Owner's Contract No.: 16-0072	From (Contractor): Eimer's Crane & Doser 3600 Ronnie School Road, Tarentine City, MI 49825 Contact: St. Ignace Wastewater System Improvement Contractor's Project No.: Engineer's Project No.: 16-0072
Application Period: 2/5/20 to 7/10/20	Application Date: 7/20/2020
Via (Engineer): CZAE 1311 Ludington St., Escanaba, MI 49829	

Application For Payment Change Order Summary

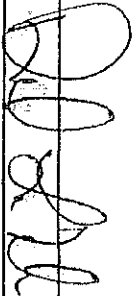
Approved Change Orders	Additions	Deductions
CO#1	\$1,610.00	
CO#2	\$8,300.00	
CO#3	\$5,188.50	
CO#4	\$0.00	
TOTALS	\$15,098.50	
NET CHANGE BY CHANGE ORDERS	\$15,098.50	

1. ORIGINAL CONTRACT PRICE \$ 51,038,503.50
2. Net change by Change Orders \$ 525,598.50
3. Current Contract Price (Line 1 + 2) \$ 51,064,102.00
4. TOTAL COMPLETED AND STORED TO DATE
(Column F on Progress Estimate) \$ 524,194.60
5. RETAINAGE:
 - a. 5% Work Completed \$
 - b. 5% Stored Material \$ 515,099.00
 - c. Total Retainage (Line 5a + Line 5b) \$ 509,194.60
6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c) \$ 573,184.25
7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application) \$ 528,610.37
8. AMOUNT DUE THIS APPLICATION \$ 54,573.88
9. BALANCE TO FINISH, PLUS RETAINAGE
(Column G on Progress Estimate + Line 5 above) \$ 154,907.40

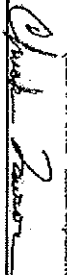
Contractor's Certification

The undersigned Contractor certifies, to the best of his knowledge, the following:

(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment; (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

By:  Date: 7-14-2020

Payment of: \$ 528,610.37 (Line 8 or other - attach explanation of the other amount)

is recommended by:  7/14/2020 (Date)

Payment of: \$ 528,610.37 (Line 8 or other - attach explanation of the other amount)

is approved by: _____ (Owner) _____ (Date)

Approved by: _____ Funding Agency (if applicable) _____ (Date)

Project	16-0072	St. Ignace USDA South State Street Area	Invoice	69953
Reimbursable Mileage, Parking, and Tolls				
5/31/2020	Holmgren, Michael	Vehicle Mileage	196.65	
Reimbursable Lodging and Airfare				
5/31/2020	Holmgren, Michael	Lodging	99.80	
Reimbursable Per Diem Costs				
5/31/2020	Holmgren, Michael	Lodging and Meals	200.00	
6/7/2020	Holmgren, Michael	Lodging and Meals	325.00	
6/14/2020	Holmgren, Michael	Lodging and Meals	325.00	
	Total Reimbursables		1,146.45	1,146.45

Fleet Vehicle 13 RAM

86.25
10.93
10.93
10.93
85.68
87.40
12.65
12.08
12.65
87.40
182.28
182.28
781.46
781.46

Contract Recap		Current Billing Amount	Previous Billed Amount	To-Date
	Total Billings	16,577.27	63,136.47	79,713.74
	Contract Amount			100,000.00
	Contract Balance			20,286.26
			Total this Phase	\$16,577.27
			Total this Invoice	<u>\$19,777.67</u>



Construction Pay Estimate Amount Balance Report

Estimate: 5

7/13/2020 1:28 PM

Field Manager 5.3c

C2AE-Escanaba

Contract: _16-0072, St. Ignace - WW System Improvements

Item Description	Item Code	Prop. Line	Project	Category	Authorized Quantity	Quantity This Estimate	Qty. Paid To Date	Total Qty. Placed	% Cpt	Unit Price	Dollar Amt. Paid To Date
Allow Gas Main Relocate	_16-72-1(0101	16-0072	10		1,000,000		0.000			1.00000	
Allow Phone Line Relocate	_16-72-1(0102	16-0072	10		2,000,000		2,000,000	2,000,000	100%	1.00000	\$2,000.00
Allow Buried Elec Line Relocate	_16-72-1(0103	16-0072	10		1,000,000		0.000			1.00000	
Allow Utility Pole Relocation	_16-72-1(0104	16-0072	10		1,000,000		0.000			1.00000	
Allow for Contaminated Soils	_16-72-1(0105	16-0072	10		1,000,000		0.000			1.00000	
Bypass Pumping Sewer Replaceme	_16-72-1(0106	16-0072	10		7,500,000	1,875,000	7,500,000	7,500,000	100%	1.00000	\$7,500.00
Allow for Contaminated Water	_16-72-1(0107	16-0072	10		1,000,000		0.000			1.00000	
Allow Tree & Shrub Replacement	_16-72-1(0108	16-0072	10		2,000,000		0.000			1.00000	
General Cond Bonds, Ins & Mob	_16-72-1(0109	16-0072	10		51,000,000	12,750,000	51,000,000	51,000,000	100%	1.00000	\$51,000.00
Precon Audiovisual Coverage	_16-72-1(0110	16-0072	10		2,000,000		0.000			1.00000	
Public Relations Program	_16-72-1(0111	16-0072	10		1,000,000	250,000	1,000,000	1,000,000	100%	1.00000	\$1,000.00
Env Mit, Erosion & Dust Control	_16-72-1(0112	16-0072	10		11,930,000	2,980,000	11,930,000	11,930,000	100%	1.00000	\$11,930.00
Engineer's Temp Field Office	_16-72-1(0113	16-0072	10		0.000		0.000			1.00000	
Traffic Control	_16-72-1(0114	16-0072	10		75,000,000	18,750,000	75,000,000	75,000,000	100%	1.00000	\$75,000.00
Project Sign	_16-72-1(0115	16-0072	10		2,500,000		2,500,000	2,500,000	100%	1.00000	\$2,500.00
Added Cost Hydrocarbon Impact	_16-72-1(0116	16-0072	10		50,000		0.000			13.00000	
12" to 24" Tree/Stump Removal	_16-72-1(0117	16-0072	10		6,000	4,500	5,500	5,500	92%	540.00000	\$2,970.00
Remove Salv or Replace Sign	_16-72-1(0118	16-0072	10		4,000	1,000	3,000	3,000	75%	150.00000	\$450.00
Remove Salv or Replace Mailbox	_16-72-1(0119	16-0072	10		4,000	3,000	4,000	9,000	225%	90.00000	\$360.00
Quantity Withheld: 5.000											
Rock or Boulder Excavation	_16-72-1(0120	16-0072	10		703,100	112,500	500,600	500,600	71%	100.00000	\$50,060.00
Rock Excavation, No Blasting	_16-72-1(0121	16-0072	10		40,000		0.000			100.00000	
Utility Location Investigation	_16-72-1(0122	16-0072	10		15,000		2,000	2,000	13%	290.00000	\$580.00
12" Undercut/Stone Refill	_16-72-1(0123	16-0072	10		800,000		100,000	100,000	13%	30.00000	\$3,000.00
Granular Fill	_16-72-1(0124	16-0072	10		350,000	315,000	350,000	487,000	142%	26.00000	\$9,100.00
Quantity Withheld: 147.000											

Contract: _16-0072

Estimate: 5

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Construction Pay Estimate Amount Balance Report

Estimate: 5

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FieldManager 5.3c

C2AE-Escanaba

Item Code	Prop. Line	Project	Category	Authorized Quantity	Quantity This Estimate	Qty. Paid To Date	Total Qty. Placed	% Cpt	Unit Price	Dollar Amt. Paid To Date
1' Gravel Shoulder, 12" Depth	16-0072	16-0072	10	2,415.000	1,097.000	2,415.000	2,948.500	122%	4.70000	\$11,350.50
Quantity Withheld: 533.500										
Excess Cut										
4" Concrete Sidewalk	16-0072	16-0072	10	100.000	58.000	0.000	0.000	73%	15.00000	\$26,789.40
6" Concrete Sidewalk or Ramp	16-0072	16-0072	10	5,540.000	58.000	4,059.000	4,059.000	53%	6.60000	\$3,612.50
ADA Truncated Dome Ramp Casting	16-0072	16-0072	10	800.000	60.000	425.000	425.000	100%	8.50000	\$4,800.00
Adjust Existing Casting	16-0072	16-0072	10	10.000	2.000	2.000	2.000	20%	420.00000	\$840.00
Adjust Existing Valve Box	16-0072	16-0072	10	10.000	4.000	4.000	4.000	40%	200.00000	\$800.00
6" Gravel Road Surface	16-0072	16-0072	10	138.000	138.000	138.000	138.000	100%	12.00000	\$1,656.00
12" Base, Type 'A' & 'B' Areas	16-0072	16-0072	10	3,375.000	1,113.000	1,607.000	1,607.000	48%	17.00000	\$27,319.00
3" Type 'A' Pavement Replace	16-0072	16-0072	10	3,125.000	2,620.000	3,114.000	3,114.000	99%	21.00000	\$65,394.00
3" Type 'B' Pavement Replace	16-0072	16-0072	10	250.000	250.000	250.000	610.000	244%	35.00000	\$8,750.00
Quantity Withheld: 360.000										
8" Type 'C' Pavement Replace	16-0072	16-0072	10	152.700	152.700	152.700	152.700	100%	175.00000	\$26,722.50
6" Conc Drive, w/4" Sand Base	16-0072	16-0072	10	43.000	43.000	34.600	34.600	80%	190.00000	\$6,574.00
3" HMA Drive, w/6" Gravel Base	16-0072	16-0072	10	697.800	697.800	697.800	1,183.800	170%	45.00000	\$31,401.00
Quantity Withheld: 488.000										
6" Gravel Driveway Replacement	16-0072	16-0072	10	141.000	23.000	88.700	88.700	53%	16.00000	\$1,419.20
6" Water Main	16-0072	16-0072	10	32.500	32.500	32.500	32.500	100%	80.00000	\$2,600.00
Hydrant Assembly w/6" Valve	16-0072	16-0072	10	2.000	2.000	2.000	2.000	100%	4,500.00000	\$9,000.00
Remove Ex Hydrant/Return Owner	16-0072	16-0072	10	2.000	2.000	2.000	2.000	100%	865.00000	\$1,730.00
Connect to Ex 6" Water Main	16-0072	16-0072	10	2.000	2.000	2.000	2.000	100%	3,500.00000	\$7,000.00
Additional Fittings, 6"	16-0072	16-0072	10	2.000	1.000	2.000	2.000	100%	550.00000	\$1,100.00
8" Sanitary Sewer	16-0072	16-0072	10	3,770.000	1,007.000	3,614.000	3,614.000	96%	91.00000	\$328,874.00
4"-6" Sewer Lateral	16-0072	16-0072	10	995.000	259.500	695.500	695.500	74%	21.00000	\$14,605.50
8" x 6" Wye Branch	16-0072	16-0072	10	52.000	13.000	52.000	56.000	108%	304.00000	\$15,808.00
Quantity Withheld: 4.000										

Contract: 16-0072

Estimate: 5



Construction Pay Estimate Amount Balance Report

Estimate: 5

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FieldManager 5.3c

C2AE-Escanaba

Item Description	Item Code	Prop. Line	Project	Category	Authorized Quantity	Quantity This Estimate	Qty. Paid To Date	Total Qty. Placed	% Cpt	Unit Price	Dollar Amt. Paid To Date
Connect to Ex 4" to 6" Lateral	_16-72-1:0148		16-0072	10	52.000	15.000	52.000	53.000	102%	125.00000	\$6,500.00
Quantity Withheld: 1.000											
Cap and Mark New Lateral	_16-72-1:0149		16-0072	10	2.000		2.000	3.000	150%	150.00000	\$300.00
Quantity Withheld: 1.000											
4" Insulation	_16-72-1:0150		16-0072	10	20.000		0.000			12.00000	
18" Storm Sewer Replacement	_16-72-1:0151		16-0072	10	20.000		9.000	9.000	45%	68.00000	\$612.00
15" Storm Sewer Replacement	_16-72-1:0152		16-0072	10	40.000		19.000	19.000	48%	55.00000	\$1,045.00
12" Storm Sewer Replacement	_16-72-1:0153		16-0072	10	40.000		28.000	28.000	70%	50.00000	\$1,400.00
8" to 15" Ex Sewer Bulkhead	_16-72-1:0154		16-0072	10	10.000		0.000			70.00000	
4" to 6" Ex Sewer Bulkhead	_16-72-1:0155		16-0072	10	6.000		0.000			70.00000	
Abandon Ex 8" to 15" Sewer	_16-72-1:0156		16-0072	10	236.000	100.000	100.000	100.000	42%	14.00000	\$1,400.00
8" to 10" Connect to Ex Sewer	_16-72-1:0157		16-0072	10	11.000		5.000	5.000	45%	175.00000	\$875.00
12" to 15" Connect to Ex Sewer	_16-72-1:0158		16-0072	10	11.000	5.000	11.000	11.000	100%	280.00000	\$3,080.00
48" Pre-cast MH, 10' Less	_16-72-1:0160		16-0072	10	21.000	3.000	21.000	21.000	100%	4,200.00000	\$88,200.00
Added 48" MH Depth Over 10'	_16-72-1:0161		16-0072	10	13.000	0.400	12.880	12.880	99%	275.00000	\$3,542.00
Abandon Existing 48" MH	_16-72-1:0163		16-0072	10	1.000		0.000			3,000.00000	
Culvert Replacement, 15"	_16-72-1:0164		16-0072	10	47.000	27.000	47.000	47.000	100%	35.00000	\$1,645.00
Percentage of Contract Completed(curr): 87% (total paid to date / total of all authorized work)											
										Total Amount Paid This Estimate:	\$268,211.20
										Total Amount Paid To Date:	\$924,194.60

Contract: _16-0072

Estimate: 5

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Date of Issuance: 7/20/20	Effective Date: On Funding Agency Approval
Owner: City of St. Ignace	Owner's Contract No.: 16-0072
Contractor: Elmer's Crane & Dozer	Contractor's Project No.:
Engineer: C2AE	Engineer's Project No.: 16-0072
Project: Wastewater System Improvements	Contract Name:

The Contract is modified as follows upon execution of this Change Order: **Additional work as requested by the Owner through the Engineer. This change includes work required based on field conditions encountered to date on the project. This is a final balancing change order. All work in this CO is within the limits of the current R.O.W. map and included in the PER. No other project related costs are associated with the items included herein. The Final Completion date is changed due to field conditions encountered to date, and completion of punch list items.**

Attachments: Final Balancing Tab

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES <i>(note changes in Milestones if applicable)</i>
Original Contract Price: \$ 1,038,503.50	Original Contract Times: Substantial Completion: <u>October 15, 2019</u> Ready for Final Payment: <u>June 30, 2020</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>4</u> : \$ 25,598.50	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>4</u> : Substantial Completion: <u>June 30, 2020</u> Ready for Final Payment: <u>July 30, 2020</u> days
Contract Price prior to this Change Order: \$ 1,064,102.00	Contract Times prior to this Change Order: Substantial Completion: <u>June 30, 2020</u> Ready for Final Payment: <u>July 30, 2020</u> days or dates
[Increase] [Decrease] of this Change Order: -\$ 89,404.45	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>33</u> days or dates
Contract Price incorporating this Change Order: \$ 974,697.55	Contract Times with all approved Change Orders: Substantial Completion: <u>June 30, 2020</u> Ready for Final Payment: : <u>August 31, 2020</u> days or dates

RECOMMENDED:		ACCEPTED:	
By: <u>[Signature]</u>	By: _____	By: <u>[Signature]</u>	By: _____
Engineer (if required)	Owner (Authorized Signature)	Contractor (Authorized Signature)	
Title: <u>Project Manager</u>	Title: _____	Title: <u>PROJECT MANAGER</u>	Title: _____
Date: <u>7/15/2020</u>	Date: _____	Date: <u>7-15-2020</u>	Date: _____

Approved by Funding Agency (if applicable)

By: _____ Date: _____
Title: _____

Incorporate the following changes into the contract:

1. Adjust the project quantities to reflect conditions encountered in the field and requested by owner:

Net Change This Item: -\$ 89,404.45

Total Changes this Change Order: -\$ 89,404.45



Contract Modification

7/15/2020 10:04 AM
FieldManager 5.3c

Contract: _16-0072, St. Ignace - WW System Improvements

Cont. Mod. Number 5	Revision Number 1	Cont. Mod. Date 7/15/2020	Electronic File Created No	Net Change \$-89,404.45	Awarded Contract Amount \$1,038,503.50
Route		Managing Office Escanaba		District 0	Entered By Kelly R Heldbrier
Contract Location St. Ignace, MI					

Short Description

CO#5 - Final Balancing Change Order

Description of Changes

CO#5 - Final Balancing Change Order

Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
Allow Gas Main Relocate	_16-72-11	0101	0005	16-0072	10	Original	-1,000.000	DLR	1.00000	-\$1,000.00
Allow Buried Elec Line Relocate	_16-72-11	0103	0015	16-0072	10	Original	-1,000.000	DLR	1.00000	-\$1,000.00
Allow Utility Poie Relocation	_16-72-11	0104	0020	16-0072	10	Original	-1,000.000	DLR	1.00000	-\$1,000.00
Allow for Contaminated Soils	_16-72-11	0105	0025	16-0072	10	Original	-1,000.000	DLR	1.00000	-\$1,000.00
Allow for Contaminated Water	_16-72-11	0107	0035	16-0072	10	Original	-1,000.000	DLR	1.00000	-\$1,000.00
Allow Tree & Shrub Replacement	_16-72-11	0108	0040	16-0072	10	Original	-2,000.000	DLR	1.00000	-\$2,000.00



Contract Modification

7/15/2020 10:04 AM
FieldManager 5.3c

Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
Precon Audiovisual Coverage	_16-72-1'	0110	0050	16-0072	10	Original	-2,000.000	DLR	1.00000	\$-2,000.00
Added Cost Hydrocarbon Impact	_16-72-1'	0116	0080	16-0072	10	Original	-50.000	LF	13.00000	\$-650.00
12" to 24" Tree/Stump Removal	_16-72-1'	0117	0085	16-0072	10	Original	-0.500	EA	540.00000	\$-270.00
Remove Salv or Replace Sign	_16-72-1'	0118	0090	16-0072	10	Original	-1.000	EA	150.00000	\$-150.00
Remove Salv or Replace Mailbox	_16-72-1'	0119	0095	16-0072	10	Original	5.000	EA	90.00000	\$450.00
Rock or Boulder Excavation	_16-72-1'	0120	0100	16-0072	10	Original	-202.500	CY	100.00000	\$-20,250.00
Rock Excavation, No Blasting	_16-72-1'	0121	0105	16-0072	10	Original	-40.000	CY	100.00000	\$-4,000.00
Utility Location Investigation	_16-72-1'	0122	0110	16-0072	10	Original	-13.000	EA	290.00000	\$-3,770.00
12" Undercut/Stone Refill	_16-72-1'	0123	0115	16-0072	10	Original	-700.000	LF	30.00000	\$-21,000.00
Granular Fill	_16-72-1'	0124	0120	16-0072	10	Original	147.000	LF	26.00000	\$3,822.00

Contract Modification

Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
1' Gravel Shoulder, 12"Depth	_16-72-1:	0125	0125	16-0072	10	Original	533.500	LF	4.70000	\$2,507.45
Excess Cut	_16-72-1:	0126	0130	16-0072	10	Original	-100.000	CY	15.00000	\$-1,500.00
4" Concrete Sidewalk	_16-72-1:	0127	0135	16-0072	10	Original	-1,481.000	SF	6.60000	\$-9,774.60
6" Concrete Sidewalk or Ramp	_16-72-1:	0128	0140	16-0072	10	Original	-375.000	SF	8.50000	\$-3,187.50
Adjust Existing Casting	_16-72-1:	0130	0160	16-0072	10	Original	-8.000	EA	420.00000	\$-3,360.00
Adjust Existing Valve Box	_16-72-1:	0131	0155	16-0072	10	Original	-6.000	EA	200.00000	\$-1,200.00
12" Base, Type 'A'&'B' Areas	_16-72-1:	0133	0165	16-0072	10	Original	-1,768.000	LF	17.00000	\$-30,056.00
Reason: Relocation of Proposed Utility out of Roadway.										
3" Type 'A' Pavement Replace	_16-72-1:	0134	0170	16-0072	10	Original	-11.000	LF	21.00000	\$-231.00
3" Type 'B' Pavement Replace	_16-72-1:	0135	0175	16-0072	10	Original	495.000	LF	35.00000	\$17,325.00
6" Conc Drive, w/4" Sand Base	_16-72-1:	0137	0185	16-0072	10	Original	-8.400	SY	190.00000	\$-1,596.00

Contract Modification

Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
3" HMA Drive, w/6" Gravel Base	_16-72-1	0138	0190	16-0072	10	Original	553.500	SY	45.00000	\$24,907.50
6" Gravel Driveway Replacement	_16-72-1	0139	0195	16-0072	10	Original	-52.300	SY	16.00000	\$-836.80
8" Sanitary Sewer	_16-72-1	0145	0225	16-0072	10	Original	-156.000	LF	91.00000	\$-14,196.00
4"-6" Sewer Lateral	_16-72-1	0146	0230	16-0072	10	Original	-239.500	LF	21.00000	\$-5,029.50
8" x 6" Wye Branch	_16-72-1	0147	0235	16-0072	10	Original	4.000	EA	304.00000	\$1,216.00
Connect to Ex 4" to 6" Lateral	_16-72-1	0148	0240	16-0072	10	Original	1.000	EA	125.00000	\$125.00
Cap and Mark New Lateral	_16-72-1	0149	0245	16-0072	10	Original	1.000	EA	150.00000	\$150.00
4" Insulation	_16-72-1	0150	0250	16-0072	10	Original	-20.000	LF	12.00000	\$-240.00
18" Storm Sewer Replacement	_16-72-1	0151	0255	16-0072	10	Original	-11.000	LF	68.00000	\$-748.00
15" Storm Sewer Replacement	_16-72-1	0152	0260	16-0072	10	Original	-21.000	LF	55.00000	\$-1,155.00

Contract Modification

Increases / Decreases

Item Description	Item Code	Prop. Line	Proj. Line	Project	Catg.	Item Type	Quantity Change	Unit	Unit Price	Dollar Value
12" Storm Sewer Replacement	_16-72-1	0153	0265	16-0072	10	Original	-12.000	LF	50.00000	\$-600.00
8" to 15" Ex Sewer Bulkhead	_16-72-1	0154	0270	16-0072	10	Original	-10.000	EA	70.00000	\$-700.00
4" to 6" Ex Sewer Bulkhead	_16-72-1	0155	0275	16-0072	10	Original	-6.000	EA	70.00000	\$-420.00
Abandon Ex 8" to 15" Sewer	_16-72-1	0156	0280	16-0072	10	Original	-136.000	LF	14.00000	\$-1,904.00
8" to 10" Connect to Ex Sewer	_16-72-1	0157	0285	16-0072	10	Original	-6.000	EA	175.00000	\$-1,050.00
Added 48" MH Depth Over 10'	_16-72-1	0161	0300	16-0072	10	Original	-0.120	VF	275.00000	\$-33.00
Abandon Existing 48" MH	_16-72-1	0163	0305	16-0072	10	Original	-1.000	EA	3,000.00000	\$-3,000.00

Total Dollar Value: \$-89,404.45

Project / Category Summary

Project/Catg	Project/Category Description	Federal Number	Project Status	Finance System	Control Section	Dollar Value
16-0072	St. Ignace - WW Improvements Total Project	0	CNST			
10	Total Project					\$-89,404.45
Total:						<u>\$-89,404.45</u>

Total Net Change Amount: \$-89,404.45

CITY OF SAINT IGNACE
MACKINAC COUNTY, MICHIGAN

SHORT TERM RENTAL ORDINANCE
Ordinance No. 38-358 of 2020

AN ORDINANCE TO ADD ADDITIONAL DEFINITIONS TO SECTION 38-5, AND REVISE SECTION 38-358 TO PERMIT AND REGULATE SHORT TERM RESIDENTIAL RENTALS WITHIN THE CITY OF SAINT IGNACE, TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE, AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF.

THE CITY OF SAINT IGNACE ORDAINS:

PART 1. The City of Saint Ignace, Michigan, Code of Ordinances, is hereby amended to add the following definitions to Section 38-05 Definitions:

Bathroom means a room containing a toilet, a sink, and a bathtub or shower.

Camp or camping means the use of a camping unit or similar shelter for overnight accommodations (11:00 p.m. to 7:00 a.m., or a significant portion thereof) or for other temporary living.

Camping unit means portable outdoor overnight sleeping accommodations, lodgings, or other accommodations, with or without cooking facilities, including a tent, tent trailer, motorhome, travel trailer, pop-up or truck-mounted trailer, recreational vehicle, camper van, or other shelter used for temporary living.

Occupancy means the purpose for which a dwelling unit or portion thereof is utilized or occupied.

Occupant means any individual living or sleeping in a dwelling unit, or having possession of a space within a dwelling unit. "Occupant" does not include guests visiting a dwelling unit between the hours of 8:00 a.m. and 11:00 p.m.

Operator means any person who owns or has charge, care or control of a dwelling unit which is offered as a short term rental.

Owner means the person or entity that holds legal or equitable title to the dwelling unit (or portion thereof).

Parcel means a continuous area or acreage of land under common ownership. "Parcel" includes a single condominium unit.

Person means an individual, trustee, personal representative, conservator, receiver, agent, firm, corporation, association, partnership, limited liability company, or other legal entity.

Short Term Rental means any dwelling or condominium or portions thereof, that is available for use or is used for accommodations or lodging of a guest, paying a fee or other compensation for a period of less than thirty consecutive days.

Part 2. The City of Saint Ignace, Michigan, Code of Ordinances, is hereby amended to add the revised Chapter 38-358 which shall be titled as follows:

Sec 38-358 Short Term Rental (Residential) operations and regulations.

(a) Categories of Operation

- (1) Category 1, Bed and Breakfast is an Owner occupied single family dwelling unit, which is the principal residence of the owner, and said owner shall live on the premises when the short term rental of a sleeping room or rooms is active.
- (2) Category 2, Short Term Rental is when an Owner resides on a property which is their principal residence, where the owner does not live in the dwelling unit rented by the guest, but lives in a dwelling unit under the same roof such as a duplex, triplex, or apartment building, or on the same parcel, such as an accessory dwelling unit when the short term rental is active.
- (3) Category 3, Short Term Rental where the Property Owner resides within 30 minutes of the rented dwelling unit, but not under the same roof as the dwelling unit occupied by the guest when the short term rental is active.
- (4) Category 4, Short Term Rental where the Property Owner resides more than 30 minutes away from the rented dwelling unit occupied by the guest when the short term rental is active.

(b) Permit Required. No person shall permit, allow, or offer a dwelling unit to be used as a short term rental nor enter into a short term rental agreement concerning a dwelling unit within the City of Saint Ignace without first obtaining a permit from the City pursuant to the requirements of this Ordinance.

No permit may be issued for a property that will not be made available for rent or rented within 30 days of issuance of permit, and property must be available for rent for at least 4 months of a permit year (June 1 - May 31) A Short Term Rental Permit shall be revoked by the City Assessor if the Assessor determines that the permit was not obtained in good faith and the unit was not made available for rent or rented during a period of at least 4 months of the permit year.

A property owner applying for a permit may request a variance from the Planning Commission to delay the starting date of the permit period and to prolong the time between permit issuance and availability of rental to perform repair/improvement/sanitation/pest extermination or mitigation of damage from natural or man-made disaster. This variance can allow a permit holder to retain a permit for up to 12

months without making the rental available, as long as such repair work is ongoing. Such a variance may be renewed one (1) time, for one additional period of 12 months, if repair work is ongoing.

A revocation of a license under this section shall not prohibit a property owner from re-applying for a short term rental permit at any time as long as all requirements are met.

(c) Application and Fee Requirements. An operator seeking a permit under this Ordinance shall submit a complete application to the City Manager, or his or her designee and pay the required fee, which shall be determined from time to time by resolution of the City Council. The fee schedule adopted by the City Council may include an enhanced fee for dwelling units found to have been operating as unpermitted short term rentals in violation of this Ordinance. The application shall include proof of ownership of, or the legal right to rent, a dwelling unit, and all information reasonably necessary for the City Manager, or their designee, to determine whether the applicable standards for approval have been met. The City Council may approve the form and content of the application by resolution.

(d) Standards for Approval. The City Manager or their designee shall approve, or approve with conditions, an application for a short term rental permit only upon a finding that the dwelling unit complies with all of the following applicable standards:

(1) Guest register. Every operator shall keep a list of the names of the registered guests and the total number of guests staying at the short term rental.

(2) Bedrooms and Sleeping Rooms. The size and occupancy of rooms used for sleeping purposes shall comply with all current State of Michigan applicable code requirements including the International Property Maintenance Code (Saint Ignace Code of Ordinances, Chapter 6 Buildings and Building Regulations, Article III. Property Maintenance Code, Section 6-61).

(3). Parking. The property owner shall designate to guests the location(s) of legal parking spaces for all Short Term Rentals.

(4). The appearance and upkeep of the dwelling shall not conflict with the residential character of the neighborhood, and be consistent with Chapter 12 Environment, and Chapter 38-361 Appearance and upkeep.

(5). Fire Safety and Emergency Access.

[a] Smoke Alarms. Smoke detectors/alarms shall be installed in each rental unit. All smoke detectors/alarms shall be UL(Underwriters Laboratories, Inc.) approved, and shall be installed in accordance with the provisions of the Michigan Residential Code and the household fire warning equipment provisions of the National Fire Protection Association (NFPA) standards Section 72.A. Smoke detectors/alarms shall be installed in the following locations:

[1] In each bedroom or sleeping room.

[2] Outside of each separate sleeping area in the immediate vicinity of the bedrooms.

[3] On each additional story of the rental unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In rental units with split levels and without an intervening door between the adjacent levels, a smoke detector/alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[b] Bedroom and Sleeping Room Emergency Window Access.

[1] Every bedroom and sleeping room shall have an egress window meeting the current fire code for ingress and egress in an emergency, or is acceptable to the Fire Chief.

[2] No bedroom or sleeping room shall be located in a basement unless the basement meets current code requirements for ceiling height, and contains a doorway open to the outside or contains a window meeting ingress and egress emergency standards.

[c] Fire Extinguishers. An operable fire extinguisher shall be located and visible at an exit door on every floor level including the basement, and in the kitchen area.

(6) Designated Representative. The Owner of Short Term Rental shall identify a designated representative as a contact person at least eighteen years of age, responsible to act on behalf of the Owner when the Owner is not immediately available to respond to calls of nuisance or emergency. The Designated Representative is granted authority by the Owner to enforce rental agreements and to stand in the place of the Owner in order to make decisions when reasonably requested to do so by emergency services, utility companies, city assessor, city manager, or employees of DPW when acting in the ordinary course of business. The Owner shall provide the name, address and a current 24-hour working phone number of the designated representative to the City Manager. Said designated representative must be available during the rental period within a thirty-minute drive of the dwelling unit, or authorize an alternate eighteen years of age or older who can respond.

(7) Zoning Compliance. No person shall be granted a short term rental permit unless the dwelling unit is in compliance with applicable City of Saint Ignace Zoning Ordinances. Nothing in this Ordinance shall be construed as excusing compliance with the requirements of City of Saint Ignace Zoning Ordinances.

(8) State Law Compliance. No person shall be granted a short term rental permit unless the dwelling unit is in compliance with the State Building Code, State Residential Code, State Mechanical Code, State Plumbing Code, National Electrical Code, and the Michigan Fire Prevention Code.

(9) Certification by Applicant. As part of the application, the applicant shall certify that the foregoing standards have been met. The City may deny or revoke a permit if the statements or representations made on the application are determined by the City Manager to be false or

materially misleading. The applicant may appeal the City Manager's decision to the City Council in the manner provided by 38-358 (g)(3) of this Ordinance.

(10) No Category 3 or 4 Short Term Rental unit will be allowed in residential zoned R1 and R2 districts at a dwelling located within 300 feet measured in a straight line from front door to front door of an existing short term rental unit without a variance.

(11) No dwelling unit may be permitted as a Long Term Rental (30 consecutive days or more) and a Short Term Rental concurrently without a variance.

(12) Variance requests related to Short Term Rental units in residential zoned districts shall be directed to the Planning Commission for review.

(e) Permit.

(1) Duration. A Short Term Rental Use Permit shall be valid for the year the permit was obtained, starting 12:00:00 AM on June 1 and ending 11:59:59 PM on May 31 of the following year, hereinafter referred to as the "Permit Year".

(2) Transferability. A Short Term Rental Use Permit may not be transferred from one dwelling unit to another dwelling unit.

(3) Ownership transfer of permit. A Short Term Rental Use Permit may not be transferred or assigned to any third party except heirs and assigns, and the Permit shall be void upon transfer of ownership of the property where the Short Term Rental use is located. Upon change of ownership, the new owner must apply for a new Short Term Rental Use Permit in order for Short Term Rental Use activity to be authorized.

(4) The City will make available to the public the information shown on the Short Term Rental Use Permit.

(5) Display. The Short Term Rental Use Permit shall be displayed within the dwelling unit and contain the following information:

[a] Designated Representative Information. The name of the Contact Person, and a telephone number at which they may be reached on a twenty-four-hour basis; and

[b] Maximum Number of Occupants. The permit shall display the maximum number of occupants permitted at a dwelling unit. No person shall allow or permit a dwelling unit to exceed the maximum number of occupants stated on the permit.

[c] No paying guest shall camp or allow any person to camp on the land upon which a short term rental is located. This prohibition includes the occupation of tents, bivy sacks, campers, trailer coaches, camper trailers, vehicles, recreational vehicles, travel

trailers, camping unit, or any other temporary shelter located on the land upon which a short term rental is located pursuant to a permit issued under 38-358 (d).

[d] Notification that an occupant may be cited or fined by the City, in addition to any other remedies available at law, for violating any provisions of this and other applicable Ordinances.

(6) Guest information. When the property owner is not present during Short Term Rental Use, the following information is to be provided to guests:

[a] Emergency egress information for the dwelling unit.

[b] Applicable off-street and on-street parking standards, requirements, and regulations.

[c] Applicable campfire regulations, and restrictions.

[d] Requirements for trash collection and schedule for curbside pick-up.

[e] List of ordinances applicable to Short Term Rentals.

(f) Nuisance. A violation of this Ordinance is hereby declared to be a public nuisance per se and is hereby further declared to be offensive to the public health, safety, and welfare. All violations of this Ordinance shall be abated by a court of competent jurisdiction.

(g) Violations; Revocation of permit.

(1) Violations as Municipal Civil Infractions. Any person who violates any provision of this Ordinance shall be responsible for a Municipal Civil Infraction. Each day that a violation occurs constitutes a separate offense. Penalty, see Chapter 1 Section 1-7. Fees, Section 1-8 General Penalty; continuing violations, Section 1-9 Municipal Civil Infractions.

(2) Revocation of permit. The City may revoke the short term rental permit for any dwelling unit which is the site or subject of at least three (3) separate incidents or violations of this Ordinance (occurring on three (3) separate days) within the Permit Year resulting in a plea of responsibility (with or without explanation), a plea of guilty, a plea of no contest, or a court's determination of responsibility or guilt by the owner. If an owner demonstrates they properly posted rules and information, and a renter is ticketed one time for a violation, this will not apply to the property owner with respect to revocation of permit. Repeated (two or more) tickets to the renter for the same offense at the same property will be applied as a violation to the Property Owner. Revocation is for violations referenced above.

(4) Upon a determination by the City Manager the permit of a dwelling unit is subject to revocation pursuant to subsection (2), the City Manager shall issue a notice to the operator or designated representative that the City intends to revoke the permit by certified mail to the address listed on the permit. The operator or designated representative may within thirty (30) days from the date the notice was sent request a hearing before the Zoning Board of Appeals to show cause as to why the short term rental permit should not be revoked. If a hearing is timely requested, the City Manager or his or her designee shall notify the operator or designated representative of the time and place of the hearing. At the hearing, the operator or designated representative may present evidence that the violations of this Ordinance were due to or caused by extraordinary circumstances. The Zoning Board of Appeals may, in its discretion, reverse the determination of the City Manager to revoke the permit by a majority vote.

(5) Duration of Revocation. No permit shall be issued to an operator or designated representative for a period of thirty-six (36) months following the revocation of a permit pursuant to 38-358 (g)(3).

(h) Enforcement Officials. The City Manager or their designee, Ordinance Enforcement Officer, Building Inspector, Fire Marshall, and any City police officer are hereby designated as the authorized officials to issue and serve municipal civil infractions directing alleged violators of this Ordinance to appear in court.

(l) Civil Action. In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the City may initiate proceedings in the 92nd District Court for the County of Mackinac to abate or eliminate the nuisance per se or any other violation of this Ordinance. Any person determined by the Circuit Court to have violated this Ordinance shall be responsible for all costs, including actual reasonable attorney fees, incurred by the City in the enforcement of this Ordinance. Such costs of enforcement shall constitute a lien against the parcel upon which the dwelling unit is located, and the City Treasurer shall certify the costs of enforcement to the Tax Assessor or other responsible official, who shall place the same on the next tax roll. The costs of enforcement so assessed shall be collected in the same manner as general City taxes.

(j) Severability. If any section, clause, or provision of this Ordinance is declared unconstitutional or otherwise invalid by a court of competent jurisdiction, said declaration shall not affect the remainder of the Ordinance, which shall be given effect without the invalid portion or application.

(k) Effective Date. This Ordinance shall become effective ten (10) days after notice of adoption is published in a newspaper of general circulation within the City.

AYES: Members:

NAYS: Members:

ABSENT: Members:

ORDINANCE DECLARED ADOPTED.

City Mayor
City of Saint Ignace

_____,
City Clerk
City of Saint Ignace

STATE OF MICHIGAN)
) ss.
COUNTY OF MACKINAC)

I hereby certify that the foregoing is a true and complete

RESOLUTION

The following resolution was offered to adoption by Councilmember _____, supported by Councilmember _____:

WHEREAS, St. Ignace Visitors Bureau is requesting to sponsor the 2020 Weekly Events, and

WHEREAS, Ordinance No. 413 of the City of St. Ignace, "The Peddler's Ordinance", as amended, requires certain criteria be met by St. Ignace Visitors Bureau to comply with the "Special Events" requirements of the City, and

WHEREAS, St. Ignace Visitors Bureau has provided the City Council with all of the information required by Ordinance No. 413, and

THEREFORE BE IT RESOLVED, that the City Council has determined that St. Ignace Visitors Bureau has met the criteria established in the various sections of Ordinance No. 413, and

FURTHER BE IT RESOLVED, that the City Council does approve St. Ignace Visitors Bureau to be a "Special Events Organization", and approves the Weekly Events be held from July thru September 2020. The vending for this event will be handled exclusively by St. Ignace Visitors Bureau. The City does not participate in this event, and

FURTHER BE IT RESOLVED, that the City does approve, subject to compliance with City rules and regulations, for the 2020 Weekly Events usage of downtown property which would include Star Line Dock 2 and American Legion Park for the following events and dates:

Movies by the Bay
Dusk Sun., July 7-Sept. 1

Museum of Ojibwa Culture
Friday Night at the Museum
July 5-August 30

Museum of Ojibwa Culture
Historic Walking Tours
July 1-August 26
7p.m., Mon. & Tues.,

Fireworks Downtown St. Ignace
July 4 then every Saturday at dusk
July 6-August 31

Bayside Farmer's Market
Star Line Dock 2
July 4-Sept. 26
Thursday 4p.m.-7p.m.

Music By The Bay
American Legion Park
July 3-September 1
7p.m.-8:30p.m.

Roll Call Vote:

Yes: _____

No: _____

Absent: _____

Resolution declared: _____

I hereby certify that the above Resolution is a true copy of a Resolution presented to the St. Ignace City Council for adoption at a regular meeting held Monday, July 20, 2020 at 7:00 p.m.

Andrea Insley, City Clerk

July 14, 2020

City Council
396 N. State Street
St. Ignace, MI 49781

RE: Mayor's Proposed Policy Regarding Mayoral Duties

Dear Council Members:

I write to urge the city council to reject Mayor Litzner's proposal to have the council take action that attempts to provide her with administrative and executive authority beyond what is provided in the city charter. Whether this action is labeled a "policy", or any type of action other than a charter amendment, the action would be invalid. It would also be unwise.

The City of St. Ignace adopted its charter on November 4th, 1969, effective April 20th, 1970. The charter is, in effect, our constitution. We chose a "City Manager" form of government, and the charter specifically defines the duties of the city council (Section 4.2), the Mayor (Section 4.5a), and the City Manager (Section 4.7).

The Mayor's executive authority is extremely limited. The Mayor cited Section 4.5a for the proposition that she is the chief executive of the city. That is simply not true. The language is as follows:

"Insofar as required by statute, and for all ceremonial purposes, the Mayor shall be the executive head of the city".

We're not dealing with any statutory requirements in this matter. Therefore, this reference to the Mayor being the executive head of the city is limited to only "ceremonial purposes". Nowhere else in the charter is there any reference to the Mayor having executive authority.

To the contrary, Section 4.7 of the charter provides in relevant part:

"The City Manager shall be the chief administrative officer of the city government".

Section 4.6 provides that most administrative officers "shall be responsible to the city manager" and further provides that "the council may not diminish the duties or responsibilities of the city manager". (Emphasis added).

Therefore, the City Manager is the chief administrative officer. The other administrative officers, excluding the attorney and the officer of the public library board, report to the manager, not the Mayor. The council cannot diminish that responsibility. The Mayor's proposed policy is considerably different than the charter. Obviously, the charter can't be amended by a policy.

The Mayor also cited Section 4.5a(b) which states in part, "...the mayor shall exercise only such powers as this charter or the Council shall specifically confer upon him". Again, this provision must be construed in proper context. The council cannot confer powers to the Mayor that are already assigned to the city manager by the charter. Duties the charter confers upon the council cannot be delegated to the Mayor. Whatever is left to confer upon the Mayor must be "specifically" identified. The proposed policy is not at all specific. It is a broad partial takeover of the manager's duties.

During the course of the meeting held on July 6th, the Mayor attempted to justify the policy with three different, and shifting, explanations.

1. The Mayor first stated that the policy was to "clarify the language in the charter". The Mayor has no right to clarify the charter. The charter speaks for itself. Clarifying the charter would be like congress clarifying the constitution.
2. The Mayor also said she wanted the city council to confirm by policy what she was already doing. That's quite an admission, because if she is already performing duties that are not hers to perform by charter, she is already in violation. For reasons explained previously in this letter, the Mayor has extremely limited executive status and no administrative status. Her proposed policy confers substantial executive and administrative power to the Mayor, which the charter assigns to the City Manager.
3. As the July 6th meeting progressed, the Mayor cited yet another purpose for the policy, being that the policy would help address the void in administrative personnel when the City Manager resigns and the Police Chief was placed on leave of absence. However, the policy is not limited to those instances. Further, that type of void in personnel can be addressed by holding a special council meeting which requires only 18 hours prior notice, at which time the council can appoint an acting City Manager and/or an acting Chief of Police.

The proposed policy is neither valid nor wise. The policy would confuse the employees, the manager, and the council with regard to the chain of command. Even if this policy somehow worked, it would likely work because of the individual personalities of all involved – the Mayor, the manager and the department heads. However, how would that arrangement transfer to the next Mayor, the next manager, and future department heads?

I also think that the policy could lead to inadvertent violations of the Open Meetings Act. In general, a policy authorizing voting members of the council to represent the city in "meetings" not noticed as public meetings, can evolve such that decisions are ultimately made with some deliberations toward that decision not occurring in a public meeting.

I urge the council to reject the Mayor's proposed policy and work within the parameters established by the charter. The council establishes policy. The manager administers and executes the policy. The Mayor can vote and represent the city for ceremonial purposes only. Any reorganization of power and duties of city officials would require a charter amendment. Reliance on any other form of action would be invalid.

Sincerely,



Tom H. Evashevski

THE:dms