

CALUMET VILLAGE COUNCIL REGULAR MEETING AGENDA

TUESDAY, DECEMBER 19, 2023 – 6:00 PM

CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

Public viewing available via ZOOM.com “Join A Meeting” - Meeting ID: 897 0467 4551

<https://us02web.zoom.us/j/89704674551> or via phone: 1-312-626-6799

- I. Call to Order / Roll Call / Pledge of Allegiance
- II. Petitions from the Public *(members of the public have 5 minutes to speak)*
- III. Approval of Agenda
- IV. Approval of Consent Agenda Items *(items are considered routine by the council and will be enacted by one motion. If discussion of an item is required, it will be removed from the consent agenda and considered separately.)*

Review and approval of Council meeting minutes

Regular Meeting	November 20, 2023
Statutory Meeting	November 20, 2023
Work Session	December 12, 2023

Review and approval of bills

Prior paid bills in the amount of \$33,881.89

New bills in the amount of \$15,693.91

Fund Balances Report

Review and acceptance of Reports

Manager Report

Downtown Development Authority Minutes & Transaction Report from November 2023
(not approved until January meeting due to technical OMA Violation at December DDA Meeting)

Planning Commission Minutes from October 2023

Historic District Commission Minutes from October 2023 *(no meeting in October)*

- V. Unfinished Business
- VI. New Business
 - 1. Committees *(Germain)*
 - 2. Amendment to Ordinance No. 149 Municipal Civil Infractions Violations Ordinance
(Haselden)
- VII. Announcements – Other Council Business
- VIII. Comments from the Public *(members of the public have 5 minutes to speak)*

CALUMET VILLAGE COUNCIL REGULAR MEETING AGENDA

TUESDAY, DECEMBER 19, 2023 – 6:00 PM

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IX. Adjourn

CALUMET VILLAGE COUNCIL REGULAR MEETING MINUTES - DRAFT

MONDAY, NOVEMBER 20, 2023 – 6:00 PM

CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

Public viewing available via ZOOM.com “Join A Meeting” - Meeting ID: 897 0467 4551
<https://us02web.zoom.us/j/89704674551> or via phone: 1-312-626-6799

Present: President Tarvis; Trustees Dwyer, Germain, Que, Ranville, Smith, Weir; Clerk Pressel

Absent: None

Also Present from the Village: Manager Haselden

Present from the Public: Al Ayotte; Rebecca Glotfelty; Nathan McParlan; Leah Polzien (*via Zoom*)

I. Call to Order / Roll Call / Pledge of Allegiance

Tarvis called the meeting to order at 6:00pm with roll call and led the Pledge of Allegiance.

II. Petitions from the Public (*members of the public have 5 minutes to speak*)

None.

III. Approval of Regular Agenda

Haselden requests an update to the agenda adding Item VI. 1. Appointment to the DDA.

Que moved, seconded by Ranville to approve the agenda with the addition of Appointment to the DDA under Item VI. 1.

Motion Carried 7/0

IV. Approval of Consent Agenda Items (*items are considered routine by the council and will be enacted by one motion. If discussion of an item is required, it will be removed from the consent agenda and considered separately.*)

Review and approval of Council meeting minutes

Regular Meeting October 17, 2023

Work Session November 14, 2023

Review and approval of bills

Prior paid bills in the amount of \$16,467.00

New bills in the amount of \$36,681.85

Fund Balances Report

Review and acceptance of Reports

Manager Report

Downtown Development Authority Minutes & Transaction Report from October 2023

Planning Commission Minutes from October 2023 (*not included as not yet approved*)

Historic District Commission Minutes from October 2023 (*no meeting in October*)

CALUMET VILLAGE COUNCIL REGULAR MEETING MINUTES - DRAFT
MONDAY, NOVEMBER 20, 2023 – 6:00 PM
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Germain requests that the minutes of the October 17, 2023 Council Meeting be updated to include both the old and new fee schedule, along with the approved changes highlighted on the new fee schedule.

Haselden updated the Manager Report to clarify the 5th bullet point regarding delinquent taxes.

Que moved, seconded by Ranville to approve the Consent Agenda with the above noted corrections to the Minutes of October 17, 2023 and to the Manager Report.

Roll Call Vote:

Yeas: Que, Ranville, Smith, Tarvis, Weir

Nays: Dwyer, Germain

Motion Carried 5/2

V. Unfinished Business

None.

VI. New Business

1. Appointment to the Downtown Development Authority

Tarvis nominates Nathan McParlan to the DDA, as recommended by the DDA board.

Roll Call Vote:

Yeas: Dwyer, Germain, Que, Ranville, Smith, Tarvis, Weir

Nays: None

Motion Carried 7/0

2. Parking Meter Removals

Que moved to remove all parking meters, with the option to keep up to 4 per block. No second.

Discussion for parking meters to be added to the December Work Session agenda.

3. DPW Pay Rates: Superintendent and Street Assistant

Germain moved, seconded by Que to increase the pay rate for the Superintendent to \$25/hour and for the Street Assistant to \$23/hour.

Roll Call Vote:

Yeas: Dwyer, Germain, Que, Ranville, Smith, Tarvis, Weir

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Nays: None

Motion Carried 7/0

4. Big Annie Statue Ownership

Que moved, seconded by Ranville to approve ownership of the Big Annie Statue, once installed, with the stipulation that it must be installed on Village owned property.

Roll Call Vote:

Yeas: Dwyer, Germain, Que, Ranville, Smith, Tarvis, Weir

Nays: None

Motion Carried 7/0

VII. Announcements – Other Council Business

Dwyer shared a written statement, attached to the minutes, regarding the name of Main Street Calumet (MSC) and the contract between the DDA and MSC in 2019-2020.

Dwyer moved, seconded by Germain to require the DDA to report to the Village Manager and the Village Manager report to the entire council an itemization of the precise services and value of each service that the DDA received from MSC in return for two \$10,000 payments made in 2019 and 2020.

Motion Failed 2/5

The agreement for services between Main Street Calumet and the DDA is to be added to the December Work Session for follow-up from the Village Attorney.

VIII. Comments from the Public (*members of the public have 5 minutes to speak*)

Glottfelty and McParlan addressed the Council.

IX. Adjourn

Que moved, Weir seconded to adjourn the meeting at 7:28pm.

Motion Carried 7/0

Respectfully Submitted,

Patricia Pressel, Clerk

Megan Haselden, Manager

MOTION

Background

- 1) On August 22, 2022, the Michigan Treasury informed the council by a letter of discrepancies with Michigan law that "Actual expenditures exceeded the amounts authorized in the budget."
 - 2) On September 14, 2022, the Village Manager responded to the Michigan Treasury department that "The Village of Calumet would closely monitor and amend its budget in future years to prevent exceptions from occurring."
 - 3) In discharging their oversight responsibilities as trustees of the Village, Trustees Dwyer and Germain investigated village expenditures and noticed that TWO payments of \$10,000 had been made to the MSC in 2020, which was twice the amount authorized by the DDA at the December 10, 2019 Regular DDA Meeting.
 - 4) In response to further inquiries, additional discrepancies were revealed.
 - a) Trustees were informed by MSC chairman Langseth and the Village Manager that the payment from the DDA to the MSC was for the executive director's salary. However, MSC's IRS tax filing, form 990 EZ for 2020, shows the executive director was paid \$0 salary.
 - b) MSC was discharged from the Michigan State Housing Development Authority's Michigan Main Street Program, by letter dated May 7, 2014. The letter specifically directs MSC to cease use of the trademarked name "Main Street." MSC's continued use of this trademark raises issues of fraudulent financial activities.
 - 5) Upon further inquiry, the trustees were told by the Village Manager that no further information would be provided, unless ordered by the council.
- Therefore,** Trustee Dwyer moves the council to require the DDA to report to the Village Manager and the Village Manager report to the entire council an itemization of the precise services and value of each service that the DDA received from MSC in return for the two \$10,000 payments.

CALUMET VILLAGE COUNCIL STATUTORY MEETING MINUTES - DRAFT
MONDAY, NOVEMBER 20, 2023 – following Council Meeting
CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET
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<https://us02web.zoom.us/j/89704674551> or via phone: 1-312-626-6799

Present: President Tarvis; Trustees Dwyer, Germain, Que, Ranville, Smith, Weir; Clerk Pressel

Absent: None

Also Present from the Village: Manager Haselden

Present from the Public: Rebecca Glotfelty; Nathan McParlan

I. Call to Order

Tarvis called the meeting to order at 7:28pm.

II. Petitions from the Public (*members of the public have 5 minutes to speak*)

Glotfelty addressed the Council.

III. Approval of Agenda

Que moved, seconded by Weir to approve the agenda as presented.

Motion Carried 7/0

IV. Appointments

No change to Village Clerk, Treasurer or Deputy Treasurer appointments. Tarvis nominated Que as President Pro-Tempore through November 2024.

Roll Call Vote:

Yeas: Dwyer, Germain, Que, Ranville, Smith, Tarvis, Weir

Nays: None

Motion Carried 7/0

V. Delegates to other boards

No change to North Houghton County Water and Sewer Authority appointment; Removal of Keweenaw National Historical Park Advisory Commission from village delegate (not determined by Council). Tarvis nominates Ranville to the Houghton County Recreation Authority.

Roll Call Vote:

Yeas: Dwyer, Germain, Que, Ranville, Smith, Tarvis, Weir

Nays: None

Motion Carried 7/0

VI. Salaries and Fees

CALUMET VILLAGE COUNCIL STATUTORY MEETING MINUTES - DRAFT

MONDAY, NOVEMBER 20, 2023 – following Council Meeting

CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

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No Change; see attached.

VII. Designation of Depositories

No Change; see attached.

VIII. Designation of Officers

Tarvis nominates the Village Manager replace the President as Chief Administrative Officer.

Roll Call Vote:

Yeas: Dwyer, Germain, Que, Ranville, Smith, Tarvis, Weir

Nays: None

Motion Carried 7/0

Tarvis nominates the Village Manager replace the President as Fiscal Officer.

Roll Call Vote:

Yeas: Dwyer, Germain, Que, Ranville, Smith, Tarvis, Weir

Nays: None

Motion Carried 7/0

No other changes; see attached.

IX. Next Year Meeting Dates

Que moved, seconded by Smith to approve the attached meeting dates with the February meetings being updated to Monday, February 12, 2024 from Tuesday, February 13, 2024 and Monday, February 19, 2024 from Tuesday, February 20, 2024 to accommodate Redevelopment Ready Community trainings.

Motion Carried 7/0

X. Comments from the Public (*members of the public have 5 minutes to speak*)

Glotfelty and McParlan addressed the Council.

XI. Adjourn

Que moved, seconded by Weir to adjourn the meeting at 7:46pm.

Motion Carried 7/0

Respectfully Submitted,

Patricia Pressel, Clerk

Megan Haselden, Manager

Appointments

Village Clerk (2 year term, exp. 2024)	Patricia Pressel
Village Treasurer (2 yr. term, exp. 2024)	Debra Aubin
Deputy Treasurer (exp. 2024)	Erin Aubin
President Pro-Tempore (exp. 2024)	Pamela Que

Delegates to other boards:

North Houghton County Water and Sewer Authority (appointed 2023)	Gene LaRochelle
Houghton County Recreation Authority	Andrew Ranville

Salaries and Fees

President	\$35/month
Trustees	\$35/month
Clerk	\$262.50/month
Treasurer	\$262.50/month
Deputy Treasurer	\$15/month
Fire Department:	
Fire Chief	\$480/year
1st Assistant Chief	\$336/year
2nd Assistant Chief	\$312/year
Secretary/Treasurer	\$420/year
Firefighters (8)	\$300/year
Tournament Expense Contribution	\$115/month

Designation of Depositories

Range Bank
Incredible Bank

Designation of Officers

Chief Administrative Officer	Megan Haselden
Fiscal Officer	Megan Haselden
Street Administrator	Marc Klein
Engineer	UPEA
Building Inspector	Todd LaRoux
Zoning Administrator	Megan Haselden
Attorney	Jim Tercha; Kirkpatrick, Dubois & Slough PLC
CPA/Auditor	Gabridge & Co
Building Permit and Inspection	Todd LaRoux
Enforcement and Compliance	Megan Haselden
FOIA Coordinator	Megan Haselden

Next Year Meeting Dates (all meetings start @ 6:00pm)

December 2023:

Work Session Meeting	Tuesday, December 12, 2023
Regular Council Meeting	Tuesday, December 19, 2023

January 2024:

Work Session Meeting	Tuesday, January 9, 2024
Regular Council Meeting	Tuesday, January 16, 2024

February 2024:

Work Session Meeting	Monday, February 12, 2024
Budget Public Hearing (following Work Session)	Monday, February 12, 2024
Regular Council Meeting	Monday, February 19, 2024

March 2024:

Work Session Meeting	Tuesday, March 12, 2024
Regular Council Meeting	Tuesday, March 19, 2024

April 2024:

Work Session Meeting	Tuesday, April 9, 2024
Regular Council Meeting	Tuesday, April 16, 2024

May 2024:

Work Session Meeting	Tuesday, May 14, 2024
Regular Council Meeting	Tuesday, May 21, 2024

June 2024:

Work Session Meeting	Tuesday, June 11, 2024
Regular Council Meeting	Tuesday, June 18, 2024

July 2024:

Work Session Meeting	Tuesday, July 9, 2024
Regular Council Meeting	Tuesday, July 16, 2024

August 2024:

Work Session Meeting	Tuesday, July 13, 2024
Regular Council Meeting	Tuesday, July 20, 2024

September 2024:

Work Session Meeting	Tuesday, September 10, 2024
Regular Council Meeting	Tuesday, September 17, 2024

October 2024:

Work Session Meeting	Tuesday, October 8, 2024
Regular Council Meeting	Tuesday, October 15, 2024

November 2024:

Work Session Meeting	Tuesday, November 12, 2024
Regular Council Meeting	Tuesday, November 19, 2024
Statutory Meeting (following Regular Council Meeting)	Tuesday, November 19, 2024

CALUMET VILLAGE COUNCIL WORK SESSION MEETING MINUTES - DRAFT

TUESDAY, DECEMBER 12, 2023 – 6:00 PM

CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

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<https://us02web.zoom.us/j/89704674551> or via phone: 1-312-626-6799

Present: President Tarvis; Trustees: Dwyer, Germain, Que, Ranville, Smith, Weir; Clerk Pressel

Absent:

Also Present from the Village: Manager Haselden

Present from the Public: Nathan Jones; Jeff Ratcliffe (*via Zoom*); 1 Village resident

I. Call to Order / Roll Call / Pledge of Allegiance

Tarvis called the meeting to order at 6:00pm with roll call and led the pledge of allegiance.

II. Petitions from the Public (*members of the public have 5 minutes to speak*)

Jones, who is the director of Calumet Theatre Co, commented that the Fire Suppression system in the Theater hasn’t been monitored since 2018. Mitigation of this issue will begin next week.

III. Approval of Agenda

Que moved, seconded by Ranville to approve the agenda as presented.

Motion Carried 7/0

IV. Reports

1. Manager

Haselden updated the Council; report to be submitted at Council Meeting for acceptance and adding to the minutes.

2. DDA

Update tabled until January meeting due to a technical Open Meetings Act Violation.

3. Planning Commission

Haselden updated the Council.

4. HDC

Haselden updated the Council.

V. Unfinished Business

1. Main Street Calumet Inc. agreement with the Downtown Development Authority (*Dwyer*)

Discussion on the agreement with information reviewed from the Attorney.

2. Ordinances: (*Haselden*)

i. Codification Update

American Legal Publishing is working on this. First draft in January.

CALUMET VILLAGE COUNCIL WORK SESSION MEETING MINUTES - DRAFT

TUESDAY, DECEMBER 12, 2023 – 6:00 PM

CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

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ii. Ordinance No. 144: Real Estate Tax Exemption

Tabled for more research.

iii. Ordinance No. 146: Blight

Attorney is working on updates.

iv. Restated Ordinance No. 149: Municipal Civil Infractions Violations Ordinance

Amendment to be put on the December 19th agenda for approval.

v. New Ordinances/Amendments being drafted:

1. Amendment to Ordinance No. 157: Clerk Appointment

Update to be drafted by the Attorney.

2. Dangerous Buildings Ordinance

Attorney recommends reinstating this ordinance and will follow-up with any updates.

3. Marijuana Ordinance (*Planning Commission*)

No update from Planning Commission at this time.

3. Sidewalks (*Dwyer*)

No comment. Item to be removed from future work sessions unless requested.

4. Rules of Procedure (*Germain*)

Discussion; no updates at this time.

5. Committees (*Germain*)

Discussion. Topic to be added to the December 19, 2023 agenda for a vote.

VI. New Business

1. Budget v Actuals – General Fund as of October & Budgeting Process (*Haselden*)

Discussion on budget process, updates in January.

VII. Announcements – Other Council Business

None

VIII. Comments from the Public (*members of the public have 5 minutes to speak*)

None

IX. Adjourn

CALUMET VILLAGE COUNCIL WORK SESSION MEETING MINUTES - DRAFT

TUESDAY, DECEMBER 12, 2023 – 6:00 PM

CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

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Que moved, seconded by Ranville to adjourn the meeting at 7:37pm.

Motion Carried 7/0

Respectfully Submitted,

Patricia Pressel, Clerk

Megan Haselden, Manager

VILLAGE OF CALUMET DECEMBER 2023 PRIOR PAID BILLS

CLERK

Charter	\$	94.99
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DPW

Charter	\$	129.98
Semco Energy	\$	352.23
	\$	<u>482.21</u>

VILLAGE HALL

Semco Energy	\$	287.82
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AGASSIZ PARK

Semco Energy	\$	17.55
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FIRE DEPARTMENT

Upper Michigan Water Company	\$	1,435.61
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INSURANCE & BONDS

MML Workers' Comp Fund - Payroll Audit	\$	191.00
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ACCOUNTS PAYABLE

Houghton County Land Bank Authority - Escrow Insurance	\$	12,262.00
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(Fire Insurance
7th St)

PAYROLL FUND

11/21/23	Payroll	\$	6,200.38
	FICA	\$	474.32
12/05/23	Payroll	\$	10,817.26
	FICA	\$	827.54
12/12/23	Council Fees	\$	735.00
	FICA	\$	56.21
		\$	<u>19,110.71</u>

BILLS PAID PRIOR TO DECEMBER 2023 COUNCIL MEETING

\$	33,881.89
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VILLAGE OF CALUMET DECEMBER 2023 BILLS

CLERK

BS&A Software	\$	963.00
Daily Mining Gazette	\$	45.00
Elan Financial Services (VISA)	\$	441.67
Up & Running	\$	324.00
	\$	<u>1,773.67</u>

DPW

Ace Hardware	\$	171.91
Airgas USA	\$	176.62
Auto-Wares	\$	222.05
Calumet Machine	\$	260.00
Fastenal	\$	493.33
41 Lumber	\$	12.89
Harter Auto Supply	\$	684.59
H&L Mesabi Company	\$	462.00
Miller-Bradford & Risberg, Inc.	\$	2,407.33
Mill Supply	\$	259.79
Mine Street Amoco	\$	467.13
Red Jacket Petroleum (Rowe Oil)	\$	1,317.77
Up & Running	\$	6.00
	\$	<u>6,941.41</u>

VILLAGE HALL

Ace Hardware	\$	5.25
Elan Financial Services (VISA)	\$	40.03
UPPCO	\$	340.45
	\$	<u>385.73</u>

AGASSIZ PARK

UPPCO	\$	30.00
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FIRE MUSEUM

UPPCO	\$	31.11
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STREET LIGHTING

UPPCO	\$	1,946.87
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GRANT FUND

Beckett & Raeder	\$	4,445.00
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SANITATION FUND

Waste Management	\$	140.12
TOTAL NEW DECEMBER 2023 BILLS	\$	15,693.91
TOTAL BILLS PAID PRIOR TO MEETING	\$	33,881.89
TOTAL DECEMBER 2023 BILLS	\$	49,575.80

			FUND BALANCES AS OF 12/14/23				
1	GENERAL FUND						
	Checking						\$ 89,523.86
2	MAJOR STREETS						
	Checking						\$ 172,142.49
3	LOCAL STREETS						
	Checking						\$ 59,059.41
4	MUNICIPAL STREETS						
	Checking						\$ 133,902.15
5	GENERAL DEBT SERVICE FUND						
	Checking						\$ 74.01
6	PUBLIC IMPROVEMENT FUND						
	Checking						\$ 904.23
7	DOWNTOWN DEVELOPMENT AUTHORITY						
	Checking						\$ 84,984.05
8	SANITATION FUND						
	Checking						\$ 14,651.21
9	HISTORIC DISTRICT COMMISSION						
	Checking						\$ 13,692.31
10	PAYROLL FUND						
	Checking						\$ 3,407.16
11	GRANT FUND						
	Checking						\$ 80,446.67
12	REVOLVING LOAN FUND						
	Savings						\$ 6,744.33
13	OLD FIRE MUSEUM						
	Savings						\$ 679.61
14	WATER FUND - INCREDIBLE BANK						
	Savings						\$ 43,318.58
15	FIRE WITHHOLDING INSURANCE PROGRAM #3 SAVINGS						
	Escrow						\$ -

Manager Report

December 19, 2023

- The new DPW Assistant Superintendent, Shane Karrio started working at the beginning of the month and is a welcome addition to our team!
- The fire site concept plan survey was sent on December 12th, the link along with the pdf will be published to the website on December 13th. The survey will be open until January 9th.
- Budgeting Process: We are on track per Ordinance No. 119 to have all departments and boards provide their preliminary budgets to me in December, so that at the January Council meetings, we will review a draft budget and draft resolution for the adoption by the Council. We will then need to schedule the public hearing and per Ord. No. 119, the budget resolution should be passed by February 10.
- The transition to BS&A accounting software is well underway and requires a lot of attention. We expect to go live with the software in mid-February, much earlier than expected and meaning that we will be in compliance with the accounting software and chart of accounts mandated by the state for our FY 2024 audit.
- On December 8th, I submitted an application for the Fiscally Distressed Cities, Township and Villages grant through the state of Michigan. I worked with REJ Construction and Copper Range Roofing to develop estimates for work needed at the Village Hall and DPW Shop. The total ask for Village Hall is \$373,950 which includes a new roof, moving the power lines in the back of the building underground, tuckpointing in the back of the building to stop ice and water seepage, repairing the windows, plaster repair and painting in the ballroom and Village Hall foyers and removing/refinishing the floors in the Council Chambers and main office to the original oak floors. I will be applying for the Save America's Treasures grant for additional funding needs on the Calumet Theatre side of the building. The total ask for the DPW is \$372,500 and includes many repairs to the DPW shop as well as some equipment needs as outlined by the DPW. This grant has no match but is a reimbursement grant, so would be administered in phases. I don't know an exact date when the grants will be selected, but I assume it will be in March/April 2024.
- The lease for the EV Charging Stations was finalized and sent, the company is working on scheduling for implementation.

Projects in Process

- Hiring – Village Secretary/Clerk
- Create Employee Manual in place of Contracts for hourly employees
- Blight Enforcement
- Codification with American Legal Publishing / Ordinance updates with Attorney
- Redevelopment Ready Community (RRC) Certification
- Master Plan/Capital Improvement Plan Updates
- Strategic Plan/Joint Meetings of all boards

CALUMET VILLAGE PLANNING COMMISSION MEETING MINUTES
THURSDAY, OCTOBER 19, 2023 – 5:30 PM
CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

Present: Chair Riggins; Commissioners Que & Ryan

Absent: Commissioners Green & Hahn

Also Present from the Village: Manager Haselden

Present from the Public: None

I. Call to Order / Roll Call / Pledge of Allegiance

Riggins called the meeting to order at 5:30pm with roll call and led the Pledge of Allegiance.

II. Petitions from the Public (*members of the public have 5 minutes to speak*)

None.

III. Review and approve meeting minutes of September 7, 2023

Ryan moved, seconded by Que to approve the minutes as presented.

Motion Carried 3/0

IV. Approval of Agenda

Que moved, seconded by Ryan to approve the agenda as presented.

Motion Carried 3/0

V. Unfinished Business

1. Engaging the Public

Haselden updated on the status of survey responses. The group discussed the need for further engaging the public, including potential dates for walking door-to-door to get responses.

*Commissioner Ryan had to leave the meeting, resulting in no quorum. Items V. 2. and 3. as well as all items under VI. were not discussed.

2. Marihuana Ordinance

i. Discuss Strategy for presenting to public

CALUMET VILLAGE PLANNING COMMISSION MEETING MINUTES
THURSDAY, OCTOBER 19, 2023 – 5:30 PM
CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET

ii. Review Crystal Falls Ordinance

3. Master Plan/Capital Improvement Plan Updates

VI. New Business

1. Emails, Letters, Notices from the Public

2. Planning Commission as Zoning Commission

3. Joint Annual Meeting for Strategic Planning November 13th @ 6:00pm

VII. Summarize Action Items

VIII. Adjourn

Que moved, seconded by Ryan to adjourn the meeting at 5:57pm.

Motion Carried 3/0

Respectfully Submitted,

Megan Haselden, Village Manager

Pamela Que, Secretary

**HISTORIC DISTRICT COMMISSION (HDC) MEETING MINUTES
CALUMET VILLAGE TOWNHALL, 340 SIXTH STREET
WEDNESDAY OCTOBER 18, 2023 - 5:30 PM**

THE OCTOBER 18, 2023 HDC MEETING WAS CANCELLED.

COMMITTEES:

Background: A few months ago, the Council organized 2 additional committees, with the Ordinance Committee having organized earlier in the year. This was a split decision with some council members wanting committees and others thinking that they are not effective.

At the October 17, 2023 the question of whether to keep committees was put before the Council, with a failed motion and 5 Council Members voting to disband committees.

See below draft committee agenda layout (for if committees are reinstated):

DRAFT COMMITTEE AGENDA

Needs per Manager Haselden:

1. Towing during the winter.
 - a. Issue: staff have had trouble getting towing companies to move cars parked on the street during the winter hours, resulting in difficulties with plowing streets.
 - b. Action from Committee: Contact Sherriff and towing companies to get information and a plan for towing vehicles in the winter.
2. Older Equipment
 - a. Issue: a lot of our equipment is old and requires high mechanical skills to maintain.
 - b. Action from Committee: Start reviewing auctions for street and snow equipment. Look into possibility of leasing equipment. Report back to Council any information including costs.
 - c. Action from Staff: Provide Committee with a list of equipment on hand, prioritized with replacement need from DPW Superintendent.

Committee Requests from Staff:

- Analyze DPW hours related to sidewalk snow removal and snow contracts with the amounts billed for these services. Recommend new rate to council based on information.
- List of DPW equipment organized in replacement priority.

Action Items for Committee:

- Contact Sheriff re towing. Assigned To: Dwyer

Village of Calumet
County of Houghton, State of Michigan
RESTATED ORDINANCE NO. 149

MUNICIPAL CIVIL INFRACTIONS VIOLATIONS ORDINANCE

An Ordinance adopted pursuant to 1994 Public Act No. 12 to establish a Municipal Civil Infractions Ordinance Violations Bureau for the purpose of accepting admissions of responsibility for ordinance violations designated as municipal civil infractions for which municipal ordinance violation notices have been issued and served by authorized officials; to collect and retain civil fines and costs for such violations as prescribed herein; and to repeal all conflicting ordinances or parts of ordinances.

THE VILLAGE COUNCIL OF THE VILLAGE OF CALUMET HOUGHTON COUNTY, MICHIGAN ORDAINS THIS RESTATEMENT OF ORDINANCE NO. 149, ORIGINALLY ADOPTED ON OCTOBER 16, 2018:

Section 1 – TITLE

This ordinance shall be known and cited as the Village of Calumet Municipal Civil Infractions Violations Ordinance.

Section 2 – DEFINITIONS

The following words, terms and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A. "Act" means Act No. 236 of the Public Acts of Michigan of 1961 (MCL 600.101 et. seq.), MSA 27A.101 et seq.), as amended.

B. "Authorized Village Official" means peace officer or other personnel of the Village authorized by this article or any ordinance to issue municipal civil infraction citations or municipal civil infraction violation notices.

C. "Bureau" means the Village municipal civil infractions ordinance violations bureau, as established by this ordinance.

D. "Municipal Civil Infraction Action" means a civil action in which a person is alleged to be responsible for a municipal civil infraction.

E. "Municipal Civil Infraction Citation" means a written complaint or notice prepared by an authorized Village official directing a person to appear in court regarding the occurrence or existence of a municipal civil infraction violation by the person cited.

F. "Municipal Ordinance Civil Infractions Violation Notice" means a written notice prepared by an authorized Village official, directing a person to appear at the Village Municipal Civil Infractions Ordinance Violations Bureau and to pay the fine and costs, if any, prescribed for the violation by the schedule of civil fines adopted by the Village.

Section 3 - ESTABLISHMENT, LOCATION AND PERSONNEL OF MUNICIPAL CIVIL INFRACTIONS ORDINANCE VIOLATIONS BUREAU

A. Establishment. The Village of Calumet Municipal Civil Infractions Ordinance Violations Bureau (hereafter "Bureau") is hereby established pursuant to 1994 Public Act 12 (MCL 600.8396), as it may be amended from time to time, for the purpose of accepting admissions of responsibility for ordinance violations designated as municipal civil infractions, and to collect and retain civil fines and costs for such violations as prescribed herein.

B. Location. The Bureau shall be located at the Village Office, 340 6th Street, Calumet, Michigan 49913.

C. Personnel. All personnel of the Bureau shall be Village employees. The Village Board may by resolution designate a Bureau Clerk with the duties prescribed herein and as otherwise may be delegated by the Village Board.

D. Operational Procedure. The Village Board may adopt rules and regulations for the operation of the Bureau.

Section 137.04 - BUREAU AUTHORITY - The Bureau shall only have authority to accept admissions of responsibility (without explanation) for municipal civil infractions for which a municipal ordinance violation notice (as compared to a citation) has been issued and served, and to collect and retain the scheduled civil fines and costs for such violations as specified in a Resolution adopted pursuant to this Ordinance. The Bureau shall not accept payment of fines and costs from any person who denies having committed the alleged violation or who admits responsibility only with explanation. The Bureau shall not determine or attempt to determine the truth or falsity of any fact or matter relating to an alleged ordinance violation.

Commented [MH1]: Should be 4. (not 137.04).

Section 5 - AUTHORIZED VILLAGE OFFICIALS - The following personnel are authorized to issue municipal civil infractions ordinance violation notices and/or municipal civil infraction citations:

A. Any Peace Officer or Deputy Sheriff;

B. Fire Department officers;

C. Building or other duly authorized Code Inspector or officer;

D. Ordinance Enforcement officers;

E. Utilities and Public Works officers.

F. Village Administrator

Commented [MH2]: Change to Manager

The Village Board may by resolution authorize such other personnel to issue municipal civil infractions ordinance violation notices or municipal civil infraction citations as it deems necessary and proper.

Authorized Village officials also include any other individual authorized under any other ordinance of the Village of Calumet as an Authorized Village Official.

Section 6 - MUNICIPAL CIVIL INFRACTION ACTION; COMMENCEMENT

A municipal civil infraction action may be commenced upon the issuance by an authorized Village official of:

A. A municipal civil infraction citation directing the alleged violator to appear in court; or

B. A municipal civil infraction violation notice directing the alleged violator to appear at the Village Municipal Ordinance violations Bureau.

Section 7 - ISSUANCE AND SERVICE OF MUNICIPAL ORDINANCE VIOLATION NOTICE OR MUNICIPAL CIVIL INFRACTION CITATION

A. Issuance. An authorized local official may issue a municipal civil infractions ordinance violation notice or a municipal civil infraction citation to a person when:

(1) The official witnesses a person violate an ordinance which is a municipal civil infraction;

(2) Based upon investigation, the official has reasonable cause to believe that a person is responsible for a municipal civil infraction; or

(3) Based upon an investigation of a complaint by someone who allegedly witnessed the person violate a municipal civil infraction ordinance, the official has reasonable cause to believe that said person is responsible for a municipal civil infraction and the Village attorney approves in writing the issuance of a citation or notice pursuant to this ordinance.

B. Personal Service. The authorized local official must personally serve a copy of the municipal civil infractions ordinance violation notice or the municipal civil infraction citation upon the alleged violator, except as provided in (D) herein.

C. Exception to Personal Service for Citation After Notice of Violation. If an authorized local official issues and serves a municipal civil infractions ordinance violation notice and if an

admission of responsibility is not made and the civil fine and costs, if any, are not paid at the Municipal Civil Infractions Ordinance Violations Bureau, a municipal civil infraction citation may be filed with the Court and a copy of the citation may be served by first-class mail upon the alleged violator at his or her last known address.

D. Posting. If the alleged violation involves the use or occupancy of land, or a building or other structure, the municipal civil infractions ordinance violation notice or municipal civil infraction citation may be served by posting the notice or citation on the land, building or structure and mailing a copy by first-class mail to the owner of the land, building or structure at the owner's last known address.

Section 8 - ORDINANCE VIOLATION NOTICE REQUIREMENTS ADMISSION OR DENIAL OF RESPONSIBILITY

A. Ordinance Violation Notice Requirements. Municipal civil infraction violation notices shall be issued and served by authorized Village officials as provided in this ordinance and by law.

A municipal civil infractions ordinance violation notice shall include all of the following:

1. The name and address of the alleged violator;
2. The violation charged;
3. The time, date, and location of the alleged violation;
4. The time within which the person must appear at the Bureau for purposes of admitting or denying responsibility for the violation;
5. A statement that the alleged violator may appear at the Bureau in person or by mail;
6. The amount of the scheduled fines/costs for the violation;
7. The methods by which the violation may be admitted or denied;
8. The consequences of failing to pay the required fines/costs or appear at the Bureau within the required time;
9. The address and telephone number of the Bureau;
10. The days and hours that the Bureau is open.

B. Denial of Responsibility. Where a person fails to admit responsibility (without explanation) for a violation within the jurisdiction of the Bureau and pay the required civil fines/costs within the designated time period, the Bureau Clerk or other designated Village employee(s) shall advise the complainant to issue and file a municipal civil infraction citation for such violation with the court having jurisdiction of the matter. The citation filed with the court shall consist of

a sworn complaint containing, at a minimum, the allegations stated in the municipal civil infractions ordinance violation notice and shall fairly inform the alleged violator how to respond to the citation. A copy of the citation may be served by first class mail upon the alleged violator at the alleged violator's last known address. The citation shall thereafter be processed in the manner required by law.

Section 9 - MUNICIPAL CIVIL INFRACTION CITATION REQUIREMENTS

Municipal civil infraction citations shall be issued and served by authorized Village officials as provided in this ordinance and by law. A Municipal civil infraction citation shall comply with the following requirements:

1. The citation shall be in a form approved by the state Court Administrator.
2. Citations shall be numbered consecutively.
3. The original shall constitute a complaint and notice to appear and shall be filed with the district court. Additional copies shall be distributed pursuant to section 8705 of the Act, being MCLA 600.8705; MSA 27A.8705.
4. The citation shall be signed by an authorized local official and shall be treated as made under oath.
5. The citation shall specify the time and place for the violator to appear in court.
6. The citation shall contain all of the following information:
 - (a) The name and address of the alleged violator;
 - (b) The violation charged;
 - (c) The name, address, and phone number where the alleged violator shall appear in Court;
 - (d) The time at or by which the appearance shall be made.
7. The citation shall advise the alleged violator of the following alternatives:
 - (a) The alleged violator may admit responsibility at or by the time set for appearance in court by mail, in person, or by representation.
 - (b) The alleged violator may admit responsibility with explanation. If the alleged violator wishes to admit responsibility "with explanation" in person or by representation, the alleged violator must apply to the court in person, by mail, by telephone or by representation within the time specified for appearance and obtain a scheduled date and time for an appearance.

(c) The alleged violator may deny responsibility. If the alleged violator desires to deny responsibility, the alleged violator must apply to the court in person, by mail, by telephone or by representation within the time specified for appearance and obtain a scheduled date and time to appear for a hearing, unless a hearing date is specified on the citation.

(d) A hearing shall be an informal hearing unless a formal hearing is requested by the alleged violator or the municipality.

(e) At an informal hearing the alleged violator must appear in person before a judge or magistrate without the opportunity of being represented by an attorney.

(f) At a formal hearing the alleged violator must appear in person before a judge with the opportunity of being represented by an attorney.

(g) A notice that the failure of the alleged violator to appear within the time specified in the citation or at the time scheduled for a hearing or appearance is a misdemeanor and will result in entry of a default judgment against the alleged violator on the municipal civil infraction.

Section 10 - SCHEDULE OF CIVIL FINES AND COSTS APPLIED TO MUNICIPAL CIVIL INFRACTIONS ORDINANCE VIOLATION NOTICES

The Village Council may establish by resolution a schedule of civil fines and costs payable to the Bureau upon admission of responsibility by persons served with municipal civil infractions ordinance violation notices.

The fine schedule is supplemental to any fine identified in an ordinance. To the extent the fine schedule is inconsistent with the ordinance, the ordinance will govern.

Section 11 - RECORDS AND ACCOUNTING

The Bureau Clerk or other designated Village official/employee shall retain a copy of all municipal civil infractions ordinance violation notices and citations, and shall account to the Village Council once a month or at such other intervals as the Village Council may require concerning the number of admissions and denials of responsibility for ordinance violations within the jurisdiction of the Bureau and the amount of fines and costs collected with respect to such violations.

The civil fines and costs collected shall be delivered/paid to the Village Treasurer or his/her designated representative, and shall be deposited in the general fund of the Village.

Section 12 - AVAILABILITY OF OTHER ENFORCEMENT OPTIONS

Nothing in this ordinance shall be deemed to require the Village to initiate its municipal civil infraction ordinance enforcement activity through the issuance of an ordinance violation notice.

As to each ordinance violation designated as a municipal civil infraction the Village may, at its discretion, proceed directly with the issuance of a municipal civil infraction citation or take such other enforcement action as is authorized by law.

Section 13 – SEVERABILITY

The provisions of this ordinance are hereby declared to be severable and if any part is declared invalid for any reason by a court of competent jurisdiction it shall not affect the remainder of the Ordinance which shall continue in full force and effect.

Section 14 – REPEAL

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 15 - EFFECTIVE DATE

This Ordinance shall become effective 30 days after its publication, as required by law.

Passed and adopted by the Village Council of the Village of Calumet, County of Houghton, and State of Michigan on the __ day of _____, 20__.

VILLAGE OF CALUMET

By _____
ROB TARVIS
Its President

(SEAL)

Yeas: _____

Nays: _____

Absent/Abstain: _____

I hereby certify that the foregoing is a true and complete copy of Ordinance No. 149, duly adopted by the Village Council of the Village of Calumet, County of Houghton, and State of Michigan, at a regular meeting held on _____ and that this meeting was conducted and a public notice of this meeting was given, pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan 1976, and that the minutes of this meeting were kept and will be or have been made available, as required by said Act.

I further certify that the following members were present at said meeting: _____,
and Rob Tarvis (Village President); and that the following member was absent: _____.