I. Call to Order

II. Pledge of Allegiance

III. Acceptance of the Proposed Agenda

IV. Public Comment (5 minute time limit per speaker)

V. City Manager Report

VI. Presentations/Discussions
   A. WPPI Presentation

VII. Public Hearing(s)
   A. Noxious Weeds Ordinance 2.35. An Ordinance to regulate noxious weeds and tall grass and to provide penalties for violations

VIII. Unfinished Business
   A. None

IX. New Business
   A. Proposed Resolution 19-31: Approval to Submit a Street Closure Application to the Michigan Department of Transportation for the 2019 Bass Festival Parade
   B. Proposed Resolution 19-32: Approval to Award WPPI Grant Funds
   C. Proposed Resolution 19-33: Approval to Set a Public Hearing for the Zoning Variance brought in by Mike Wellnitz
   D. Proposed Resolution 19-34: Approval to Recognize Jeff and Staria Syrjanen as “Citizens of the Year”
   E. Proposed Resolution 19-35: Awarding of Crystal View Golf Course Food Preparation Bids
   F. Proposed Resolution 19-36: Approval of Policy To Regulate Special Events Within The City Right-O-Way, Parks, And Other City Property
   G. Proposed Resolution 19-37: To Direct City Manager To Request Bids For Board Walk Upgrades
   H. Proposed Resolution 19-38: The Approval of AT&T Water Tower Proposed Agreement
   I. Proposed Resolution 19-39: Permission to Rent Crystal View Golf Course for FP Weight Room Fund Raiser

X. Consent Agenda
A. Meeting Minutes from the Regular City Council Meeting held on April 8, 2019
B. Departmental Reports:
   1. Treasurer
   2. Police Department
   3. Electric Department
   4. Department of Public Works
   5. Cemetery/Parks
C. Payroll and Disbursements

XI. Communications

A. Iron County 4-H Update
B. East Side Veteran’s Council – Memorial Day Parade and Program
C. Crystal Falls District Library – Minutes and Financial
D. MML – “The Review” – May/June 2019 (located on dais)
E. MMEA “Currents” – April 2019 (located on dais)
F. City of Crystal Falls Newsletter – May 2019

XII. Other Business – None

XIII. Council Member Comments

XIV. Adjournment
REPORT TO THE CITY OF CRYSTAL FALLS CITY COUNCIL

DATE: May 13, 2019
TO: Mayor David Sherby; Councillor Michael McCarthy; Councillor Adam Schiavo; Councillor Maria Peterson; Councillor Lori Willman
CC: Tara Peltoma, Geoffrey Lawrence
FROM: Patrick Reagan, City Manager
RE: Manager’s Report to City Council

Mayor Sherby and City Council Members,

Please find below my report on the proposed resolutions, presentations, and public hearings that are placed before you for the May 13, 2019 City Council meeting.

Presentation

WPPI will present an overview of what they offer to their members.

Public Hearing

This public hearing will give the public an opportunity to give their views regarding Noxious Weeds Ordinance 2.35.

Discussion

None

New Business

Proposed Resolution 19-31: Approval to Submit a Street Closure Application to the Michigan Department of transportation for the 2019 Bass Festival Parade

This resolution approves and authorizes the City of Crystal Falls to close M-69 from US-2 to River Street on July 6, 2019 from 10:00 am to 11:30 am for the use of the Lions Club Bass Festival Parade.

Proposed Resolution 19-32: Approval to Award WPPI Grant Funds

Each year WPPI offers scholarship money to applicants in each member’s community. This committee consists of Dave Graff, Tara Peltoma, Lori Willman, Maria Peterson and myself.
Proposed Resolution 19-33: Approval to Set a Public Hearing for the Zoning Variance brought in by Mike Wellnitz

Resident Mike Wellnitz has requested a variance to build an accessory building before a principle structure has been completed. The reason for this resolution is to request a special meeting for the zoning board (City Council). A requested special meeting needs to be at least 15 days after application is submitted. This puts the date to May 28th.

Proposed Resolution 19-34: Approval to Recognize Jeff and Staria Syrjanen as Lions Club “Citizens of the Year”

Jeff and Staria Syrjanen have been chosen Crystal Falls Lions Club “Citizens of the Year.” The City of Crystal Falls recognizes and congratulates Jeff and Staria Syrjanen. This year’s event is May 18th.

Proposed Resolution 19-35: Awarding of Crystal View Golf Course Food Preparation Bids

The City of Crystal Falls is looking to bring additional revenues to its Golf Course. Additions have been put out for food sales opportunities at Crystal View Golf Course.

Proposed Resolution 19-36: Approval of Policy To Regulate Special Events Within The City Right-of-Way, Parks and Other City Property

This Resolution allows the City of Crystal Falls to regulate the use and enforce the rules of these properties. The primary reason for this policy is to assure City’s protection when alcohol is sold on City property during certain events.

Proposed Resolution 19-37: To Direct City Manager To Request Bids For Board Walk Upgrades and Repairs

The City’s Board Walk, located on the East bank of the Paint River, was constructed in 2000. It is in need of repairs and upgrades. Structural damage due to the outside elements, plus lack of maintenance has contributed to the need for repair.

Proposed Resolution 19-38: The Approval of AT&T Tower Proposed Agreement

The City of Crystal Falls is in a rental agreement with AT&T Mobility. The City’s water tank is used for the use of AT&T’s wireless telecommunications antennas. The rental agreement is nearing renewal. With the wireless industry focusing on operating networks as efficiently as possible, a new agreement has been proposed. See attachment “A”
Proposed Resolution 19-39: Permission to Rent Crystal View Golf Course for FP Weight Room Fund Raiser

As in previous years Kurt Anderson has requested permission to rent Crystal View Golf Course to raise money for weight room equipment at Forest Park Schools. This year’s event takes place June 8th. The City rents its Golf Course for a closure fee of $400. I am suggesting the City increase that rental fee $100 to $500. Costs have risen for the maintenance of the Course. For the money that is raised I do not feel this a large percentage of increase.

Everyone have a safe Memorial Day!
ORDINANCE No. 2.35

AN ORDINANCE TO ADD ORDINANCE 2.35 OF THE CITY OF CRYSTAL FALLS TO REGULATE NOXIOUS WEEDS AND TALL GRASS AND TO PROVIDE PENALTIES FOR VIOLATIONS

The City of Crystal Falls Ordains:

Section 1. Ordinance 2.35 of the City of Crystal Falls is added to read in its entirety as follows:

Sec. 1. Intent and Purpose

The City Council hereby determines that, under certain circumstances as set forth herein, the presence of Tall Grass and Noxious Weeds creates blight and constitutes a nuisance. It is recognized that such blight lowers property values, leads to deteriorating housing conditions, undermines the quality of neighborhood life, and adversely affects the public health, safety and general welfare of the citizens of the community. This ordinance provides for the cutting, destruction, and/or removal of grass, noxious weeds and miscellaneous debris, and for the administration and enforcement of this ordinance. Both the Home Rule City Act, Public Act No 279 of 1909, as amended, and the Noxious Weeds Act, Public Act No. 359 of 1941, as amended, authorize a Home Rule City to address and eradicate common nuisances, such as weed and grass issues, in order to ensure the health, safety, and welfare of its citizens.

Sec. 2. Definitions.

The following words and phrases have the meanings ascribed to them when used in this ordinance:

*Act 359* means Public Act No. 359 of 1941, as amended, MCL 247.61 *et seq.*

*Noxious Weeds* includes but is not limited to Canada thistle (Cirsium Arvense), dodgers (any species of Cuscuta), mustards (charlock, black mustard, and Indian mustard, species of Brassica or Sinapis), wild carrot (Daucus carota), bindweed (Convolvulus arvensis), perennial sowthistle (Sonchus arvensis), hoary alyssum (Berteroa incana), giant hogweed (Heracleum mantegazzianum), ragweed (Ambrosia elatior l.) and poison ivy (Rhus toxicodendron), poison sumac (Toxicodendron vernix), or other plant, which in the opinion of the City is regarded as a common nuisance, including, but not limited to, Tall Grass.

Tall Grass means weeds, grasses and undergrowth higher than ten inches (10") from ground level.

"Owner" and "Occupant" means any person or entity with any ownership or possessor right or interest, including deed holders and land contract vendees (whether recorded or unrecorded), mortgagees, lessees, tenants, residents, and any agent of any of the foregoing.

Words and phrases not otherwise specifically defined in this section shall have the meanings ascribed to them in Act 359, except where the context clearly indicates a different meaning.

Sec. 3. Requirements-Noxious Weeds and Tall Grass.

(a) The Owner and Occupant of land, whether occupied or unoccupied, within the City, on which Noxious Weeds are found growing shall destroy such weeds before they reach a seed bearing stage, or a height of ten inches (10"), whichever occurs first, and shall prevent their regrowth.
(b) The Owner and Occupant of land, whether occupied or unoccupied, within the City shall keep Tall Grass thereon cut to a height of not more than ten inches (10").

(c) Exceptions. These requirements shall not apply to the following:

(1) Agricultural crops.

(2) Flower or vegetable gardens.

(3) Publicly owned lands.

(4) Parcels owned by public utilities.

(5) Weeds in fields devoted to growing any small grain crop such as wheat, oats, barley, or rye.

(6) Vegetation in woodlands or wetlands.

Sec. 4. Notice.

(a) The City shall attempt to notify the owner, agent and/or occupant of any parcel or lot subject to this ordinance on which either Noxious Weeds or Tall Grass or both are found growing by certified mail with return receipt requested. The notice shall describe methods of treating and eradicating the Noxious Weeds, if applicable, and shall contain a summary of the provisions of this Ordinance. Failure of such owner, agent and/or occupant to receive such notice shall not constitute a defense to any action to enforce the payment of any penalty provided for or debt created under this ordinance.

(b) In addition to or in the alternative to the notice described above, the City may publish a notice in a newspaper of general circulation in the county during the month of March providing that either Noxious Weeds and/or weeds, grasses and undergrowth higher than ten inches (10") from ground level (Tall Grass) not cut by May 1 of that year may be cut by the City and the owner or occupant of the property may be charged with the cost thereof as provided in this ordinance. The notice shall describe methods of treating and eradicating the Noxious Weeds, if applicable, and shall contain a summary of the provisions of this Ordinance.

Sec. 5. Enforcement and Cost Recovery.

(a) If within ten days after notice or publication as provided in Section 4 the owner, agent or occupant of any land upon which Noxious Weeds or Tall Grass are growing has failed to destroy the Noxious Weeds cause such Noxious Weeds to be destroyed or has failed to cause such weeds, grass or brush to be cut down, destroyed or removed, the City’s designated agent may enter upon the land and destroy the Noxious Weeds, cause them to be destroyed, or cut and/or cut down the Tall Grass.

(b) Any expense incurred by the City in such destruction or cutting shall be paid by the owner or owners of such parcel and the City shall have a lien against the parcel for the expense, which lien shall be enforced in the manner prescribed by the general laws of this State providing for the enforcement of tax liens.

Sec. 6. Penalties.
(a) In addition to the assessment of costs as provided in Section 5, any person who violates the provisions of this ordinance shall be guilty of a municipal civil infraction, punishable by a fine of up to $100.00, which shall become a part of the noxious weed control fund of the City.

(b) Every day that a violation occurs or continues shall be deemed a separate offense.

Sec. 7. Severability.

This ordinance and the various parts, sections and clauses thereof are hereby declared severable. If any part, section paragraph or clause is held to be invalid, the remainder of the ordinance shall remain in full force and effect.

Section 2. Effective Date. This ordinance shall take immediate effect 30 days after publication, as provided in Section 2.12(c) of the City Charter.

YEAS: __________________________________________

NAYS: __________________________________________

ABSTAIN: _______________________________________

ABSENT: _______________________________________

CERTIFICATION

I certify this true and complete copy of Ordinance No. 2.35, adopted at a Regular Meeting of the Crystal Falls City Council held on May 13, 2019.

Tara Peltoma, City Clerk/Treasurer

ADOPTION HISTORY OF ORDINANCE

Original Adoption Date: May 13, 2019
Effective Date: June 12, 2019
Crystal Falls City Council  
Iron County, Michigan

Councillor ______________________, supported by Councillor ______________________, made a motion to adopt the following resolution:

RESOLUTION NO. 19-31

A RESOLUTION APPROVING THE SUBMITTAL OF A STREET CLOSURE PERMIT FOR THE 2019 BASS FESTIVAL PARADE ON JULY 6, 2019 FROM 10:00 AM TO 11:30 AM

WHEREAS, the Lion’s Club of Crystal Falls hosts an annual “Bass Festival” that helps to promote the city and businesses in Crystal Falls as well as the wider Iron County region; and

WHEREAS, as part of this event, the Lion’s Club hosts a parade that utilizes both city streets and streets belonging to the Michigan Department of Transportation (MDOT). This year’s parade is scheduled to be held on Saturday, July 6, 2019 from 10:00 am until 11:30 am; and

WHEREAS, in order to utilize MDOT streets, a permit application must be submitted at least thirty (30) days prior to the event; and

WHEREAS, the City of Crystal Falls has historically submitted an application for this community event.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves the submittal of a street closure permit to the Michigan Department of Transportation for the 2019 Bass Festival Parade on Saturday, July 6, 2019 from 10:00 am until 11:30 am.

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

_______________________________
Tara Peltoma, City Clerk/ Treasurer
Crystal Falls City Council
Iron County, Michigan

Councillor __________________________, supported by Councillor __________________________, made a motion to adopt the following resolution:

RESOLUTION NO. 19-32

A RESOLUTION APPROVING THE DISTRIBUTION OF WPPI GRANT FUNDING AS RECOMMENDED AND SUBMITTED BY THE CITY’S ELECTRIC COMMITTEE

WHEREAS, the City of Crystal Falls, through WPPI Energy, provide annual grants locally to encourage energy conservation and municipal utility provider awareness; and

WHEREAS, $1,500 in Community Contribution Grants are available to be used to support community projects sponsored by local organizations; and

WHEREAS, $1,000 in Economic Development Grants are available to be used to support programs that stimulate new business or assist existing organizations with savings or growth opportunities that help spur tourism or economic development initiatives; and

WHEREAS, $1,000 in Scholarship Program Grants are available to be used to further education for community youth; and

WHEREAS, the City of Crystal Falls receives an additional $1,500 per year from WPPI to promote the value of public power; and

WHEREAS, the City of Crystal Falls Electric Committee has sought, and received, letters of applications for these grants and reviewed all applications received on Friday, March 29, 2019; and

WHEREAS, the Electric Committee recommends the disbursement of these funds as attached in “Exhibit A.”

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves the granting of funds received from WPPI, as recommended by the Electric Committee, as found in the attached document (“Exhibit A”).
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:
RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

__________________________  Tara Peltoma, City Clerk/ Treasurer
<table>
<thead>
<tr>
<th>Amount</th>
<th>Description</th>
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<tr>
<td>$1,000.00</td>
<td>Youth Program - Crystal Falls Community Center</td>
</tr>
<tr>
<td>$1,000.00</td>
<td>Building Improvements - Harbour House Museum</td>
</tr>
<tr>
<td>$1,000.00</td>
<td>Electrical Coop Bags - City of Crystal Falls</td>
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**2019 Funds Reimbursement Request Form**

*For questions contact Kayla Price at (609) 834-4537 or kprice@wpplenergy.org*
Crystal Falls City Council
Iron County, Michigan

Councillor ____________________________, supported by Councillor ____________________________,
made a motion to adopt the following resolution:

RESOLUTION NO. 19-33

A RESOLUTION SCHEDULING A SPECIAL ZONING MEETING FOR REVIEW OF VARIANCE REQUEST

WHEREAS, PER Section IV of the City of Crystal Falls Ordinances,

WHEREAS, Mike Wellnitz owns parcels 052-028-028-00 and 052-028-035-00 located on Johanson Road, within the City of Crystal Falls

WHEREAS, the Mr Wellnitz applied for a zoning variance to build a garage on property before a principle residence is built

WHEREAS, the City of Crystal Falls Zoning Ordinance Section 2.2 Accessory uses and structure are permitted in any district, but not until their principle structure is present or under construction

WHEREAS, in order to comply with the rules of Zoning in the City of Crystal Falls, the City Council needs to set a Public Hearing

WHEREAS, the Zoning Board of Appeals will hear public comment to grant such a request

WHEREAS, a special meeting is necessary for the review and acceptance of this Variance request on Tuesday, May 28, 2019 at 5:30 pm

NOW THEREFORE BE IT RESOLVED AS Follows:

1. The Crystal Falls City Council approves the scheduling of the Special meeting on Tuesday, May 28, 2019 at 5:30 pm at Crystal Falls City Hall.

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:
Nays:
Absent:
Abstain:

RESOLUTION DECLARED ADOPTED.
Dated: May 13, 2019

Tara Peltoma, City Clerk/ Treasurer
Crystal Falls City Council
Iron County, Michigan

Councillor ________________, supported by Councillor ____________________,
made a motion to adopt the following resolution:

RESOLUTION NO. 19-34

RESOLUTION RECOGNIZING JEFF AND STARIA SYRJANEN AS THE 2019 LIONS CLUB
CITIZENS OF THE YEAR

WHEREAS, the Lions Club of Crystal Falls called for the submittal of nominations for the 2019 “Citizen of the Year;” and

WHEREAS, the Crystal Falls Lions Club has selected Jeff and Staria Syrjanen, based on their numerous contributions to the Crystal Falls community; and

WHEREAS, Jeff and Staria Syrjanen always been ready, willing, and able to lend her time and talents to our community; and

WHEREAS, Jeff and Staria Syrjanen have actively served the Crystal Falls community as founders, members, organizers, and active volunteers within many local and regional non-profit groups as well as a number of volunteer-led organizations and committees from around the city; and

WHEREAS, the Crystal Falls City Council wishes to congratulate Jeff and Staria Syrjanen on this achievement and thanks them for their years of service to the Crystal Falls community.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves the recognition of Jeff and Staria Syrjanen as the 2019 Lions Club “Citizens of the Year.”
2. Furthermore, the Crystal Falls City Council would like to extend a message of appreciation to Jeff and Staria Syrjanen for their tireless work and effort in giving back to the Crystal Falls community.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

Tara Peltoma, City Clerk/ Treasurer
Crystal Falls City Council  
Iron County, Michigan

Councillor __________________________, supported by Councillor __________________________, made a motion to adopt the following resolution:

RESOLUTION NO. 19-35

A RESOLUTION APPROVING THE SALES OF FOOD AT CRYSTAL VIEW GOLF COURSE

WHEREAS, the City of Crystal Falls owns and maintains the Crystal View Golf Course Club House
WHEREAS, this Club House is primarily used for the sale of memberships and green fees
WHEREAS, City staff has developed a program that will allow individuals or groups to sell food from the Crystal View Club House on behalf the City of Crystal Falls.
WHEREAS, there will be an agreement for the sales of food between the vendor and the City of Crystal Falls
WHEREAS, this will be beneficial to the City of Crystal Falls golf course finances

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves the proposed agreement of food sales at the Crystal View Golf Course.

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

Tara Peltoma, City Clerk/ Treasurer
Crystal Falls City Council
Iron County, Michigan

Councillor ____________________, supported by Councillor ____________________, made
a motion to adopt the following resolution:

RESOLUTION NO. 19-36

A RESOLUTION APPROVING THE REGULATION OF SPECIAL EVENTS WITHIN THE
CITY OF CRYSTAL FALLS RIGHT-OF-WAY AND OTHER PARKS

WHEREAS, the City of Crystal Falls owns many properties
WHEREAS, alcohol is sometimes sold on these properties
WHEREAS, this agreement allows the City of Crystal Falls to regulate the use and enforce the rules of
these properties
WHEREAS, these regulations are shown in “Exhibit A”

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves, authorizes and directs the City Manager and/or the City
   of Crystal Falls Police Chief to enforce these rules

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

Tara Peltoma, City Clerk/ Treasurer
A POLICY TO REGULATE SPECIAL EVENTS WITHIN THE CITY RIGHT-OF-WAY PARKS AND OTHER CITY PROPERTY

Section 1. Definition: Special Event

Special Event shall mean any private or public gathering within a street, park, other publicly owned land or City owned property, other than the routine uses the City intends for that particular land, or which may constrain such routine uses by others. The Special Events may include the consumption of food, beverage or alcohol as part of the event. Any consumption, distribution, or sale of alcohol shall also be subject to the provisions of the City's Code of Ordinances and the Michigan Liquor Control Commission.

Section 2. Application:

Any person(s) or organization desiring to hold or conduct a Special Event where there is to be the consumption, distribution or sale of alcohol shall apply for a Michigan Liquor Control Commission Special License. The application shall set forth: The name and address of the person(s), or organization that is conducting the event; time and place where the event is to be held, including a detailed map and a clear description of right-of-way street closures and where alcoholic beverages will be served; proof of insurance; and any other information the City may request.

Section 3. Grant or Denial of Special License:

The City Manager and/or Police Chief may deny a Special Event Application due to any past violation, including: acts of violence, inappropriate and or hostile conduct, damage to City owned property or neighboring property, failure to comply with City's noise or other ordinance.

Section 4. Revocation:

Special Event licenses are subject to revocation by the City. When City Staff or Law Enforcement determines that an event is in violation of its license or of any law or ordinance, that officer may immediately revoke the Special Events license and order all persons present at the premises where the violation is occurring, other than the owner or tenants, to disperse immediately.

Section 5. Liability Insurance:

Liability Insurance Required. The applicant or sponsor of a Special Event must possess or obtain liability insurance to protect against loss from liability imposed by law for damages on account of bodily injury or property damage arising from the Special Event. A certificate of insurance MUST BE SUPPLIED TO THE City of Crystal Falls at least (30) days prior to the event. The certificate of insurance must name the City of Crystal Falls as an additional insured.

Exhibit A
Crystal Falls City Council
Iron County, Michigan

Councillor __________________________, supported by Councillor __________________________, made a motion to adopt the following resolution:

RESOLUTION NO. 19-37

A RESOLUTION DIRECTING THE CITY MANAGER TO REQUEST PROPOSALS FOR THE POTENTIAL UPGRADES AND REPAIRS TO THE CITY’S BOARDWALK

WHEREAS, the City owns, operates, and maintains a boardwalk along the Paint River; and

WHEREAS; City staff has observed that the boardwalk is undergoing structural issues that have caused it to become hazardous for public use; and

WHEREAS, this boardwalk has issues with its foundations, boards, railings, and approaches; and

WHEREAS, City staff has made the decision to close a portion of the boardwalk until the issues can be corrected in order to allow for the safe use of this area; and

WHEREAS, the City Manager will request proposals for the analysis of the boardwalk in order to work towards correcting these known issues; and

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves the City Manager’s recommendation of proposals for repairs to the City’s Boardwalk.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

Tara Peltoma, City Clerk/ Treasurer
April 5, 2019

Patrick Reagan  
401 Superior Avenue  
Crystal Falls, MI 49920

Re: AT&T Lease Expiration Program

FA # 10124475; Lease ID: 111737, Crystal Falls, located at 5 S 7th Street, Crystal Falls, MI 49920

Dear Landlord,

As you are aware, AT&T Mobility (“AT&T”) has partnered with Md7, LLC (“Md7”) to work with you to facilitate certain modifications to the cell site lease on your property. These modifications will allow AT&T to meet current business requirements and enhance your site’s value to the network. AT&T has asked Md7 to provide services in administering AT&T’s Lease Expiration Program (LEP). Md7 has been authorized by AT&T to correspond and discuss how the LEP program may be of benefit to you.

Changes in the Wireless Industry
Recent industry developments are changing how wireless telecommunications carriers operate. In the past, carriers focused on rapidly building out their networks in order to provide the best coverage. Today, while consumers are enjoying greater services and better coverage than ever before, operating costs continue to escalate. As a result, the wireless industry is also focusing on operating networks as efficiently as possible.

What does this mean to me?

AT&T would like to work together with you in extending the current lease which is set to expire on 3/31/2021. AT&T is willing to offer the following modifications to secure a longer-term lease with you:

- Commencing April 1, 2020: Adjust rent to a revised figure of $4236.79 per month based on regional market analysis and operational performance statistics.

- Rent will remain fixed until April 1, 2021. On this date, and every year thereafter, a 3% escalator will take effect and be set into place until the termination or expiration of the lease.

- Extend the life of the lease with 5, 5-year renewal terms until March 31, 2046

Or

- Lump Sum Payment Option: Provide a one-time lump sum payment of $509,480. In return, you will grant a forty (40) year easement on your property and assign the lease rights and rental income under your lease with AT&T to Md7 or an affiliate of Md7.

Exhibit

A
Crystal Falls City Council  
Iron County, Michigan

Councillor __________________________, supported by Councillor __________________________, made a motion to adopt the following resolution:

RESOLUTION NO. 19-38

A RESOLUTION APPROVING A 25 YEAR AGREEMENT WITH AT&T MOBILITY FOR RENTING SPACE ON TOP OF THE CITY OF CRYSTAL FALLS’ WATER TOWER

WHEREAS, The City of Crystal Falls owns the water tank located on 7th Street

WHEREAS, The City of Crystal Falls has a rental agreement with AT & T Mobility dated December 2011, which will expire on March 31, 2020

WHEREAS, AT & T agreement to the City of Crystal Falls a rental fee (a copy of this agreement is attached as “Exhibit A”)

WHEREAS, commencing April 1, 2020: Adjusting rent to a revised figure of $4236.79 per month based on regional market analysis and operational performance statistics

WHEREAS, rent will remain fixed until April 1, 2021. On this date, and every year thereafter, a 3% escalator will take effect and be set into place until the termination of expiration of the lease

WHEREAS, extend the life of the lease with 5, 5-year renewal terms until March 31, 2046

NOW THEREFORE BE IT RESOLVED:

1. The City Council approves the attached agreement with AT&T Mobility
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

Tara Peltoma, City Clerk/ Treasurer
Crystal Falls City Council  
Iron County, Michigan

Councillor __________________________, supported by Councillor __________________________, made a motion to adopt the following resolution:

RESOLUTION NO. 19-39

A RESOLUTION APPROVING THE USE OF CRYSTAL VIEW GOLF COURSE FOR A GOLF SCRAMBLE BY FOREST PARK PUBLIC SCHOOLS ON JUNE 8, 2019

WHEREAS, the City owns and operates a nine-hole golf course known as the Crystal View Golf Course; and

WHEREAS, the City has historically rented out the golf course to local non-profit organizations in which to hold fundraising events for a $400.00 non-refundable fee; and

WHEREAS, the City Manager received an email from Kurt Anderson, on behalf of Forest Park Public Schools, requesting to rent the golf course on June 8, 2019, to hold a golf scramble as a fundraiser for the school’s weight room expansion project; and

WHEREAS, Mr. Anderson has requested that the city grant his non-profit organization the use of the course on that day. The city will also provide the use of the city-controlled golf carts as well as an employee of the golf course to assist inside the clubhouse from 8:00 am until 10:00 am on that morning for the non-refundable fee of $500.00.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Crystal Falls City Council approves the renting of the golf course, use of city golf carts, and an employee to assist from 8:00 am until 10:00 am for a fundraiser for Forest Park Public Schools on June 8, 2019 for the non-refundable fee of $500.00.

2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: May 13, 2019

Tara Peltoma, City Clerk/ Treasurer
CITY OF CRYSTAL FALLS

April 8, 2019

A meeting of the Council for the City of Crystal Falls was held in the Council Chambers of the City Hall on Monday, April 8, 2019, at 5:30 P.M. Central Time.

Roll Call: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.

Absent: Councilor Schiavo

Also Present: City Manager Gerard Valesano, Clerk/Treasurer Tara Peltoma and City Attorney Geoff Lawrence.

Mayor Sherby led the reciting of the Pledge of Allegiance.

Councilor McCarthy seconded by Councilor Peterson moved to excuse Councilor Schiavo.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman

Nays: None

Absent: Councilor Schiavo

Motion carried.

Mayor Sherby seconded by Councilor Peterson moved to accept the proposed revised agenda.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.

Nays: None

Absent: Councilor Schiavo

Motion carried.

Public comment: None

City Manager, Gerard Valesano presented his manager’s report.

Bid Opening: None

Presentations/Discussions: Craig Richardson from GEI Consultants discussed the sanitary sewer improvement project.

There was also discussion on the Crystal View Golf course rates.

Mayor Sherby temporarily adjourned the regular meeting to conduct
CITY OF CRYSTAL FALLS

April 8, 2019

a Public Hearing at 5:53 pm to discuss the proposed emergency Ordinance 2.30 - the prohibition of Marihuana establishments within the City’s boundaries.

Mayor Sherby reconvened regular meeting at 5:54 p.m.

Mayor Sherby seconded by Councilor Willman moved to approve Emergency Ordinance 2.30 - The prohibition of marihuana establishments within the City's boundaries.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor Peterson seconded by Councilor Willman moved to approve Resolution 19-18: Approving the City’s participation in the State bid process for winter road salt for the 2019-2020 season.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.

Nays: None

Absent: Councilor Schiavo

Motion carried.

Mayor Sherby supported by Councilor Peterson moved to approve Resolution 19-19: Approving the City’s participation in ATC’s second quarterly capital call in the amount of $5,356.87.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor Willman supported by Councilor Peterson moved to approve Resolution 19-20: Appointment of Harold Robbe to the City of Crystal Falls Planning Commission for a 3-year term to expire
CITY OF CRYSTAL FALLS

March 31, 2022.

Ayes: Mayor Sherby, Councilor Peterson, McCarthy, and Willman.

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor McCarthy supported by Councilor Willman moved to approve
Resolution 19-21: Approving the date of May 18, 2019 for the
City’s 2019 Spring Cleanup Day.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.

Nays: None

Absent: Councilor Schiavo

Motion carried.

Mayor Sherby supported by Councilor McCarthy moved to approve
Resolution 19-22: Approval of the 2019 Crystal View Golf Course
rates, and direct city manager Gerard Valesano to look into
different options for daily/weekend specials and food plans.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor Willman supported by Councilor McCarthy moved to approve
Resolution 19-23: Approval of ballot language for Fire Millage
renewal on the August 6, 2019 ballot.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor McCarthy supported by Councilor Willman moved to approve
CITY OF CRYSTAL FALLS

Resolution 19-24: Awarding 2019 Western Location Sewer Project to F.A. Industrial Services for a total of $199,854.50
Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman.
Nays: None
Absent: Councilor Schiavo

Motion carried.

Mayor Sherby supported by Councilor Peterson moved to approve Resolution 19-25: Approving the quote obtained from US2 Rental for a Gravely 991133 Zero Turn mower for a cost not to exceed $7,119.20.
Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman
Nays: None
Absent: Councilor Schiavo

Motion carried.

Councilor Willman supported by Councilor Peterson moved to approve Resolution 19-26: Approving a request for funding, to designate an agent, attest to the existence of funds, and commit to implementing a maintenance program for the resurfacing of Ski Hill Road, 4th Street, Logan Street, and Garfield Avenue to be funded by the Transportation Economic Development Fund Category B Program from the Michigan Department of Transportation.
Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman
Nays: None
Absent: Councilor Schiavo

Motion carried.

Mayor Sherby supported by Councilor Willman moved to approve Resolution 19-27: Approving the naming of City Manager Gerard Valesano as the alternate representative to the WPPI Energy Board.
CITY OF CRYSTAL FALLS

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor Peterson supported by Councilor Willman moved to approve Resolution 19-28: Approving, authorizing, and directing the Mayor to sign an application for funding from the United State Department of Agriculture - Rural development office for Sewer improvements within the City of Crystal Falls.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor Willman supported by Councilor McCarthy moved to approve Resolution 19-29: Approving, authorizing, and directing the City Manager to prepare and disseminate a request for proposals (RFP) for auditing services.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman

Nays: None

Absent: Councilor Schiavo

Motion carried.

Mayor Sherby conducted the introduction and first reading of proposed Ordinance 2.35: An Ordinance to add ordinance 2.35 of the City of Crystal Falls to regulate noxious weeds and tall grass and to provide penalties for violations.

Mayor Sherby seconded by Councilor McCarthy moved to approve Resolution 19-30: Setting a Public Hearing for proposed Ordinance 2.35 to the next regular council meeting on May 13, 2019 at 5:30
CITY OF CRYSTAL FALLS

April 8, 2019

pm.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman

Nays: None

Absent: Councilor Schiavo

Motion carried.

Mayor Sherby seconded by councilor Willman approve to set the date of the electric committee to April 30, 2019 at 8:00 AM for discussion of disbursement of the WPPI grants.

Ayes: Mayor Sherby, Councilors Peterson, McCarthy, and Willman

Nays: None

Absent: Councilor Schiavo

Motion carried.

Councilor Willman seconded by Councilor Peterson moved that the items on the Consent Agenda be approved as noted below:

1. The following reports for the month of March 2019:
   A. Regular meeting minutes from March 12, 2019.
   B. Police report, as submitted by Police Chief Tim Bean, indicating 80 complaints, of which 5 were closed by arrest, 0 parking tickets, and logging of 1,013 miles on patrol duty.
   C. Public Works Department activity report as submitted by Foreman Kelly Stankewicz.
   D. Electric Department activity report as submitted by Chief Electrician David Graff.
   E. Treasurer’s Revenue Report as submitted by Clerk/Treasurer Tara Peltoma.

2. Payrolls and disbursements in the amount of $540,654.85 be approved, and instruct the City Clerk to draw checks on the City Treasury in payment of same.

Ayes: Mayor Sherby, Councilors Peterson, Schiavo, McCarthy, and
CITY OF CRYSTAL FALLS

April 8, 2019

Willman.

Nays: None

Absent: None

Motion carried.

Mayor Sherby ended by thanking former City Manager Patrick Reagan for the work he did while he served as City Manager.

Mayor Sherby adjourned this meeting at 6:28 p.m.

PRESIDING OFFICER__________________________

PRESIDING CLERK____________________________
## Investments:

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## Summary by Fund

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**Total**                               | **1,469,109.07**
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**GEN TOTALS:**

Total of 69 Disbursements: 307,586.88

Account balance of general checking as of 4-30-2019 is $1,653,951.66

*represents an unaudited amount
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<th>Fund Account</th>
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<td><strong>1,633,096.91</strong></td>
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<td><strong>716,430.65</strong></td>
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</table>
April 2019 Report

Total Complaints: 98
Total Arrests: 0
Total Parking Tickets Issued: 0
Total Assists Outside City Limits: 0

Total miles logged on Patrol: 1,610

Miles on 2016 Dodge Charger: 1,610
   Current Mileage: 36,998

Miles on 2006 Ford Expedition: 0
   Current Mileage: 114,365

Road Permits Issued: None

Trainings Attended: Bean/Reid- Sexual Assault Investigation
                   Bean/Reid- Legal Update
                   Bean- U.P Law Enforcement Administrator’s Conference
### Summary of Complaints:

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<thead>
<tr>
<th>FILE CLASS</th>
<th>TOTAL</th>
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<tr>
<td>13001- ASSAULT/NON-AGGRAVATED</td>
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<tr>
<td>13003- ASSAULT/INTIMIDATION/STALKING</td>
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<tr>
<td>24001- MOTOR VEHICLE THEFT</td>
<td>1</td>
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<tr>
<td>26001- FRAUD</td>
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<td>29000- PROPERTY DAMAGE</td>
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<td>50000- OBSTRUCTING JUSTICE</td>
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<td>54001- HIT AND RUN PROPERTY DAMAGE ACCIDENT</td>
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<td>55000- HEALTH AND SAFETY</td>
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<td>70001- JUVENILE COMPLAINT</td>
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<td>73000- MISCELLANEOUS CRIMINAL OFFENSE</td>
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<td>92002- MENTALLY HANDICAPPED</td>
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<td>98005- PERMIT TO PURCHASE/GUN REGISTRATION</td>
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<td>98006- CIVIL DISPUTE</td>
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<td>98007-SUSPICIOUS SITUATION</td>
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<td>99008- ASSISTANCE</td>
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**TOTAL**                                                  **98**
Traffic Citation/Warning Report

04/10/19  TRAFFIC WARNING/EQUIPMENT  RR  SUPERIOR AVENUE
04/18/19  TRAFFIC WARNING  RR  SOUTH FIFTH AND MARQUETTE AVE.
04/18/19  TRAFFIC WARNING  RR  SUPERIOR AVENUE
04/18/19  TRAFFIC WARNING/EQUIPMENT  RR  SUPERIOR AVENUE
04/18/19  TRAFFIC WARNING/EQUIPMENT  RR  SUPERIOR AVENUE
04/22/19  TRAFFIC WARNING  RR  SUPERIOR AVENUE
04/22/19  TRAFFIC WARNING  RR  SUPERIOR AVENUE
04/23/19  TRAFFIC WARNING  RR  SUPERIOR AVENUE
04/28/19  TRAFFIC WARNING  RR  SUPERIOR AVENUE
04/28/19  TRAFFIC WARNING  RR  SUPERIOR AVENUE

Ordinance Violations/Warnings

Blight  1
Junk Car  0
Grass  0
Other  2

Arrest Report

Date  Officer Arrest #  File Class Code

CHIEF TIM BEAN
April 2019
Electrical Department Summary
By Dave Graff

Tasks completed by the electrical department include the following:
1. Distribution system upgrades.
2. Brushing and line clearing.
4. Identified miss dig locates.
5. Power plant inspections.
6. Water samples, water reports
7. Outage restoration/service calls.
8. Routine street light bulb replacements.

Renewable Energy Credits: We have agreed to sell our renewable energy credits for 2020 and 2021 for $1.40 per credit. The total amount that can be sold fluctuates depending on what we generate at the hydro plant. However, its anticipated that the sell of the RECs will result in about $7,000/yr for the city.

According to WPPI’s Andy Kellen, he anticipates the value of the RECs to decrease in the near future and that $1.40 is a good price. In addition, the next highest bid we received was only $1.00 per REC.

Power plant operation: The power plant has been running flawlessly this spring. With the large snow cap this year and some timely rain now, hopefully we can continue to generate at 100% into June.

Power plant license extension amendment request: The city has been in consultation with the Michigan DNR and our consultant Mead and Hunt. Our ultimate goal is to get a letter of support from the MDNR to the Federal Energy Regulatory Commission (FERC) for our power plant license extension amendment request. This would give us a better chance of success with FERC, who will either grant or deny our amendment request to extend our license out to 2040 (adding an additional 15 years to the present contract).

In March the city passed a resolution essentially allowing Dave Graff and the City manager to negotiate a plan on behalf of the City with the DNR to complete the following:
1. Expand and maintain pedestrian trails along the Paint River.
2. Provide rustic camping opportunities in the project vicinity.
3. Improve and maintain existing boating access site.
4. Provide additional shore-based fishing opportunities.
5. Monitor for freshwater mussels within the project impoundment and downstream of the project consistent with guidance provided by the MDNR.
6. Update current invasive species monitoring efforts to include additional species identified on watchlists and prohibited species lists.

The MDNR in consultation with the Michigan Attorney General’s office, proposed last month to the city a settlement agreement which further specifies, in more detail, requirements relating to the 6 items.

The City countered with their own proposal, including the following language:
"The City has reviewed your draft agreements. Based upon our legal and professional team’s feedback, along with a review of estimated costs, the draft agreements would place a very large
financial burden on the City up-front and potentially could cost much more because they are subject to an open-ended approval by the MDNR.

With the State of Michigan putting pressure on many municipalities’ unfunded liability, the City cannot afford to agree to open-ended liability. By signing any agreement in which the details are subject to an open-ended approval by the MDNR, the City would consequently be agreeing to more liability.

To address these concerns, the City met on-site with you on April 22, 2019 to further discuss your requests outlined in your April 15, 2019 letter. As a result, the City agrees to implement the following items as described below contingent upon full support from the MDNR on the proposed license amendment for the Crystal Falls Hydroelectric Project to extend the license expiration date to July 31, 2040 and the Federal Energy Regulatory Commission (Commission) granting an unconditional order granting the amendment to the license to change expiration date of the license to July 31, 2040 with no further conditions other than those outlined in this agreement (Commission’s Order).”

We then countered with our own proposal to meet the 6 requirements listed above. See the attached for the full counter proposal.

It is our hope that our proposal will be accepted by the MDNR and will grant a letter of full support for our license extension request before FERC. However, realistically more negotiations maybe required.

**Tree removal:** Tree removal and aerial brushing have been occurring in April.

**Meter Testing:** Meter testing, calibration, and error code investigation have been ongoing the entire month of April. The good news is that no metering/billing errors have been found. However further investigations regarding a number of error messages are still under investigation.

**Cemetery:** An underground distribution project has been started at the cemetery which will allow the cemetery crew to plug in a portable generator to run the topsoil making equipment thereby simplifying and making the process safer.

**Bucket Truck:** Bucket Truck specifications are being developed with consultation with various vendors for a new bucket truck to be hopefully procured in 2021’s budget

**Fleet maintenance and testing:** A number of trucks and equipment required routine maintenance in April.

**Line Material procurement:** Line material went out for bids, purchase orders cut to various vendors, and the majority of the line material was delivered and stocked in April. Purchase order programs were also updated.
April 2019
Public Works Department
Kelly Stankewicz

Summary of Work Performed:

Water
1. Water turn on/off.
2. Performed water locating for MISDIGG system.
3. Water meter related troubleshooting and service calls.
4. Install new meter transmitters, Flexnet.
5. Discontinued water let run.

Sewer
1. Sewer line locating for MISDIGG system.
2. Sewer lift station inspection and record keeping.
3. Sewer lift station maintenance.
4. Lagoon operations.
5. Record, process, and report data for Lagoon Compliance Monitoring Reports.
6. Respond to customer inquiries.

Street
1. State maintenance reporting.
2. Catch basin opening for spring runoff.
5. Major and local street patch repairs.
6. Repairing winter maintenance damage.
7. Street sweeping.

Other
1. Maintenance of equipment.
2. Vehicle repairs.
4. Administrative duties.
5. Safety training.
6. Hiring of two new public works employees.
7. Cemetery and Golf course spring work.
April 2019 Monthly Report for
City Parks and Cemetery
Submitted by: Glenn Trzeciak

Work completed:

- Tim Wheeler takes over as Evergreen Memorial Cemetery Sexton
- Students have now shown up for summer work.
- U.S. 2 Rental delivers new Gravely 60-inch zero-turn mower to cemetery.
- Lincoln Park cleanup completed.
- Cemetery fields’ cleanup completed.
- Spring burials 40% completed.
- Water turned on at RLP Lion’s Club building.
- Plumbing hookup at RLP showers/bathrooms/dump station completed.
- Preparations made for placement of Iraq/Afghanistan cross in War Memorial section in cemetery.