

City of Ironwood  
213 S. Marquette St.  
Ironwood, MI 49938



# IRONWOOD

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**AGENDA**  
**REGULAR IRONWOOD CITY COMMISSION MEETING**  
**MONDAY, SEPTEMBER 13, 2021**  
**Public Hearings – 5:20 P.M. & 5:25 P.M.**  
**Regular Meeting - 5:30 P.M.**  
**LOCATION: COMMISSION CHAMBER MEMORIAL BUILDING**

**ZOOM OPTION AVAILABLE**

**(Please visit the City website at [www.cityofironwood.org](http://www.cityofironwood.org) or the notice posted at the Memorial Building for Zoom Webinar login instructions.)**

**5:20 P.M.**

1. Call Public Hearing to Order.
2. Recording of the Roll.
3. Public Hearing: To hear comments relative to the condemnation of the stairwell structure at 420 McLeod Avenue, Ironwood, MI.
4. Close Public Hearing.

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**5:25 P.M.**

1. Call Public Hearing to Order.
2. Public Hearing: To hear comments relative to the condemnation of a structure at 110 E. Birch Street, Ironwood, MI.
3. Close Public Hearing.

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**5:30 P.M.**

- A. Regular Meeting Called to Order.  
Pledge of Allegiance.
- B. Recording of the Roll.
- C. Approval of the Consent Agenda.\*



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*All items with an asterisk (\*) are considered to be routine by the City Commission and will be enacted by one motion. There will be no separate discussion of those items unless a Commission member or citizen so requests, in which event the item will be removed from the General Order of Business and considered in its normal sequence on the agenda.*

\*1) Approval of Minutes – Regular City Commission Meeting Minutes of August 23, 2021.

\*2) Review and Place on File:

a. Pat O'Donnell Civic Center Meeting Minutes of August 2, 2021.

b. Planning Commission Meeting Minutes of May 20, 2021.

D. Approval of the Agenda

E. Citizens wishing to address the Commission on Items on the Agenda. (Three Minute Limit).

F. Citizens wishing to address the Commission on Items not on the Agenda (Three Minute Limit)

G. PRESENTATION: Chris Larson, P.E. – HDR Consultants  
(RE: Water Treatment Plant Update)

H. PRESENTATION: Community Development Director Tom Bergman  
(RE: Comprehensive Plan Review and Planning Commission – Annual Report)

#### **OLD BUSINESS**

I. Consider declaring a public nuisance and order condemnation for the removal of a stairwell structure at 420 McLeod Avenue.

J. Consider declaring a public nuisance and order condemnation of a structure at 110 E. Birch Street.

K. Consider approval of Change Order No. 3 for the City of Ironwood – 2021 Water and Sewer Project to Jake's Excavating & Landscaping, LLC. in the amount of (\$271,427.07) (Water – \$5,288.50, Sewer - (\$276,715.58)) and authorize Mayor to sign all applicable documents.

L. Discuss and consider approving pay application #2 to Angelo Luppino, Inc. for the 2021 local street paving project in the amount of \$445,377.27.

M. Discuss and consider adopting Resolution #021-024 Michigan Department of Natural Resources Trust Fund Grant Acceptance for the Norrie Park Renovation and Montreal River Water Trail Project.

#### **NEW BUSINESS**

N. Discuss and consider Appeal of Marihuana Establishment Ordinance Rubric Scoring by Cultivatd LLC.

O. Discuss and consider awarding demolition bid for 400 E. Tamarack Street to Fahrner Excavating in the amount of \$20,061.00.

P. Manager's Report.

Q. Other Matters.

R. Adjournment.

## Proceedings of the Ironwood City Commission Meeting

A Regular Meeting of the Ironwood City Commission was held in person and via Zoom at 5:30 P.M. on Monday, August 23, 2021.

A. Mayor Burchell called the regular meeting to order at 5:30 P.M.

B. Recording of the Roll.

PRESENT: Commissioner Cayer, Corcoran, Mildren, Semo, and Mayor Burchell.

ABSENT: None.

C. Approval of the Consent Agenda.\*

\*1) Approval of Minutes – Regular City Commission Meeting of August 9<sup>th</sup>.

\*2) Review and Place on File:

a. Pat O'Donnell Civic Center Special Meeting Minutes of August 8<sup>th</sup>.

b. Ironwood Housing Commission Board Meeting Minutes of August 10<sup>th</sup>.

*Motion was made by Cayer, seconded by Corcoran to approve the Consent Agenda as presented. Unanimously passed by roll call vote.*

D. Approval of the Agenda

*Motion was made by Cayer, seconded by Corcoran and carried to approve the agenda as presented.*

E. Review and Place on File:

1. Revenue & Expenditure Report.

2. Cash and Investment Summary Report.

*Motion was made by Corcoran, seconded by Cayer to receive and place on file the Statement of Revenue & Expenditures Report for the month ending July 31, 2021, and the Cash and Investment Summary Report for July 31, 2021. Unanimously passed by roll call vote.*

F. Approval of Monthly Check Register Report.

*Motion was made by Semo, seconded by Mildren to approve the Monthly Check Register Report for July 2021. Unanimously passed by roll call vote.*

G. Citizens wishing to address the Commission on Items on the Agenda. (Three Minute Limit).

There were none.

H. Citizens wishing to address the Commission on Items not on the Agenda (Three Minute Limit)

There were none.

**OLD BUSINESS**

- I. Consider approval of Pay Request No. 4 in the amount of \$142,882.80 (Water - \$44,564.79, Sewer - \$93,318.01) for the City of Ironwood – 2021 Water and Sewer Project and authorize Mayor to sign all applicable documents.

*Motion was made by Mildren, seconded by Corcoran to approve Pay Request No. 4 in the amount of \$142,882.80 (Water - \$44,564.79, Sewer - \$93,318.01) for the City of Ironwood – 2021 Water and Sewer Project and authorize Mayor to sign all applicable documents. Unanimously passed by roll call vote.*

**NEW BUSINESS**

- J. Discuss and Consider Resolution #021-023 Governing the 2021 Comprehensive Deer Management Program.

*Motion was made by Corcoran, seconded by Cayer to adopt Resolution #021-023 Governing the 2021 Comprehensive Deer Management Program. Unanimously passed by roll call vote.*

- K. Discuss and Consider request from Jeff Ahonen to waive the late penalty fee for summer taxes for property owned by Ahonen Apartments and Ahonen Investment companies.

Jeff Ahonen addressed the City Commission via zoom to request a waiver of his late penalty fee for the summer taxes.

After a brief discussion no action was taken on this matter.

- L. Discuss and Consider awarding quote to Ross Peterson Construction for the leveling of the compost site.

*Motion was made by Semo, seconded by Corcoran to award the quote for the compost site leveling to Ross Peterson for an amount not to exceed \$10,000.00. Unanimously passed by roll call vote.*

City Manager Erickson noted this weekend the City of Ironwood compost site will be open on Friday, August 27<sup>th</sup> from 10:00 a.m. to 6:00 p.m. and Saturday, August 28<sup>th</sup> from 10:00 a.m. to 2:00 p.m. with an attendant who will check I.D.'s. He further stated this is for residents only.

M. Mayor's appointment.

*Mayor Burchell reappointed Paul Kostelnik to a three (3) year term on the Park & Recreation Committee (term expiring July 1, 2024).*

***Motion** was made by Semo, seconded by Mildren and carried to approve the Mayor's appointment of Paul Kostelnik to the Park & Recreation Committee (term expiring July 1, 2024).*

N. Manager's appointment.

City Manager Erickson appointed Heidi Brown to an unexpired five (5) year term replacing Pat Niksich on the Ironwood Housing Commission (term expiring June 30, 2023).

***Motion** was made by Semo, seconded by Mildren and carried to approve the City Manager's appointment of Heidi Brown to the Ironwood Housing Commission (term expiring June 30, 2023).*

O. Manager's Report.

City Manager Scott B. Erickson showed several pictures of current projects happening around the City of Ironwood to the City Commission. Mr. Erickson then verbally noted the following items:

\*Pat O'Donnell Civic Center is planning a ribbon cutting ceremony on Saturday, October 2<sup>nd</sup>.

\*Ember Light Festival is going strong with the film festival this week.

\*The next First Friday will be the last day of the Ember Light Festival with many vendors and Marty's Goldenaires.

P. Other Matters.

Commissioner Mildren noted the Civic Center Board was overjoyed with the parking lot project. He also thanked the Ember Light organizers for all the great events.

Commissioner Corcoran had a few questions for City Staff regarding doing a road rating study and questioned when the City-Wide Clean-up would be. City Manager Erickson responded by saying he would be in touch with WUPPDR regarding the road rating and the clean-up is scheduled for October 1<sup>st</sup> from 8:00 a.m. to 4:00 p.m. and October 2<sup>nd</sup> from 9:00 a.m. to noon.

Commissioner Semo requested an update on the Water Treatment Plant.

Commissioner Cayer had several questions for City Staff such as the fenced in area off of Scott's Street that was caving in, speeding on Ridge Street, and the blighted Ironwood Motel on US2.

Q. Adjournment.

***Motion** was made by Semo, seconded by Mildren and carried to adjourn the meeting at 6:11 P.M.*

Annette Da Lio-Burchell, Mayor

Karen M. Gullan, City Clerk

## Civic Center Meeting Minutes

8/2/21

1. Meeting called to order by Gullan at 5:05 pm.
2. Roll call: Gullan, Mildren, Moderson, Panosso, Sommer and Mgr. Sivula present. Re and Collins absent. Building Official Hewitt also present.
3. Motion to approve the agenda was made by Mildren, seconded by Sommer. Motion approved.
4. Motion to approve the minutes was made by Mildren, seconded by Moderson. Roll call vote was as follows: Gullan-yes, Mildren-yes, Moderson-yes, Panosso-yes, Sommer-yes. Motion approved.
5. Motion to approve the financials was made by Mildren, seconded by Sommer. Roll call vote was as follows: Gullan-yes, Mildren-yes, Moderson-yes, Panosso-yes, Sommer-yes. Motion approved.
6. Citizens wishing to address the Board on items on the agenda: N/A
7. Citizens wishing to address the Board on items not on the agenda: N/A
8. Old Business:
  - A. Review Building Updates: Update and discussion of punch list items was held. Discussion included but wasn't limited to the power company adding a meter for the reader sign, an independent engineer being hired by the insurance company to look at the block, block sealing to be completed in 2-3 weeks, completion of the boards and netting, painting of lines, and 4" of recycled milling for the parking lot.
  - B. Revisit raise for Bill: Due to Bill's knowledge, skill, and work ethic the board revisited the previous raise approved for Bill Nyman. Motion to increase Bill's pay from \$14.00/hr. to \$15.00/hr. was made by Moderson, seconded by Panosso. Roll call vote was as follows: Gullan-yes, Mildren-yes, Moderson-yes, Panosso-yes, Sommer-yes. Motion approved.
  - C. Updates on Items Ordered: Discussion and update on status of items needed from the manager. Discussion included by wasn't limited to microwave was delivered, digital clock was delivered and needs to be installed, menu board for concession is in and needs to be installed, installation of speakers needs to be completed by NorthStar Electronics, and the need for flooring for refs to get onto the ice.
9. New Business:
  - A. Open House meeting for delegating assignments: Discussion and update from Manager.
    - i. Discussion included by was not limited to a soft opening to be held on 08/05/21 from 12 p.m. to 7 p.m. with free roller blading, coffee, and cake.
    - ii. Discussion regarding a Grand Opening for the civic center to be planned for a later date when the ice is installed. There will be a planning meeting to discuss ideas for the Grand opening on 08/17/21 at 6:30 p.m. at the Pat O'Donnell Civic Center. Ice Crystals and Polar Bear Hockey members will be invited to attend.
  - B. Schafer completing Board Punchlist: Update from Manger and Hewitt on the completion of the boards and netting. Completion is set to be by the end of the



day 8/7/21. A review of the punch list and project will be done by the Manager and Hewitt upon completion.

- C. Fee Schedule: Hourly ice rates and open skating rates: Discussion about the fee schedule for hourly ice rates and open skating rates was held. Discussion included but wasn't limited to the hourly rates for hourly ice and open skating, renting the entire building, commons area, meeting rooms, and skate sharpening prices. Fee Schedule was updated and presented to the rink manager for updating and completion.
10. Other matters:
- A. Moderson: Concerned with amount of skate rental. Manager assured board there is enough skate inventory for opening skating to begin when the ice is complete.
  - B. Moderson: Freezer space for concession food storage. Manager will assess need.
  - C. Panosso: Netting is attached to the glass and cannot be raised easily for big vehicle entry on East end of the rink.
11. Next meeting Tuesday 9/7/21 at 5:00 pm at the Pat O'Donnell Civic Center.
12. Motion to adjourn at 7:30 pm was made by Mildren, seconded by Sommer. Motion approved.



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**PROCEEDINGS OF THE IRONWOOD PLANNING COMMISSION**  
**Thursday, May 20, 2021**

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A Regular Meeting and Public Hearing of the Planning Commission was held on Thursday, May 20, 2021 via Zoom video conferencing.

1. Call to Order: Chair Davey called the meeting to Order at 5:00 p.m.
2. Recording of the Roll:

MEMBER	PRESENT		EXCUSED	NOT EXCUSED
	YES	NO		
Vacant				
Scott Bissell	X			
Stephanie Holloway	X			
Sam Davey	X			
David Andresen	X			
Nancy Korpela	X			
Joe Cayer ex-officio, non-voting member		X	X	
Mark Silver	X			
	<b>6</b>	<b>1</b>	<b>Quorum</b>	

Also present: Community Development Director Tom Bergman and Community Development Assistant Tim Erickson.

3. Approval of the May 6, 2021 Meeting Minutes:

**Motion by Korpela to approve the May 6, 2021 Meeting Minutes. Second by Bissell. Motion Carried 4 to 0.**

4. Approval of the Agenda:

**Motion by Silver to approve the Agenda. Second by Korpela. Motion Carried 5 to 0.**

5. Citizens wishing to address the Commission regarding Items on the Agenda (three-minute limit): None.
6. Citizens wishing to address the Commission regarding Items not on the Agenda (three-minute limit): None.
7. Items for Discussion and Consideration.
  - A. Public Hearing and Consideration of PC Case 2021-011 Site Plan Review for 151 E. Cloverland Drive Retail Marihuana Establishment and 90 Mill Street Class B Grower, Class C Grower, and Processor Marihuana Establishment.

- I. Chair Davey read the public hearing procedures.

Director Bergman introduced the projects and the applicants.

Jeff Barker presented the site plan.

Bissell asked about the façade of the grow facility and processing facility. Bissell asked about potential contamination and asked to see correspondence with EAGLE state agency. The applicant stated that they did a phase one and two environmental review and asbestos contamination was found. Their review indicated that the contamination will not be an issue with the development. The applicant stated that EAGLE has reviewed and stated that remediation will not be required. Bergman asked for correspondence from EAGLE to confirm. Bergman stated that the review requires the applicant to provide the information requested on the review checklist. Bissell asked about storm water contamination runoff from the soil. Bergman indicated that correspondence with EAGLE is necessary to determine the impact.

Davey closed the public hearing.

- B. Public Hearing and Consideration of PC Case 2021-011 Conditional Use Hearing for 151 E. Cloverland Drive Retail Marihuana Establishment and 90 Mill Street Class B Grower, Class C Grower, and Processor Marihuana Establishment.

- I. Davey opened the public hearing.

Brandon Midthun addressed the Commission and stated that they have extensive environmental assessment documents that they can share with the Planning Commission. He discussed keeping soil on site and that the construction will take place on the part of the property that doesn't have contamination.

Davey closed the public hearing.

8. Old Business.

- A. Consideration of PC Case 2021-009 Site Plan Review for 326 W. McLeod Ave Retail Marihuana Establishment and 1700 Iron King Road Class C Grower and Processor Marihuana Establishment.

I. Director Bergman address the attached memo. He discussed recommending abandoning the McLeod Ave. ingress and egress for the retail location. They discussed the need for the calculation of snow storage to be included on the site plan for the retail location. Ryan addressed the Commission and discussed the two entrances. The Planning Commission discussed the best ingress and egress locations. They would like Director Bergman to check with Ironwood Public Safety Department to get their opinion before making a decision.

**Motion by Silver to table to the next meeting. Second by Holloway. Motion Carried 6 to 0.**

- B. Consideration of PC Case 2021-009 Conditional Use Hearing for 326 W. McLeod Ave. Retail Marihuana Establishment and 1700 Iron King Road Class C Grower and Processor Marihuana Establishment.

**Motion by Silver to table to the next meeting. Second by Andresen. Motion Carried 6 to 0.**

- C. Discussion and consideration of changing the time of the Planning Commission meetings from 5:00 p.m. on the first Thursday of the month to either 5:30 p.m. or 6:00 p.m. on the first Thursday of the month.

I. The Planning Commission discussed changing the time to 5:30 p.m.

**Motion by Bissell to change the meeting times from 5:00 p.m to 5:30 p.m. Second by Holloway. Motion Carried 6 to 0.**

9. Other Business.

- A. Director Bergman discussed the joint City Commission and Planning Commission meeting date to be scheduled towards the end of June.

Davey asked for a zoning ordinance update. The consultants are working on a presentable draft.

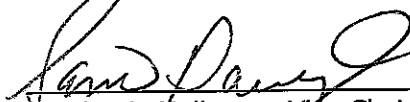
10. Next Meeting: Thursday, June 3, 2021.

11. Adjournment:

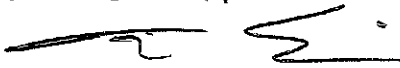
**Motion by Holloway to adjourn the meeting. Second by Korpela. Motion Carried 6 to 0.**

Adjournment at 6:01 p.m.

Respectfully submitted



~~Stephanie Holloway, Vice-Chair~~  
Sam Davey, Chair



Tim Erickson, Community Development Assistant



**To:** Mayor Burchell and City Commission

**From:** Tom Bergman, Community Development Director

**Date:** September 3, 2021

**Meeting Date:** September 13, 2021

**Re:** Comprehensive Plan Review and Planning Commission Annual Report

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As part of the Redevelopment Ready Communities Program, the City of Ironwood is required to do an Annual Report of the activities of the Planning Commission as well a review of the current status of the Comprehensive Plan. Reviewing the Comprehensive Plan on an annual basis provides an opportunity to see how much of the plan has been completed or is in process. Certain aspects of the Comprehensive Plan are revised on a regular basis, this includes the 5-year Parks and Recreation Plan and the Capital Improvement Plan (annually). A review of the plan allows the City to evaluate the necessity of updating other aspects of the plan. For Example, the Downtown Blueprint Plan is mostly completed and is in need of an update. At some point, likely in the next few years, it will be time to do a Comprehensive Revision of the Plan. Then the City can incorporate all the new updates as well as address other sections of the plan in need of attention.

### **Recommendations**

The Planning Commission has approved the Annual Report and recommends the City Commission approve and put the report on file.



## CITY OF IRONWOOD PLANNING COMMISSION 2021 ANNUAL REPORT

### 1. Purpose of this Report.

- The Planning Commission is a board of seven members with three-year terms and one Ex-Officio non-voting member from the City Commission. The board is directed by the City of Ironwood Community Development Director. The Planning Commission is responsible for the following:
  - Preparing and implementing the City’s Comprehensive Plan and additional plans/planning documents.
  - Processing zoning requests including: Zoning Amendments (text and property), Site Plan Review, Special/Conditional Uses, and Development Review.
  - Sale of City owned Surplus Property.
  - Other planning and zoning related matters that may come before it.

### 2. The reason for this report.

- The Michigan Planning Enabling Act requires it. “A planning commission shall make an annual written report to the legislative body concerning its operations and status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.”
- It Increases information-sharing between staff, boards, commissions, and the governing body.
- It Allows for anticipation of upcoming issues and priorities, in order to prepare and budget, if necessary.

### 3. Membership

Planning Commission Member	Term Expiration
Sam Davey – Chair	December 31, 2023
Vacant	December 31, 2022
Nancy Korpela	December 31, 2023



David Andresen	December 31, 2022
Mark Silver	December 31, 2022
Stephanie Holloway	December 31, 2021
Scott Bissell	December 31, 2021
Joe Cayer	Ex-officio

4. Meetings (*MPEA required four meetings annually*)

The City of Ironwood Planning Commission met 14 times in FY 2020/2021. This meets the requirements of the MPEA.

5. Master Plan Review

**Outline for topics for Comp Plan Update to Commission**

**Priority Action Items from Comp Plan**

1. **Zoning Ordinance** – Near completion
2. **Providing print and online access to applications for development projects** – completed
3. **Prepare street maintenance reconstruction plan** -ongoing projects as identified in the Capital Improvement Plan
4. **Priority Trail Improvements**
  - Southern Beltline Trail Acquisition (2 phases) both funded by DNR Trust Fund
  - MMHP Mountain Bike Trail – In progress
  - Pedestrian Network – Sidewalk Policy (drafted but not adopted)
  - Wayfinding Master Plan – In progress
  - Montreal Water Trail Project – Funding Approved
5. **Park Action Program**
  - Playground north of US 2 – To be completed Summer 2021
  - Conduct annual Trail and User Summit (first one conducted in 2019, planned for fall of 2021)
  - Programming the Parks (continued support of SISU Ski Fest and Bridges and Bluffs, Farmers Market in Depot Park, First Fridays Summer Music Series in City Square, Emberlight Festival)
  - Ironwood Downtown City Square Project items from Park Action Plan has been completed.



- Partnership with Gogebic Range Health Foundation, Gogebic Community College, The International Mountain Biking Association for Mountain Bike Trail System Planning Project for Mt. Zion.
- 5 year Parks and Recreation Plan Update in 2019
- River Walk Trail (in progress as part of Southern Beltline Railroad Grade acquisition and Montreal River Water Trail Project)
- Playground upgrades Hiawatha (not started)
- Little League Field Improvements (Applied for DNR Trust Fund for playground 2021)
- Museum Feasibility Study (Not started)
- Curry Park electrical upgrade (funded through DNR Trust Fund)
- Upgrades at Hiawatha (repainting of Hiawatha 2019)

## **6. Economic Development Priority Action**

- Economic gardening – (City Square Project, ongoing Façade program, working with Northern Initiatives to provide Revolving Loan Fund dollars to businesses (three RLF projects in last three years), EDC Marketing Plan has been developed, Partnership with Ironwood Tourism Council, First Fridays Downtown)
- Market the Community – (Partnership with Ironwood Tourism Council, Travel Ironwood Website, Increased Social Media Presence, Shop local with First Fridays, Jack Frost Christmas Market, Find Your North Branding Campaign, Target Market Analysis for Retail (funded through WUPPDR and will need to be updated in the next couple years)
- Housing Rehabilitation – MSHDA Neighborhood Enhancement Program (Housing Façade Project Douglas Neighborhood 2020 and 2021), Housing Target Market Analysis (WUPPDR is currently working on a project as part of the Pandemic Resiliency Plan)
- Increased Broadband Access-Fiber to Memorial Building, Library Public WIFI Project, working with InvestUP and MEDC to help provide broadband to remote locations (Rural Digital Opportunities Fund (RDOF) for the Upper Peninsula, Highline Internet)
- Development of Community Calendar – Working with UW Extension on the FELiveLife.com Community Event project- Calendar has been up and running for 3 years.
- Business supportive Zoning Ordinance-Zoning Ordinance Revision - ongoing to be completed by end of 2021
- Enhancement of Downtown – City Square Project
- Support infill Redevelopment – On going.
- Continue Work with businesses in Industrial Park to help with expansion needs

## 7. Downtown Blueprint Plan

Much of the Blueprint Plan has been completed. City has budgeted for a new Downtown Development Plan as part of establishing the TIF District. Below is a list of projects that were started or completed in the previous fiscal year.

- New opportunity for outdoor seating in the downtown
- City Square project completed September 2020
- Encourage extended downtown business hours during First Friday events
- Started planning for TIF District
- Downtown design guidelines in proposed Zoning Ordinance
- Mural Completed on Lahti Building
- Continued Work with Ironwood Tourism Council to promote the Downtown

## 8. Infrastructure Systems

The City hired a consultant to provide a feasibility study for the development of Water Treatment Facility. Ongoing infrastructure projects as identified in the Capital Improvements Plan (Capital Improvement Plan will be started in the next month for next year)

## 6. Zoning Ordinance Amendments

- Document the section numbers amended and indicate any work in progress
- Review rezoning requests; indicate location, request description, and status
- Identify any zoning ordinance updates to undertake in the upcoming year
- **PC Case 2021-003 Zoning text amendment for Marihuana Establishment Conditional Uses.** This amendment to the zoning ordinance brought the zoning ordinance into compliance with the Marihuana Establishment Ordinance specifically the uses allowed by conditional use by zoning district. The following sections were amended:  
Specifically to sec 34-133 (adding Marihuana Retailer, Microbusiness, and Safety Compliance Facility as permitted uses by conditional use permit in the C-2 Downtown Commercial District), sec 34-153 (adding Marihuana Retailer, Microbusiness, and Safety Compliance Facility as permitted uses by conditional use permit in the C-3 Highway Commercial District), sec 34-173 (adding Marihuana Grower, Processor, Secure Transporter, and Safety Compliance Facility as permitted uses by conditional use permit in the I-1 Industrial District), and sec 34-2 (adding definitions).
- **In Fiscal Year 2021-2022 the Planning Commission and City Commission will be adopting a new zoning ordinance to bring code into compliance with The City of Ironwood Comprehensive Plan.**

## 7. Development Reviews

Project type	Location	Description	Status	Recommendation to legislative body	Date of action
Property Lease	238 East Ayer Street	Up-N-Smoke BBQ Case 020-002	Approved	Approved by City Commission	November 9, 2020
Rezone	777 E. Ayer St.	Rezone to I-1	Approved	N/A	August 6, 2020
Conditional Use Permit	121 N. Lowell St.	Accessory Storage – PC Case 2020-004	Approved	N/A	November 5, 2020
Conditional Use Permit & Site Plan	138 W. Ayer St.	Three Twins Microbusiness – PC Case 2021-002	Approved	N/A	April 1, 2021
Conditional Use Permit & Site Plan	507 N. Lake St. & 122 – 124 Luxmore St.	The Fire Station – PC Case 2021-004	Approved	N/A	April 1, 2021
Conditional Use Permit & Site Plan	824 E. Cloverland Dr. & NE Corner of Ayer St. and Luxmore St.	Higher Love & Ottawa Innovations – PC Case 2021-005	Approved	N/A	April 15, 2021
Conditional Use Permit & Site Plan	255 E. Cloverland Dr.	RauschCo. Agriscience Inc. – PC Case 2021-006	Approved	N/A	April 15, 2021
Conditional Use Permit & Site Plan	100 W. Cloverland Dr.	QPS Michigan Holdings – PC Case 2021-007	Approved	N/A	April 15, 2021
Conditional Use Permit & Site Plan	411 E. Cloverland Dr. & SE Corner of Commerce Street & Iron King Rd.	Rize UP – PC Case 2021-008	Approved	N/A	May 6, 2021

Conditional Use Permit & Site Plan	326 E. McLeod Ave. & 1700 Iron King Rd.	Cultivat'd – PC Case 2021-009	Approved	N/A	May 6, 2021
Site Plan	220 & 260 E. Cloverland Dr.	Kwik Trip – PC Case 2021-010	Approved	N/A	May 6, 2021
Conditional Use Permit & Site Plan	151 E. Cloverland Dr. & 90 Mill St.	Free World Farms – PC Case 2021-011	Approved	N/A	July 1, 2021

8. Variances

Variance type	Location	Description	Status	Recommendation to legislative body	Date of action
Use Variance	110 E. Houk St.	Small engine repair	Approved	N/A	March 22, 2021
Non-use Variance	125 E. Ash St.	Garage Variance	Approved	N/A	August 24, 2020

9. Actions by legislative body (*Review actions taken by the legislative body related to planning and development*)

- Adoption of Marihuana Establishment Ordinance allowing limited retail facilities, processors, transport, safety compliance and grow operations.
- Adoption of Nuisance Odor Ordinance to mitigate odor nuisances in the City. This was brought forward because of odors related to medical marijuana uses. It will also mitigate other potential nuisances.

10. Zoning map (*Review with listed development and rezoning requests to analyze potential trends*)

- 777 East Ayer Street was rezoned to I-1 Industrial from O-1 Open to accommodate a light industrial use in an obsolete building (formerly used as a church). This allowed a local business currently located in the Industrial Park to expand into an existing building that was functionally obsolete.

11. Trainings

Topic/description	Date
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No new trainings in fy 2020-2021	
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12. Joint Meetings

List any joint meetings and key topics of discussion:

- City Commission/Planning Commission joint work session to discuss Marijuana Ordinance (3 meetings in total).

13. Other notable items to consider including:

- City Square, Beltline, MMHP Trails, NEP Grant for Douglas Neighborhood, Water & Street projects, Ongoing business support during COVID.

Date of Issuance: August 9, 2021  
 Owner: The City of Ironwood  
 Contractor: Jake's Excavating and Landscaping, LLC  
 Engineer: Coleman Engineering Company  
 Project: 2021 Sewer and Water Project  
 Contract Name: 2021 Sewer and Water Project

Effective Date: August 9, 2021  
 Owner's Contract No.:  
 Contractor's Project No.:  
 Engineer's Project No.: 200738

The Contract is modified as follows upon execution of this Change Order:

**Description:** Add Pewabic Street Rework. Balance existing pay items. All items associated with sewer lining are being removed from this contract.

**Attachments:** Attachment 1 – Pay Item Schedule

Attachment 2 – Request for Change Order No. 3 from Jake's Excavating

CHANGE IN CONTRACT PRICE	CHANGE IN CONTRACT TIMES
Original Contract Price:  \$ 1,668,324.34	Original Contract Times: Substantial Completion: <u>September 17, 2021</u> Ready for Final Payment: <u>October 1, 2021</u> days or dates
[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> :  \$ 43,026.50	[Increase] [Decrease] from previously approved Change Orders No. <u>1</u> to No. <u>2</u> : Substantial Completion: <u>3</u> Ready for Final Payment: <u>3</u> days
Contract Price prior to this Change Order:  \$ 1,711,350.84	Contract Times prior to this Change Order: Substantial Completion: <u>September 17, 2021</u> Ready for Final Payment: <u>October 1, 2021</u> days or dates
[Increase] [Decrease] of this Change Order:  \$271,427.07	[Increase] [Decrease] of this Change Order: Substantial Completion: <u>0</u> Ready for Final Payment: <u>0</u> days or dates
Contract Price incorporating this Change Order:  \$1,439,923.77	Contract Times with all approved Change Orders: Substantial Completion: <u>September 20, 2021</u> Ready for Final Payment: <u>October 4, 2021</u> days or dates

RECOMMENDED:	ACCEPTED:	ACCEPTED:
By: _____ Engineer (if required)	By: _____ Owner (Authorized Signature)	By: _____ Contractor (Authorized Signature)
Title: _____	Title: _____	Title: <u>President</u>
Date: _____	Date: _____	Date: _____

Approved by Funding Agency (if applicable)

By: \_\_\_\_\_ Date: \_\_\_\_\_  
 Title: \_\_\_\_\_

Attachment 1  
Pay Item Schedule

Item No.	Item Description	Unit	Unit Price	Revised Contract Amount (Thru CO 2)		Change Order No. 3		Revised Contract Amount (Thru CO 3)	
				Quantity	Total Cost	Quantity	Total Cost	Quantity	Total Cost
1	4-inch Watermain	LF	\$ 50.00	40	\$ 2,000.00		\$ -	40	\$ 2,000.00
2	6-inch Watermain	LF	\$ 42.00	125	\$ 5,250.00		\$ -	125	\$ 5,250.00
3	8-inch Watermain	LF	\$ 49.00	3705	\$ 181,545.00		\$ -	3705	\$ 181,545.00
4	16-inch Watermain	LF	\$ 80.00	40	\$ 3,200.00		\$ -	40	\$ 3,200.00
5	8-inch Gate Valve and Box	EA	\$ 1,650.00	15	\$ 24,750.00		\$ -	15	\$ 24,750.00
6	16-inch Butterfly Valve and Box	EA	\$ 4,200.00	2	\$ 8,400.00		\$ -	2	\$ 8,400.00
7	8" x 8" x 6" Tee	EA	\$ 400.00	13	\$ 5,200.00		\$ -	13	\$ 5,200.00
8	8" x 8" x 8" Tee	EA	\$ 420.00	6	\$ 2,520.00		\$ -	6	\$ 2,520.00
9	8" x 8" x 8" x 8" Cross	EA	\$ 500.00	1	\$ 500.00		\$ -	1	\$ 500.00
10	16" x 16" x 8" Tee	EA	\$ 1,000.00	2	\$ 2,000.00		\$ -	2	\$ 2,000.00
11	8" x 4" Reducer	EA	\$ 200.00	4	\$ 800.00		\$ -	4	\$ 800.00
12	8" x 6" Reducer	EA	\$ 225.00	9	\$ 2,025.00		\$ -	9	\$ 2,025.00
13	8-inch Cap/Plug	EA	\$ 85.00	1	\$ 85.00		\$ -	1	\$ 85.00
14	4-inch Bend	EA	\$ 200.00	8	\$ 1,600.00		\$ -	8	\$ 1,600.00
15	6-inch Bend	EA	\$ 255.00	18	\$ 4,590.00		\$ -	18	\$ 4,590.00
16	8-inch Bend	EA	\$ 300.00	4	\$ 1,200.00	6	\$ 1,800.00	10	\$ 3,000.00
17	Connect to Ex. 4" Watermain	EA	\$ 500.00	4	\$ 2,000.00		\$ -	4	\$ 2,000.00
18	Connect to Ex. 6" Watermain	EA	\$ 750.00	9	\$ 6,750.00		\$ -	9	\$ 6,750.00
19	Connect to Ex. 8" Watermain	EA	\$ 850.00	3	\$ 2,550.00		\$ -	3	\$ 2,550.00
20	Connect to Ex. 16" Watermain	EA	\$ 1,275.00	4	\$ 5,100.00		\$ -	4	\$ 5,100.00
21	Line Stops 16"	EA	\$ 0.01	1	\$ 0.01		\$ -	1	\$ 0.01
22	1-inch Corporation Stop	EA	\$ 150.00	59	\$ 8,850.00		\$ -	59	\$ 8,850.00
23	1-inch Curb Stop and Box	EA	\$ 300.00	59	\$ 17,700.00		\$ -	59	\$ 17,700.00
24	1-inch Type K Copper Water Service	LF	\$ 28.00	2845	\$ 79,660.00		\$ -	2845	\$ 79,660.00
25	Water Service - Interior Plumbing Connection	EA	\$ 500.00	22	\$ 11,000.00		\$ -	22	\$ 11,000.00
26	6" x 12" Grade Offset Adapter	EA	\$ 500.00	13	\$ 6,500.00		\$ -	13	\$ 6,500.00
27	6-inch Ductile Iron Hydrant Lead	LF	\$ 42.00	168	\$ 7,056.00		\$ -	168	\$ 7,056.00
28	Fire Hydrant Assembly	EA	\$ 4,500.00	13	\$ 58,500.00		\$ -	13	\$ 58,500.00
29	Salvage Existing Hydrant	EA	\$ 175.00	4	\$ 700.00		\$ -	4	\$ 700.00
30	8" SDR 35 PVC Gravity Sewer	LF	\$ 34.50	2340	\$ 80,730.00	92	\$ 3,174.00	2432	\$ 83,904.00
31	12" SDR 35 PVC Gravity Sewer	LF	\$ 58.00	20	\$ 1,160.00		\$ -	20	\$ 1,160.00
32	18" SDR 35 PVC Gravity Sewer	LF	\$ 90.00	20	\$ 1,800.00		\$ -	20	\$ 1,800.00
33	4' Dia. Stand. San MH & Cover	VF	\$ 356.00	110	\$ 39,160.00		\$ -	110	\$ 39,160.00
34	Connect to Ex Sanitary Sewer	EA	\$ 500.00	9	\$ 4,500.00		\$ -	9	\$ 4,500.00
35	6" SDR 35 PVC Sewer Lateral	LF	\$ 27.50	2010	\$ 55,275.00	78.5	\$ 2,158.75	2088.5	\$ 57,433.75
36	Connect to Ex Sewer Lateral	EA	\$ 100.00	52	\$ 5,200.00	3	\$ 300.00	55	\$ 5,500.00
37	6"x 8" Sanitary Sewer Wye	EA	\$ 100.00	52	\$ 5,200.00	3	\$ 300.00	55	\$ 5,500.00
38	San Sew Lateral Cleanout, 6-Inch	EA	\$ 250.00	4	\$ 1,000.00		\$ -	4	\$ 1,000.00
39	San Sew Lateral 2 Way Cleanout, 6-Inch	EA	\$ 300.00	3	\$ 900.00		\$ -	3	\$ 900.00
40	Culvert HDPE 24-inch	LF	\$ 38.00	90	\$ 3,420.00		\$ -	90	\$ 3,420.00
41	Culvert End Section 24-inch	EA	\$ 250.00	6	\$ 1,500.00		\$ -	6	\$ 1,500.00
42	18-inch Corrugated Alum Alloy Culvert	LF	\$ 55.00	50	\$ 2,750.00		\$ -	50	\$ 2,750.00
43	12-inch HDPE Storm Sewer	LF	\$ 25.00	239	\$ 5,975.00		\$ -	239	\$ 5,975.00
44	24-inch HDPE Storm Sewer	LF	\$ 36.00	340	\$ 12,240.00		\$ -	340	\$ 12,240.00
45	Storm Sewer Catch Basin 2' Dia.	EA	\$ 1,450.00						
	Storm Sewer Catch Basin 2' Dia. - Sewer			3	\$ 4,350.00		\$ -	3	\$ 4,350.00
	Storm Sewer Catch Basin 2' Dia. - Roads			1	\$ 1,450.00		\$ -	1	\$ 1,450.00
46	Storm Sewer Manhole 4' Dia.	EA	\$ 2,500.00						
	Storm Sewer Manhole 4' Dia. - Sewer			7	\$ 17,500.00		\$ -	7	\$ 17,500.00
	Storm Sewer Manhole 4' Dia. - Roads			2	\$ 5,000.00		\$ -	2	\$ 5,000.00
47	Connect to Ex Storm Sewer	EA	\$ 500.00	4	\$ 2,000.00		\$ -	4	\$ 2,000.00
48	Dr. Structure Adj, Case 1	EA	\$ 225.00	5	\$ 1,125.00		\$ -	5	\$ 1,125.00
49	Riprap, Plain	SY	\$ 38.00	55	\$ 2,090.00		\$ -	55	\$ 2,090.00
50	Video Taping Sanitary, Storm, and Culvert Pipe	LF	\$ 3.50						
	Video Taping Sanitary, Storm, and Culvert Pipe - Sewer			2495	\$ 8,732.50		\$ -	2495	\$ 8,732.50
	Video Taping Sanitary, Storm, and Culvert Pipe - Roads			430	\$ 1,505.00		\$ -	430	\$ 1,505.00
51	Non-Structural Flowable Fill	CY	\$ 80.00	20	\$ 1,600.00	-20	\$ (1,600.00)	0	\$ -
52	Mainline Pipe Liner, 10-Inch Dia	LF	\$ 250.00	60	\$ 15,000.00	-60	\$ (15,000.00)	0	\$ -
53	Mainline Pipe Liner, 12-Inch Dia	LF	\$ 65.00	743	\$ 48,295.00	-743	\$ (48,295.00)	0	\$ -
54	Mainline Pipe Liner, 14-Inch Dia	LF	\$ 98.50	1288	\$ 126,868.00	-1288	\$ (126,868.00)	0	\$ -
55	Mainline Pipe Liner, 18-Inch Dia	LF	\$ 109.00	550	\$ 59,950.00	-550	\$ (59,950.00)	0	\$ -
56	Re-Instatement Lateral-Mainline Interface	EA	\$ 152.00	61	\$ 9,272.00	-61	\$ (9,272.00)	0	\$ -
57	Lateral-Mainline Interface Seal With No Lateral Lining	EA	\$ 650.00	61	\$ 39,650.00	-61	\$ (39,650.00)	0	\$ -
58	Locate Existing Manhole	EA	\$ 100.00	25	\$ 2,500.00		\$ -	25	\$ 2,500.00
59	Manhole Liner: per Section 2533.2.01.C	VF	\$ 205.00	219.3	\$ 44,956.50		\$ -	219.3	\$ 44,956.50

Attachment 1  
Pay Item Schedule

Item No.	Item Description	Unit	Unit Price	Revised Contract Amount (Thru CO 2)		Change Order No. 3		Revised Contract Amount (Thru CO 3)	
				Quantity	Total Cost	Quantity	Total Cost	Quantity	Total Cost
60	Excavation, Earth	CY	\$ 5.50						
	Excavation, Earth - Water			1490	\$ 8,195.00	393	\$ 2,161.50	1883	\$ 10,356.50
	Excavation, Earth - Sewer			4470	\$ 24,585.00	1178	\$ 6,479.00	5648	\$ 31,064.00
	Excavation, Earth - Roads			125	\$ 687.50		\$ -	125	\$ 687.50
61	Excavation, Rock	CY	\$ 0.01						
	Excavation, Rock - Water			50	\$ 0.50		\$ -	50	\$ 0.50
	Excavation, Rock - Sewer			150	\$ 1.50		\$ -	150	\$ 1.50
62	Subgrade Undercutting, Type III	CY	\$ 8.00						
	Subgrade Undercutting, Type III - Water			188	\$ 1,504.00		\$ -	188	\$ 1,504.00
	Subgrade Undercutting, Type III - Sewer			562	\$ 4,496.00		\$ -	562	\$ 4,496.00
63	Special Backfill	CY	\$ 10.00						
	Special Backfill - Water			25	\$ 250.00		\$ -	25	\$ 250.00
	Special Backfill - Sewer			75	\$ 750.00		\$ -	75	\$ 750.00
64	Stone Refill (MDOT 6A)	CY	\$ 20.00						
	Stone Refill (MDOT 6A) - Water			13	\$ 260.00	3.1	\$ 62.00	16.1	\$ 322.00
	Stone Refill (MDOT 6A) - Sewer			37	\$ 740.00	11.9	\$ 238.00	48.9	\$ 978.00
65	Ditch Cleanout	LF	\$ 3.50						
	Ditch Cleanout - Water			25	\$ 87.50		\$ -	25	\$ 87.50
	Ditch Cleanout - Sewer			75	\$ 262.50		\$ -	75	\$ 262.50
	Ditch Cleanout - Roads			260	\$ 910.00		\$ -	260	\$ 910.00
66	Curb and Gutter, Rem	LF	\$ 3.00						
	Curb and Gutter, Rem - Water			1005	\$ 3,015.00		\$ -	1005	\$ 3,015.00
	Curb and Gutter, Rem - Sewer			3015	\$ 9,045.00		\$ -	3015	\$ 9,045.00
67	Sidewalk, Removal	SY	\$ 3.00						
	Sidewalk, Removal - Water			565	\$ 1,695.00	11.5	\$ 34.50	576.5	\$ 1,729.50
	Sidewalk, Removal - Sewer			1697	\$ 5,091.00	27.4	\$ 82.20	1724.4	\$ 5,173.20
68	Utility Exploration	EA	\$ 150.00						
	Utility Exploration - Water			7	\$ 1,050.00		\$ -	7	\$ 1,050.00
	Utility Exploration - Sewer			18	\$ 2,700.00		\$ -	18	\$ 2,700.00
69	Subbase, CIP	CY	\$ 11.50						
	Subbase, CIP - Water			205	\$ 2,357.50	4.7	\$ 54.05	209.7	\$ 2,411.55
	Subbase, CIP - Sewer			615	\$ 7,072.50	14.2	\$ 163.30	629.2	\$ 7,235.80
70	Aggregate Base, 4 inch	SY	\$ 4.00						
	Aggregate Base, 4 inch - Water			228	\$ 912.00		\$ -	228	\$ 912.00
	Aggregate Base, 4 inch - Sewer			683	\$ 2,732.00		\$ -	683	\$ 2,732.00
71	Aggregate Base, 6 inch	SY	\$ 3.90						
	Aggregate Base, 6 inch - Water			512	\$ 1,996.80	42.89	\$ 167.27	554.89	\$ 2,164.07
	Aggregate Base, 6 inch - Sewer			1538	\$ 5,998.20	126.65	\$ 493.94	1664.65	\$ 6,492.14
72	Aggregate Base, 9 inch	SY	\$ 5.60						
	Aggregate Base, 9 inch - Water			2275	\$ 12,740.00		\$ -	2275	\$ 12,740.00
	Aggregate Base, 9 inch - Sewer			6822	\$ 38,203.20		\$ -	6822	\$ 38,203.20
	Aggregate Base, 9 inch - Roads			340	\$ 1,904.00		\$ -	340	\$ 1,904.00
73	Aggregate Surface Cse, 9 inch	SY	\$ 13.88						
	Aggregate Surface Cse, 9 inch - Water			25	\$ 347.00	12.8	\$ 177.66	37.8	\$ 524.66
	Aggregate Surface Cse, 9 inch - Sewer			75	\$ 1,041.00	38.5	\$ 534.38	113.5	\$ 1,575.38
	Aggregate Surface Cse, 9 inch - Roads			50	\$ 694.00		\$ -	50	\$ 694.00
74	Shoulder, Class II, 3-inch	SY	\$ 5.00						
	Shoulder, Class II, 3-inch - Water			105	\$ 525.00		\$ -	105	\$ 525.00
	Shoulder, Class II, 3-inch - Sewer			315	\$ 1,575.00		\$ -	315	\$ 1,575.00
75	HMA (4E1, Leveling, 165#/syd)	SY	\$ 7.95						
	HMA (4E1, Leveling, 165#/syd) - Water			487	\$ 3,871.65		\$ -	487	\$ 3,871.65
	HMA (4E1, Leveling, 165#/syd) - Sewer			1463	\$ 11,630.85		\$ -	1463	\$ 11,630.85
76	HMA (4E1, Leveling, 220#/syd)	SY	\$ 9.15						
	HMA (4E1, Leveling, 220#/syd) - Water			1928	\$ 17,641.20		\$ -	1928	\$ 17,641.20
	HMA (4E1, Leveling, 220#/syd) - Sewer			5782	\$ 52,905.30		\$ -	5782	\$ 52,905.30
77	HMA (5E1, Surface, 165#/syd)	SY	\$ 6.50						
	HMA (5E1, Surface, 165#/syd) - Water			2402	\$ 15,613.00		\$ -	2402	\$ 15,613.00
	HMA (5E1, Surface, 165#/syd) - Sewer			7208	\$ 46,852.00		\$ -	7208	\$ 46,852.00
78	HMA (5E1, Driveway, 275#/syd)	SY	\$ 18.10						
	HMA (5E1, Driveway, 275#/syd) - Water			532	\$ 9,629.20		\$ -	532	\$ 9,629.20
	HMA (5E1, Driveway, 275#/syd) - Sewer			1595	\$ 28,869.50		\$ -	1595	\$ 28,869.50
	HMA (5E1, Driveway, 275#/syd) - Roads			345	\$ 6,244.50		\$ -	345	\$ 6,244.50
79	Curb Sloped, HMA	LF	\$ 5.50						
	Curb and Gutter, Conc, Det C-2	LF	\$ 15.25						
	Curb and Gutter, Conc, Det C-2 - Water			1021	\$ 15,570.25		\$ -	1021	\$ 15,570.25



Attachment 1  
Pay Item Schedule

Item No.	Item Description	Unit	Unit Price	Revised Contract Amount (Thru CO 2)		Change Order No. 3		Revised Contract Amount (Thru CO 3)	
				Quantity	Total Cost	Quantity	Total Cost	Quantity	Total Cost
	Curb and Gutter, Conc, Det C-2 - Sewer			3063	\$ 46,710.75		\$ -	3063	\$ 46,710.75
81	Sidewalk, Concrete, 4 inch	SF	\$ 4.85						
	Sidewalk, Concrete, 4 inch - Water			4007	\$ 19,433.95		\$ -	4007	\$ 19,433.95
	Sidewalk, Concrete, 4 inch - Sewer			12023	\$ 58,311.55		\$ -	12023	\$ 58,311.55
82	Driveway, Non-reinf. Concrete, 6 inch	SY	\$ 62.10						
	Driveway, Non-reinf. Concrete, 6 inch - Water			155	\$ 9,625.50	13.39	\$ 831.52	168.39	\$ 10,457.02
	Driveway, Non-reinf. Concrete, 6 inch - Sewer			464	\$ 28,814.40	18.6	\$ 1,155.06	482.6	\$ 29,969.46
83	Detectable Warning Surface	LF	\$ 80.00						
	Detectable Warning Surface - Water			18	\$ 1,440.00		\$ -	18	\$ 1,440.00
	Detectable Warning Surface - Sewer			57	\$ 4,560.00		\$ -	57	\$ 4,560.00
84	Slope Restoration, Type A	SY	\$ 2.59						
	Slope Restoration, Type A - Water			2530	\$ 6,552.70		\$ -	2530	\$ 6,552.70
	Slope Restoration, Type A - Sewer			7587	\$ 19,650.33		\$ -	7587	\$ 19,650.33
	Slope Restoration, Type A - Roads			600	\$ 1,554.00		\$ -	600	\$ 1,554.00
85	Slope Restoration, Type B	SY	\$ 3.15						
	Slope Restoration, Type B - Water			77	\$ 242.55		\$ -	77	\$ 242.55
	Slope Restoration, Type B - Sewer			233	\$ 733.95		\$ -	233	\$ 733.95
86	Slope Restoration, Type C	SY	\$ 3.55						
	Slope Restoration, Type C - Water			35	\$ 124.25		\$ -	35	\$ 124.25
	Slope Restoration, Type C - Sewer			105	\$ 372.75		\$ -	105	\$ 372.75
	Slope Restoration, Type C - Roads			450	\$ 1,597.50		\$ -	450	\$ 1,597.50
87	Insulation Board, 2-Inch	SF	\$ 1.50						
	Insulation Board, 2-Inch - Water			123	\$ 184.50		\$ -	123	\$ 184.50
	Insulation Board, 2-Inch - Sewer			369	\$ 553.50		\$ -	369	\$ 553.50
	Insulation Board, 2-Inch - Roads			40	\$ 60.00		\$ -	40	\$ 60.00
88	Tree Removal, 12 inch or larger	EA	\$ 500.00						
	Tree Removal, 12 inch or larger - Water			3	\$ 1,500.00		\$ -	3	\$ 1,500.00
	Tree Removal, 12 inch or larger - Sewer			5	\$ 2,500.00		\$ -	5	\$ 2,500.00
89	Fence, Moving	LF	\$ 35.00						
	Fence, Moving - Water			5	\$ 175.00		\$ -	5	\$ 175.00
	Fence, Moving - Sewer			15	\$ 525.00		\$ -	15	\$ 525.00
90	Traffic Control								
	Traffic Control - Water	LS	\$ 8,881.25	1	\$ 8,881.25		\$ -	1	\$ 8,881.25
	Traffic Control - Sewer	LS	\$ 26,643.75	1	\$ 26,643.75		\$ -	1	\$ 26,643.75
91	Erosion Control, Erosion Log	EA	\$ 8.50						
	Erosion Control, Erosion Log - Water			50	\$ 425.00		\$ -	50	\$ 425.00
	Erosion Control, Erosion Log - Sewer			150	\$ 1,275.00		\$ -	150	\$ 1,275.00
92	Erosion Control, Silt Fence	LF	\$ 2.50						
	Erosion Control, Silt Fence - Water			25	\$ 62.50		\$ -	25	\$ 62.50
	Erosion Control, Silt Fence - Sewer			75	\$ 187.50		\$ -	75	\$ 187.50
93	Erosion Control, Inlet Protection, Fabric Drop	EA	\$ 40.00						
	Erosion Control, Inlet Protection, Fabric Drop - Water			3	\$ 120.00		\$ -	3	\$ 120.00
	Erosion Control, Inlet Protection, Fabric Drop - Sewer			10	\$ 400.00		\$ -	10	\$ 400.00
	Erosion Control, Inlet Protection, Fabric Drop - Roads			3	\$ 120.00		\$ -	3	\$ 120.00
94	Lake St/Lake Ave Tie-In	LS	\$ 29,100.00	1	\$ 29,100.00		\$ -	1	\$ 29,100.00
95	3" x 5" Breaker Run	CYD	\$ 26.00						
	3" x 5" Breaker Run - Water			345	\$ 8,970.00		\$ -	345	\$ 8,970.00
	3" x 5" Breaker Run - Sewer			345	\$ 8,970.00	30	\$ 780.00	375	\$ 9,750.00
96	22A Temporary Road Gravel	CYD	\$ 19.00						
	22A Temporary Road Gravel - Water			52	\$ 988.00		\$ -	52	\$ 988.00
	22A Temporary Road Gravel - Sewer			53	\$ 1,007.00	15	\$ 285.00	68	\$ 1,292.00
97	San Sew Lateral Cleanout, 6-Inch, Special	LS	\$ 1,025.00	1	\$ 1,025.00		\$ -	1	\$ 1,025.00
98	Pewabic Street Rework - JE Change Order #4	LS	\$ 7,775.80		\$ -	1	\$ 7,775.80	1	\$ 7,775.80
	<b>Water Total:</b>				\$ 637,116.81		\$ 5,288.50		\$ 642,405.31
	<b>Sewer Total:</b>				\$ 1,032,240.03		\$ (276,715.58)		\$ 755,524.46
	<b>Roads Total:</b>				\$ 41,994.00		\$ -		\$ 41,994.00
	<b>GRAND TOTAL:</b>				\$ 1,711,350.84		\$ (271,427.07)		\$ 1,439,923.77

**Attachment No. 2 - Jake's Excavating Request for Change Order  
CHANGE ORDER**

No. 4

DATE OF ISSUANCE: 07/20/2021

EFFECTIVE DATE: 07/20/2021

OWNER: City of Ironwood

CONTRACTOR: Jake's Excavating & Landscaping LLC

Project: 2021 Sewer and Water Projects

OWNER's Contract No.:

ENGINEER's Project No.: 200738

You are directed to make the following changes in the Contract Documents:

Description: Pewabic Street - Installed sewer per plans from roughly sta 53+00-54+25. When existing sewer services were exposed, grade would not work per plan. This resulted in removing/destroying new pipe/MH that was installed. The pipe was then relayed roughly 3' deeper with the new grade change. Resulting in moving MH upstream to get proper grade.  
 Total crew cost-time to lay and remove, replace. Crew cost of \$800/hr @ 10 hours = \$8000.00  
 Additional MH section 16" and freight = \$350.00

Reason for Change Order: New pipe 8", MH joint gaskets = \$750.00  
 Additional digging depth 2' - 3' from sta 53+00 - 54+25. \$5/foot @ 225' = \$1125.00  
 TOTAL = \$10,225.00 **-\$2,249.20 for pipe already paid**  
**=\$7,775.80**

Attachments: (List documents supporting change)

CHANGE IN CONTRACT PRICE:
Original Contract Price \$ <u>1,668,324.34</u>
Net <del>increase</del> -(Decrease) from previous Change Orders No. <u>1</u> to <u>3</u> : \$ <u>-260,522.75</u>
Contract Price prior to this Change Order: \$ <u>1,407,801.59</u>
Net increase ( <del>decrease</del> ) of this Change Order: \$ <del>10,225.00</del> <b>\$7,775.80</b>
Contract Price with all approved Change Orders: \$ <del>1,418,026.59</del>

CHANGE IN CONTRACT TIMES:
Original Contract Times: Substantial Completion: _____ Ready for final payment: _____ (days or dates)
Net change from previous Change Orders No. ___ to No. ___: Substantial Completion: _____ Ready for final payment: _____ (days)
Contract Times prior to this Change Order: Substantial Completion: _____ Ready for final payment: _____ (days or dates)
Net increase (decrease) this Change Order: Substantial Completion: _____ Ready for final payment: _____ (days)
Contract Times with all approved Change Orders: Substantial Completion: _____ Ready for final payment: _____ (days or dates)

RECOMMENDED:

APPROVED:

ACCEPTED:

By: \_\_\_\_\_  
ENGINEER (Authorized Signature)

By: \_\_\_\_\_  
OWNER (Authorized Signature)

By: \_\_\_\_\_  
CONTRACTOR (Authorized Signature)

Date: \_\_\_\_\_  
EJCDC 1910-8-B (1996 Edition)

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## **CHANGE ORDER**

### **INSTRUCTIONS**

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#### **A. GENERAL INFORMATION**

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

#### **B. COMPLETING THE CHANGE ORDER FORM**

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.

## CITY OF IRONWOOD

### 2021 LOCAL STREET PAVING PROGRAM-PAY APPLICATION #2 (PARTIAL PAYMENT) - SEPTEMBER 2021

Item No.	Item Description	Pay Unit	Estimate Quantity	Quantity this Estimate	Unit Price	Amount Paid this Est.
1000	Mobilization	LS	1	0.50	\$8,400.35	\$ 4,200.18
3010	Mill & Install Asphalt Curb (Various Locations)	LF	285	0.00	\$20.20	\$ -
3050	Mill Pavement (1 3/4")	SYD	20000	28,063.00	\$2.21	\$ 62,019.23
3060	1 3/4" Asphalt Overlay (Milled Streets)	TN	3100	2,917.89	\$75.00	\$ 218,841.75
4000	Restoration & Turf Establishment (All Locations)	LS	1	0.50	\$14,500.00	\$ 7,250.00
7000	Remove & Replace Concrete C & G (McLeod-Ct-Silver St.)	LF	1,650	1,347.00	\$42.00	\$ 56,574.00
7010	Remove & Replace Concrete Curb & Gutter (Various Loc.)	LF	1650	1,714.00	\$45.00	\$ 77,130.00
7100	Remove & Replace Concrete Sidewalk (McLeod-Ct-Silver St.)	SQFT	4300	3,498.00	\$10.00	\$ 34,980.00
7110	Remove & Replace Concrete Sidewalk (Various Locations)	SQFT	1,600	2,820.00	\$15.00	\$ 42,300.00
7115	Remove & Replace (Dowel-in) Concrete Sidewalk	SQFT	400	0.00	\$20.00	\$ -
7200	Provide & Install ADA Detectable Warning Device	SQFT	32	20.00	\$100.00	\$ 2,000.00
9000	Street Patch-Local Streets	SQFT	8000	0.00	\$5.00	\$ -
9010	Provide & Install New Storm catch Basins (complete)	EA	2	2.00	\$3,892.00	\$ 7,784.00
9015	Provide & Install New Off Set Storm manhole (complete)	EA	1	1.00	\$8,291.00	\$ 8,291.00
9020	Provide & Install 12" Corr. Plastic, smooth wall int. storm sewer	LF	40	40.00	\$109.70	\$ 4,388.00
9980	Centerline Striping	LF	20000	20,388.00	\$0.10	\$ 2,038.80
9981	White Edgeline (Fog Line)	LF	24000	25,384.00	\$0.10	\$ 2,538.40
9982	Stop Bar	LF	220	378.00	\$6.50	\$ 2,457.00
9983	Crosswalk	LF	650	1,656.00	\$2.25	\$ 3,726.00
<b>TOTAL</b>			Total Contract Amount			\$ 536,518.36

LESS RETAINAGE (5%) \$26,825.92

\$509,692.44
--------------

\_\_\_\_\_  
CITY OF IRONWOOD Date

Less Amt Previously Paid

\$64,315.17
-------------

Amt Due this Estimate

\$445,377.27
--------------

\_\_\_\_\_  
ANGELO LUPPINO, INC. Date

City of Ironwood  
213 S. Marquette St.  
Ironwood, MI 49938



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## MEMO

**To:** Mayor Burchell and the City Commission

**From:** Tom Bergman, Community Development Director

**Date:** August 31, 2021

**Meeting Date:** September 13, 2021

**Re:** Resolution #021-024 – Michigan Department of Natural Resources Trust Fund Grant Acceptance for the Norrie Park Renovation and Montreal River Water Trail Project – TF20-0129

---

The City of Ironwood has been officially approved for funding for the "Norrie Park Renovation and Montreal River Water Trail Project" (TF-20-0129). The City Commission previously approved the Grant Agreement Resolution on July 27, 2020. Resolution #021-024 – Michigan Department of Natural Resources Trust Fund Grant Acceptance for the "Norrie Park Renovation and Montreal River Water Trail Project" is attached to this memo.

### Financial Overview

The Norrie Park Renovation and Montreal River Water Trail Project DNR Trust Fund Grant funding is totaled at \$111,300. Financial Obligations for The City of Ironwood has a financial commitment of \$25,200 of matching funds in cash and \$14,000 of in-kind contribution. The total project cost is \$150,500.

### Recommendation

If the Commission wishes to move forward on this project, adoption of the attached Resolution is required.



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**RESOLUTION #021-024**

**Michigan Department of Natural Resources Trust Fund Grant Acceptance for the Norrie Park Renovation and Montreal River Water Trail Project**

Upon motion made by \_\_\_\_\_, seconded by \_\_\_\_\_, the following Resolution was adopted:

**“RESOLVED, that the City of Ironwood, Michigan, does hereby accept the terms of the Agreement for (TF20-0129) as received from the Michigan Department of Natural Resources (DEPARTMENT), and that the City of Ironwood does hereby specifically agree, but not by way of limitation, as follows:**

- 1. To appropriate all funds necessary to complete the project during the project period and to provide local matching funds totaling thirty nine thousand two hundred (\$39,200.00) dollars to match the grant authorized by the DEPARTMENT.

**WHEREAS**, the City of Ironwood has made a financial commitment to the project in the amount of \$25,200.00 matching funds in cash, and \$14,000.00 of in-kind obligation for a total match of \$39,200.00.

- 2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.
- 3. To construct the project and provide such funds, services and materials as may be necessary to satisfy the terms of said Agreement.
- 4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.
- 5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.”

The following yes votes were recorded: \_\_\_\_\_

The following no votes were recorded: \_\_\_\_\_

\_\_\_\_\_  
Annette Burchell, Mayor

STATE OF MICHIGAN            )  
  ) ss  
COUNTY OF GOGEBIC        )

I, Karen Gullan, the duly appointed City Clerk of the City of Ironwood, Michigan, do hereby certify that the above is a true and correct copy of a Resolution relative to the agreement with the Michigan Department of Natural Resources which Resolution was adopted by City of Ironwood at a meeting held September 13, 2021.

\_\_\_\_\_  
Karen M. Gullan, City Clerk



**To:** Mayor Burchell and City Commission

**From:** Scott Erickson, City Manager

**Date:** September 7, 2021

**Meeting Date:** September 13, 2021

**Re:** Appeal of Marihuana Establishment Ordinance Rubric Scoring by Cultivatd LLC

---

On June 24<sup>th</sup> 2021, the City Commission and the Planning Commission approved the marihuana establishment licenses based on the scoring rubric responses that were provided by each applicant. As a result, there were several applicants that did not receive retail licenses and class c grow licenses. Applicants had 14 days after the denial letter was sent out to appeal the decision. Cultivatd LLC filed a request of appeal within that 14 day period. This appeal then goes to the city manager.

The city manager may require additional information or act upon the appeal based upon the information supplied to the city clerk. Should the city manager reverse the decision of the clerk, the clerk shall issue a provisional license. Should the city manager affirm the decision of the clerk, the city manager shall issue a written notice of affirming the decision of the clerk. All communications will be sent by first class mail to the address for the applicant provided in the application. The applicant shall have 14 days from the mailing of a decision by the city manager affirming the decision of the city clerk to appeal to the city commission. To appeal the decision of the city manager, the applicant must file a notice of appeal with the city clerk. The city commission shall hear the appeal at its next regular meeting, but not sooner than seven (7) days from the receipt of the appeal. The decision of the city commission shall be final.

Attached to this memo are the appeal letters as well as the responses provided to the applicant by the City Manager. Please let Tom Bergman in the Community Development Office know if you need any additional information on the rubric response process and scoring.

### **Action**

Motion to affirm decision by the City Manager to deny the appeal of Cultivatd LLC or motion to reverse the decision by the City Manager in the denial of the appeal of Cultivatd LLC. If the Commission wishes to reverse the decision of the City Manager please list which rubric responses should be scored differently.

City of Ironwood  
213 S. Marquette St.  
Ironwood, MI 49938



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CERTIFIED MAIL  
RETURN RECEIPT REQUESTED  
7013 1710 0000 9289 0985  
Date: August 2, 2021

Subject: Response to Notice of Appeal for Cultivated LLC

Dear Mr. Ghaith,

This letter is in response to the notice of appeal letter you submitted on behalf of Cultivatd LLC, dated July 13, 2021.

Having reviewed the arguments made to consider increasing the rubric score for the various categories identified I have concluded the following:

- Rubric Scoring Category 1: Mr. Ryan Satt is the only person listed as an owner on the LLC documentation provided with the application. As Mr. Satt was not identified to have operated a licensed marihuana business in other legal jurisdictions and the other two individuals (Mr. John Ames and Mr. Brent Olson) listed in your response to Category 1, part 3, were not identified as managing stakeholders in the application, the awarding of the additional 5 points is denied.
- Rubric Scoring Category 5: Each of the three business category licenses Cultivated applied for (Retail, Grow and Process Location) are each scored individually. The rubric response provided a cumulative investment of all three license requests and did not break down the physical investment for each request. The cumulative amount of the investment identified in the application, without specifically breaking it down by application and not identifying a specific timetable for the investment, resulted in the loss of 5 points for this category. Having reviewed the application material provided at the time of scoring and the lack of specific information provided for each individual license category, the awarding of the additional 5 points for this category is denied.
- Rubric Scoring Category 6: The rubric scoring was based upon the applicant's response for each license category being requested. The information provided on page 19 regarding security systems/equipment is not considered enhanced upkeep of the property. It is also considered a minimum requirement and was taken into consideration under scoring category 7. The reference made on page 40 only identified the retail location and did not include the grow and processing locations. Also, reference to page 42, only security fencing is described for the grow and processing facilities and did not identify any other enhanced improvements to these locations. The reference to Page 48 included pictures of other building facades. It was not specific to the proposed facilities and did

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not provide specific design enhancements for each proposal. The scoring was directly related to the applicant's rubric response. The conditions required from the Planning Commission process are separate from the applicant's rubric proposals and are a part of the zoning ordinance review, which is separate from the Marijuana Establishment Ordinance rubric requirements. Based upon the above noted evaluation the additional points for this item are denied.

- Rubric Scoring Category 9: The applicant's rubric response was generalized and broad and did not provide specific details or commitments to specific improvements that the applicant would be accountable for. This response was too open ended and vague, thus the points were not awarded. The additional points for this category are denied.
- Rubric Scoring Category 12: The applicant provided generalizations of what would be supported. The applicant did not provide tangible details or list specific organizations or efforts which could be monitored to insure compliance and follow through by the applicant. This response was vague and open ended. The additional points for this category are denied.
- Rubric Scoring Category 13: The applicant was again general and not specific in the response. There were no specific references to existing organizations or how they would partner with those organizations. The response was a check list of general items which would be impossible to monitor and hold the applicant accountable. The applicant referenced a contribution of .5% of yearly revenue, which again was not specific enough for monitoring. Clarification of net revenue, gross revenue, etc... should have been provided to insure monitoring and compliance could take place. Due to the applicant only providing generalizations the additional points for this category are denied.
- Rubric Scoring Category 16: The applicant did not provide the prequalification letter with its rubric response submittal. This was not made available to the City at the time of the rubric scoring. The additional points for this category are denied.

Sincerely,



Scott Erickson, City Manager  
City of Ironwood, MI

# SCOTT ROBERTS LAW

SCOTT F. ROBERTS LAW, PLC  
500 TEMPLE ST. SUITE 2M  
DETROIT, MI 48201

TELEPHONE: (248) 234-4060  
FACSIMILE: (248) 331-2458  
MOHAMED@SCOTTRROBERTSLAW.COM

Additionally, the Applicant included in the submission of their Business Plan a section entitled "Rubric Answers" on pages 4-7. The "Rubric Answers" section specifically points to sections of the application which demonstrate how the Applicant fulfilled the requirements of the Scoring Rubric.

In light of the new information provided by the Applicant in this Appeal letter, the stakeholders respectfully request the City Commission review this denial. The denial of this application is no longer appropriate when considering the increased base score the Applicant should have received. The Applicant requests the City Commission provide an approval for the licenses applied for.

For any questions or concerns related to this Administrative Appeal please contact the Applicants Attorney, whose contact information is located below.

Sincerely,

*Mohamed Ghaith*



Mohamed Ghaith

500 Temple St, STE 2M

Detroit, MI 48201

313-622-3127

Mohamed@scottrobertslaw.com

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> <li>Complete items 1, 2, and 3.</li> <li>Print your name and address on the reverse so that we can return the card to you.</li> <li>Attach this card to the back of the mailpiece, or on the front if space permits.</li> </ul>	A. Signature x LO-19-09 <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee	
1. Article Addressed to:  Mohamed Ghaith Scott Roberts Law 500 Temple St. Ste 2M Detroit, MI 48201   9590 9402 2500 6306 1949 38	B. Received by (Printed Name) SCOTT Roberts Law	C. Date of Delivery 8-10-21
2. Article Number (Transfer from service label) 7013 1710 0000 9289 0985 7013 1710 0000 9289 0985	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No    3. Service Type <sup>48202</sup> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)  <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery	
Domestic Return Receipt		

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Sent To: Mohamed Ghaith Street, Apt. No. or PO Box No.: 500 Temple St. STE 2M City, State, Zip: Detroit, MI 48201	
PS Form 3800, August 2006 <span style="float: right;">See Reverse for Instructions</span>	

9590 9402 2500 6306 1949 38  
 7013 1710 0000 9289 0985



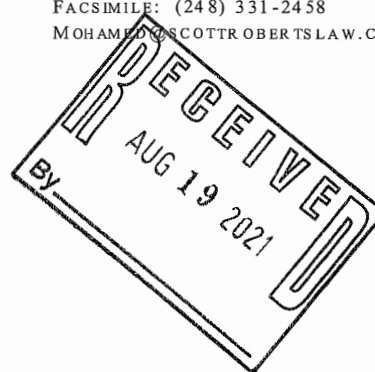
# SCOTT ROBERTS

LAW

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MOHAMMED@SCOTTRROBERTSLAW.COM

Cultivatd, LLC  
500 Temple St, STE 2M  
Detroit, MI 48201  
08/16/2021



RE: NOTICE OF APPEAL FOR CULTIVATD LLC – 1700 KING RD & 326 W MCLEOD

Hello City Commission,

This Letter is to formally notify the City Clerk, City Manager, and Commission that an appeal of the denial of the application submitted by Cultivatd LLC (the “Applicant”) is being requested as well as an appeal of the City Manager’s decision which was mailed out on August 2, 2021, and received August 12, 2021. The foundation of this appeal is based on the loss of points that should have been awarded to the Applicant. Specifically, the Applicant received a base score of 95 points on their Class C Cultivation and Processor applications and a base score of 110 on their Retailer Application. The Applicant’s base score was not indicative of the scoring criteria as explained in the ordinance or Scoring Rubric posted with this application and on the City website. Below I will detail the points deducted from this application and how the Applicant fulfilled those requirements and why they should have been granted a higher base score. Furthermore, I will directly rebut the findings of the city manager and why I believe their decisions should be overturned.

The Applicant would like to note that it does not intend to waive arguments that it fails to raise during the appeal of this denial. If you fail to grant this appeal, the Applicant reserves the right to raise additional issues/arguments with the court.

**Points Deducted Applicant Is Not Contesting:**

- *Rubric Scoring Category 8 – Redevelopment of the site/location that has a nonconforming structure or use – 10pts*

**Points Deducted Applicant Is Contesting:**

- *Rubric Scoring Category 1 – Applicant can demonstrate the ability to successfully operate a marihuana business based on the following:*
  - *Has a supply with a State Licensed Cultivation Facility – (5 pts)*
  - *At least one managing stakeholder demonstrates at least 1 year of experience operating a licensed marihuana business (provisioning, grower, etc.) in Michigan (5 pts)*

- *At least one managing stakeholder demonstrates at least 1 year of experience operating a licensed marijuana business (caregiver, provisioning, grower, etc.) in other legal jurisdictions (5 pts)*
- *15 points total*
- Out of the 15 points allotted to this category, the Company was awarded 10 points. However, the Applicant demonstrated fulfillment of all scoring categories in this section. Below, I will indicate specific fulfillment of each category in this section.

→ The Applicant applied as a vertically integrated facility, which means that they would be their own supplier. In the event that they were not approved, Leaflink a service which is offered to all retail and provisioning centers free of charge is a digital marketplace which offers direct connections to over 70% of State Licensed cultivation and processing facilities. This access coupled with the fact that the Applicant was applying for their own license fulfills this category.

→ In the brief introductions to each Stakeholder we are made aware that all owners have at least one year of experience in the cannabis industry and that Ryan Satt has operated as a caregiver in Michigan, purchased an operational retail location, and has owned a commercial warehouse for 4+ years. John Ames has experience operating multiple vertical integration facilities in Minnesota. While Brent Olson has legally cultivated over 100,000 plants in Michigan and the Midwest.

❖ ***City Manager Response to Category 1: Mr. Ryan Satt is the only person listed as an owner on the LLC documentation provided with the application. As Mr. Satt was not identified to have operated a licensed marijuana business in other legal jurisdictions and the other two individuals (Mr. John Ames and Mr. Brent Olson) listed in your response to Category 1, part 3, were not identified as managing stakeholders in the application, the awarding of the additional 5 points is denied.***

→ **Rebuttal:** In the beginning pages of the application, it shows Brent Olson and John Ames involved as both founders and directors within the company. Both of those individuals have been intimately involved in this process, as a part of their corporate structure. Not only were Mr. Ames and Olson included in the "Stakeholder" section of this application, their categorization as Founders and directors necessitates their inclusion as owners of the facilities. With that being said, the experience those individuals bring (above referenced), coupled

with their involvement in the company should garner full points for category 1.

- *Rubric Scoring Category 5 – Physical Investment, including the applicant’s detailed proposed tangible capital investment; the current and proposed condition of the proposed location; and the applicant’s ownership stake in the Physical location. >than\$250,000(5 points) >\$500,000(10 points), >\$1,000,000(15 points) – 15pts*

- Out of the 15 points allotted to this category the Applicant received 10 points. However, the Applicant demonstrated capital investment far in excess of \$1,000,000 for this project. Below, I will indicate specific information that was provided by the Applicant to fulfill this category.

- On pg39 the Applicant demonstrates investment of \$2 Million for property acquisition and \$4 Million for built out facilities.
- On pg61 the Applicant explains that their initial investment in the facility will be \$4 Million dollars.
- On pg79 is a detailed Sales Forecast which demonstrates revenue to be generated by the Applicant’s operations.

❖ *City Manager Response to Category 5: Each of the three business category licenses Cultivated applied for (Retail, Grow and Process Location) are each scored individually. The rubric response provided a cumulative investment of all three license requests and did not break down the physical investment for each request. The cumulative amount of the investment identified in the application, without specifically breaking it down by application and not identifying a specific timetable for the investment, resulted in the loss of 5 points for this category. Having reviewed the application material provided at the time of scoring and the lack of specific information provided for each individual license category, the awarding of the additional 5 points for this category is denied.*

→ Rebuttal: The entire investment and the \$4 million capital raise, demonstrates at bare minimum enough capital for each license to be funded more by more than \$1 million. The rubric and ordinance do not stipulate that applicants provide a timeline or timetable for investment. Therefore, each license type should be awarded the full points for Category 5.

- *Rubric Scoring Category 6 – Area Impact: Detailed and demonstrated exterior site and building improvements, specific property improvements through*

*elimination of blight and maintenance plan that provides for enhanced upkeep of property, including exterior right of way. This includes creation of public art, green space, trees, etc. – 10pts*

- The 10 points allotted for this section were not awarded to the Applicant for their Class C Cultivation and Processor application. However, the Applicant provided numerous details in this application and in their Zoning Commission meeting that indicate full points should have been granted. Below, I will indicate specific information that was provided to the City of Ironwood that fulfills the requirements of Rubric Scoring Category 6:

- ➔ On pg19 Maintenance and Testing is explained in detail with regard to security systems and equipment systems.
- ➔ On pg39 of the submitted Business Plan the Applicant states “The properties have been vacant for 4 or more months and we would be redeveloping underused buildings” & “Both properties will be renovated to be state of the art, sustainable and fit into the area aesthetically”
- ➔ On pg40 of the submitted Business Plan the Applicant states: “improve the exterior of the building aesthetically, but would make sure it is done in a reasonable fashion that blends in and does not draw attention to it” & “We will add trees, green space and public art, benches, etc”
- ➔ On pg42 the Applicant includes a copy of the site plan which shows proposed improvements including tree planting, bike racks, security fencing, cameras, and gates.
- ➔ On pg48 the Applicant includes pictures of potential façade improvements to be utilized at the facility.
- ➔ Finally, at the Zoning Commission meetings for the Applicant a specific condition of approval was to remove and update the proposed production facility portions deemed to be blighted and dilapidated.

❖ ***City Manager Response to Category 6: The rubric scoring was based upon the applicant's response for each license category being requested. The information provided on page 19 regarding security systems/equipment is not considered enhanced upkeep of the property. It is also considered a minimum requirement and was taken into consideration under scoring category 7. The***

*reference made on page 40 only identified the retail location and did not include the grow and processing locations. Also, reference to page 42, only security fencing is described for the grow and processing facilities and did not identify any other enhanced improvements to these locations. The reference to Page 48 included pictures of other building facades. It was not specific to the proposed facilities and did not provide specific design enhancements for each proposal. The scoring was directly related to the applicant's rubric response. The conditions required from the Planning Commission process are separate from the applicant's rubric proposals and are a part of the zoning ordinance review, which is separate from the Marihuana Establishment Ordinance rubric requirements. Based upon the above noted evaluation the additional points for this item are denied.*

- Rebuttal: The City Manager notes that “The reference made on page 40 only identified the retail location and did not include the grow and processing locations” However, on page 39 of the application, which was cited in the initial appeal, the applicant specifically sites both the Cultivation/Processing location (1700 Iron King Rd) and the Retail location (326 Mcleod) in regards to adding “Trees, green space and public art, benches., etc...” They go into even further detail on page 41 that they plan to add “Pine trees” to help with the odor. The applicant has shown specific improvements in their plan and in their drawings to include trees, greenspaces and exterior improvements for both properties. Therefore, for reasons stated above and here in this rebuttal, we believe the applicant should have been awarded the 10 points for Scoring Rubric Section 6.
- *Rubric Scoring Category 9 – Proposed development adds streetscape elements to the publicly owned right of way or space, including but not limited to benches, bike racks, planters – 5pts*
    - The 5pts allotted to this category were not awarded to the Applicant for their Class C Cultivation and Processor application. However, the Business Plan submitted by the Applicant specifically demonstrates the proposed development and addition of streetscape elements. Below, I will indicate specific information provided by the Applicant to fulfill this category:
      - On pg39 the Applicant specifically states; “the developments will add streetscape elements to the publicly owned right of way areas. Installing



benches, bike rack, plants, gardens, trees, fixtures, etc.” & “Anything and everything we can do to improve upon the area in which we are operating is our goal”

→ On pg42 the Applicant includes a copy of the site plan which shows proposed improvements to the streetscape including trees planted, new concrete walkways, bike racks, fencing, security elements, etc.

❖ *City Manager Response to Category 9: The applicant's rubric response was generalized and broad and did not provide specific details or commitments to specific improvements that the applicant would be accountable for. This response was to open ended and vague, thus the points were not awarded. The additional points for this category are denied.*

→ Rebuttal: In their response, the City Manager cites that the applicant's response was too “generalized and broad.” The rubric does not ask for “specific elements”, it only asks for “added streetscape elements to the publicly owned right of way,” which the Applicant demonstrates in their application on pages 39-42. Throughout their application, they say and show on their drawings where, they plan to add greenery, plant trees, and place proposed bike racks. Furthermore, on page 39 the language of the ordinance is specifically met using the language pulled directly from the ordinance to propose benches, bike racks...etc.

The City Manager states that the language used was too broad, vague, open ended. However, the commitments were not required to be specific nor were they required by ordinance or rubric to be specified. The applicant demonstrates their intent to meet the language of the ordinance with a firm commitment to the language and go above and beyond with the inclusion of “anything and everything we can do to improve upon the area”. For the above included reasons we believe the level of scrutiny called for in the rubric and ordinance was met and the level of specificity requested by the City Manager was surpassed. Therefore, for reasons stated above and here in this rebuttal, we believe the applicant should have been awarded the 5 points for Scoring Rubric Section 9.

- *Rubric Scoring Category 12 – Applicant shows proof of support for community education (safe use and storage of adult-use marihuana, etc) and community wellness/mental health initiatives in the Ironwood Area – 5pts.*

- The 5 points allotted to this category were not awarded to the Applicant for any of their applications. However, the Applicant clearly fulfilled the requirements of the Scoring Rubric on numerous occasions in the submitted Business Plan. Below, I will indicate specific information provided by the Applicant to fulfill this category:

→ On pg15 the Applicant demonstrates “proof of support for community education” with commitments to the following education programs: Community Education Ambassador Program, Development of courses and educational materials outlining best practices for safe use and storage, training materials for industry workers related to safe use and storage, and community engagement opportunities.

→ On pg15 the Applicant demonstrates “proof of support for community wellness/mental health initiatives” with commitments to the following initiatives:

suicide prevention programs, opioid misuse awareness and prevention, prediabetes prevention, obesity prevention, commitments to community healthcare support, social support, local school collaboration and development of specific health and lifestyle improvement initiatives.

❖ **City Manager Response to Category 12:** *The applicant provided generalizations of what would be supported. The applicant did not provide tangible details or list specific organizations or efforts which could be monitored to insure compliance and follow through by the applicant. This response was vague and open ended. The additional points for this category are denied.*

→ **Rebuttal:** The City Manager denied the appeal on the basis that the applicant “did not provide tangible details or list specific of organizations or efforts.” On page 15, not only did they cite that they would be working specifically with hospitals, they listed specific efforts in which they were going to combat – “suicide prevention programs, opioid misuse awareness and prevention, prediabetes prevention, obesity prevention.” Given the limited selection of “local hospitals,” coupled with the specific issues the applicant is seeking to combat, we believe that the Applicant was specific enough and should be awarded the 5 points for rubric response category 12.

- **Rubric Scoring Category 13** – *Applicant shows proof of support for community recreational opportunities (trail development, community events, parks, green spaces, etc)*  
– 5pts

- The 5 points allotted to this category were not awarded to the Applicant for any of their applications. However, the Applicant dedicated specific sections of their Business Plan to specifically explaining how important support for community recreational spaces are. Additionally, the Applicant proposed many specific improvements and support programs. Below, I will indicate specific information provided by the Applicant to fulfill this category:

- ➔ On pg35 the Applicant proposes Trail Development, which will consist of contributions to the improvement of existing paved and unpaved trails, development of new trails for community use, offering to include improvements and development of trails for walking, biking, snowmobiling, ATV's, etc.
- ➔ On pg35 the Applicant proposes contributions to be used directly for local school improvement including interior and exterior developments.
- ➔ On pg35 the Applicant proposes a plethora of community recreational events including: music events/festivals, art festivals, fundraisers, local art shows, craft fairs, and partnering with local and regional wetland and river conservation organizations for specific support and maintenance funding and development.
- ➔ On pg36 the Applicant proposes development and specific programs tailored to public park improvements and development and construction of new parks as desired by the community.
- ➔ On pg36 the Applicant proposes the development of recreational cabin developments to help increase eco-tourism and local recreational opportunities in the region.
- ➔ On pg36 the Applicant proposes the development of a snowmobile resort and surrounding recreational development that could be used for summer and winter recreational lodging and activities.
- ➔ On pg36 The Applicant proposes the improvement and development of new dog parks in accordance with the desires of the local community.
- ➔ On pg37 the Applicant proposes the development of a music studio for recreational and educational use by the local community.

❖ *The City Manager Response to Category 13: the applicant was again general and not specific in the response. There were no specific references to existing organizations or how they would partner with those organizations. The response was a check list of general items which would be impossible to monitor and hold the applicant accountable. The applicant referenced a contribution of .5% of yearly revenue, which again was not specific enough for monitoring. Clarification of net revenue, gross revenue, etc .... should have been provided to insure monitoring and compliance could take place. Due to the applicant only providing generalizations the additional points for this category are denied.*

- Rebuttal: Again, the City Manager denied the appeal because the applicant “was again general not specific in response. There were no specific references to organizations or how they would partner with those organizations.” On page 35, Not only do they mention specific partnerships with H.O.P.E. Animal Shelter and Habitat for Humanity, they give specific ways in which they plan to positively impact the community. The applicant proposes erecting fountains, butterfly gardens, donating blankets and books, and establishing their own local food bank. Furthermore, revenue on it’s own, is a dictionary defined term which would be more than possible to track. We believe that Applicant met the specificity requirements necessary to fulfill the rubric scrutiny, and therefore, for the reasons above and in this rebuttal, the Applicant should have been awarded the 5 points for rubric category 13.
- *Rubric Scoring Category 16 – Pre-qualification Letter from the State of Michigan – 10pts*
    - The 10 points allotted to this category were not awarded to the Applicant. However, the Applicant offered to supplement their application with the awarded prequalification letter. Below, I will indicate specific information provided by the Applicant to fulfill this category:
      - The Applicant indicated in its initial submission that the application to the State of Michigan was pending approval.
      - Between the time of submission and the first deficiency period the Applicants received their prequalification letter from the State.
      - When speaking to City representatives on the phone, the Applicants were instructed that they did not need to provide the prequalification letter with their deficiency response.
      - Attached is the awarded prequalification letter from the State of Michigan.

❖ *The City Manager Response to Category 16: The applicant did not provide the prequalification letter with its rubric response submittal. This was not made available to the City at the time of the rubric scoring. The additional points for this category are denied.*

➔ Rebuttal: Prior to the review of the application, the Applicant was fully prequalified, the city was aware of their pending status, and made aware when they were fully prequalified. Further, a city representative told them that it was not necessary to include in their application. Therefore, given these circumstances, we believe that Applicant should be awarded the 10 points for category 16.

Based on the information provided above the Applicant should have received all points allocated to the above noted Rubric Scoring Categories 1, 5, 6, 9, 12, 13, and 16. As explained above, the Applicant provided information specific to each category in their business plan in a manner that met the language of the Scoring Rubric. Additionally, the Applicant included in the submission of their Business Plan a section entitled “Rubric Answers” on pages 4-7. The “Rubric Answers” section specifically points to sections of the application which demonstrate how the Applicant fulfilled the requirements of the Scoring Rubric.

In light of the new information provided by the Applicant in this Appeal letter, the stakeholders respectfully request the City Commission review this denial. The denial of this application is no longer appropriate when considering the increased base score the Applicant should have received. The Applicant requests the City Commission provide an approval for the licenses applied for.

For any questions or concerns related to this Administrative Appeal please contact the Applicants Attorney, whose contact information is located below.

Sincerely,



Mohamed Ghaith

500 Temple St, STE 2M

Detroit, MI 48201

313-622-3127

**SCOTT ROBERTS**

**LAW**

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**EXHIBIT A**

**PREQUALIFICATION LETTER**

GRETCHEN WHITMER  
GOVERNOR



ORLENE HAWKS  
DIRECTOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING  
VIA ELECTRONIC MAIL

Date: January 05, 2021

Addressee: Cultivatd LLC

Address: 326 West Mcleod Avenues  
Ironwood, MI 49938

RE: Prequalification status for your pending application

Dear Applicant:

The Marijuana Regulatory Agency (Agency) considered your partial application for prequalification status and determined that you have prequalification status pursuant to the licensing provisions of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) and associated rules. This letter may be provided to a municipality as documentation of your prequalification status. Please note that this is a pending status until all application requirements of the MRTMA and associated rules are completed. A state license for a marihuana establishment cannot be issued at this stage of the application process. During complete application review, the Agency will consider all information relevant to eligibility including information that has been newly acquired or information that is newly apparent since determination of prequalification status.

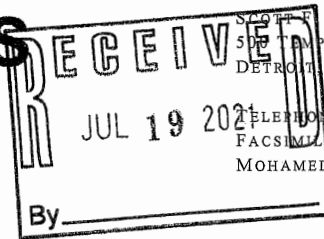
If you have not already done so, please submit a marijuana establishment license application (Step 2) for each state license for which you wish to apply. You may submit an application online through the Accela Citizen Access Portal on the Agency website at [www.michigan.gov/mra](http://www.michigan.gov/mra) or your application may be submitted by mail as follows:

Mailing Address:  
Marijuana Regulatory Agency  
Licensing Division  
Adult-Use  
P.O. Box. 30205  
Lansing, MI 48906

Sincerely,

Licensing Division  
Marijuana Regulatory Agency

# SCOTT ROBERTS LAW



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DETROIT MI 48201  
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MOHAMED@SCOTTRROBERTSLAW.COM

Cultivatd, LLC  
500 Temple St, STE 2M  
Detroit, MI 48201  
07/13/2021

SENT VIA EMAIL &  
CERTIFIED EMAIL

RE: NOTICE OF APPEAL FOR CULTIVATD LLC – 1700 KING RD & 326 W MCLEOD

Hello City Manager,

This Letter is to formally notify the City Clerk and Commission that an appeal of the denial of the application submitted by Cultivatd LLC (the “Applicant”) is being requested. The foundation of this appeal is based on the loss of points that should have been awarded to the Applicant. Specifically, the Applicant received a base score of 95 points on their Class C Cultivation and Processor applications and a base score of 110 on their Retailer Application. The Applicant’s base score was not indicative of the scoring criteria as explained in the ordinance or Scoring Rubric posted with this application and on the City website. Below I will detail the points deducted from this application and how the Applicant fulfilled those requirements and why they should have been granted a higher base score.

The Applicant would like to note that it does not intend to waive arguments that it fails to raise during the appeal of this denial. If you fail to grant this appeal, the Applicant reserves the right to raise additional issues/arguments with the court.

**Points Deducted Applicant Is Not Contesting:**

- *Rubric Scoring Category 8 – Redevelopment of the site/location that has a nonconforming structure or use – 10pts*

**Points Deducted Applicant Is Contesting:**

- *Rubric Scoring Category 1 – Applicant can demonstrate the ability to successfully operate a marihuana business based on the following:*
  - *Has a supply with a State Licensed Cultivation Facility – (5 pts)*
  - *At least one managing stakeholder demonstrates at least 1 year of experience operating a licensed marihuana business (provisioning, grower, etc.) in Michigan (5 pts)*



- *At least one managing stakeholder demonstrates at least 1 year of experience operating a licensed marihuana business (caregiver, provisioning, grower, etc.) in other legal jurisdictions (5 pts)*
- *15 points total*
- Out of the 15 points allotted to this category, the Company was awarded 10 points. However, the Applicant demonstrated fulfillment of all scoring categories in this section. Below, I will indicate specific fulfillment of each category in this section.
  - ➔ The Applicant applied as a vertically integrated facility, which means that they would be their own supplier. In the event that they were not approved, Leaflink a service which is offered to all retail and provisioning centers free of charge is a digital marketplace which offers direct connections to over 70% of State Licensed cultivation and processing facilities. This access coupled with the fact that the Applicant was applying for their own license fulfills this category.
  - ➔ In the brief introductions to each Stakeholder we are made aware that all owners have at least one year of experience in the cannabis industry and that Ryan Satt has operated as a caregiver in Michigan, purchased an operational retail location, and has owned a commercial warehouse for 4+ years. John Ames has experience operating multiple vertical integration facilities in Minnesota. While Brent Olson has legally cultivated over 100,000 plants in Michigan and the Midwest.
- *Rubric Scoring Category 5 – Physical Investment, including the applicant’s detailed proposed tangible capital investment; the current and proposed condition of the proposed location; and the applicant’s ownership stake in the Physical location. >than\$250,000(5 points) >\$500,000(10 points), >\$1,000,000(15 points) – 15pts*
- Out of the 15 points allotted to this category the Applicant received 10 points. However, the Applicant demonstrated capital investment far in excess of \$1,000,000 for this project. Below, I will indicate specific information that was provided by the Applicant to fulfill this category.
  - ➔ On pg39 the Applicant demonstrates investment of \$2 Million for property acquisition and \$4 Million for built out facilities.
  - ➔ On pg61 the Applicant explains that their initial investment in the facility will be \$4 Million dollars.

- ➔ On pg79 is a detailed Sales Forecast which demonstrates revenue to be generated by the Applicant's operations.
- *Rubric Scoring Category 6 – Area Impact: Detailed and demonstrated exterior site and building improvements, specific property improvements through elimination of blight and maintenance plan that provides for enhanced upkeep of property, including exterior right of way. This includes creation of public art, green space, trees, etc. – 10pts*
  - The 10 points allotted for this section were not awarded to the Applicant for their Class C Cultivation and Processor application. However, the Applicant provided numerous details in this application and in their Zoning Commission meeting that indicate full points should have been granted. Below, I will indicate specific information that was provided to the City of Ironwood that fulfills the requirements of Rubric Scoring Category 6:
    - ➔ On pg19 Maintenance and Testing is explained in detail with regard to security systems and equipment systems.
    - ➔ On pg39 of the submitted Business Plan the Applicant states “The properties have been vacant for 4 or more months and we would be redeveloping underused buildings” & “Both properties will be renovated to be state of the art, sustainable and fit into the area aesthetically”
    - ➔ On pg40 of the submitted Business Plan the Applicant states: “improve the exterior of the building aesthetically, but would make sure it is done in a reasonable fashion that blends in and does not draw attention to it” & “We will add trees, green space and public art, benches, etc”
    - ➔ On pg42 the Applicant includes a copy of the site plan which shows proposed improvements including tree planting, bike racks, security fencing, cameras, and gates.
    - ➔ On pg48 the Applicant includes pictures of potential façade improvements to be utilized at the facility.
    - ➔ Finally, at the Zoning Commission meetings for the Applicant a specific condition of approval was to remove and update the proposed production facility portions deemed to be blighted and dilapidated.

- *Rubric Scoring Category 9 – Proposed development adds streetscape elements to the publicly owned right of way or space, including but not limited to benches, bike racks, planters – 5pts*

- The 5pts allotted to this category were not awarded to the Applicant for their Class C Cultivation and Processor application. However, the Business Plan submitted by the Applicant specifically demonstrates the proposed development and addition of streetscape elements. Below, I will indicate specific information provided by the Applicant to fulfill this category:

- On pg39 the Applicant specifically states; “the developments will add streetscape elements to the publicly owned right of way areas. Installing benches, bike rack, plants, gardens, trees, fixtures, etc.” & “Anything and everything we can do to improve upon the area in which we are operating is our goal”

- On pg42 the Applicant includes a copy of the site plan which shows proposed improvements to the streetscape including trees planted, new concrete walkways, bike racks, fencing, security elements, etc.

- *Rubric Scoring Category 12 – Applicant shows proof of support for community education (safe use and storage of adult-use marihuana, etc) and community wellness/mental health initiatives in the Ironwood Area – 5pts.*

- The 5 points allotted to this category were not awarded to the Applicant for any of their applications. However, the Applicant clearly fulfilled the requirements of the Scoring Rubric on numerous occasions in the submitted Business Plan. Below, I will indicate specific information provided by the Applicant to fulfill this category:

- On pg15 the Applicant demonstrates “proof of support for community education” with commitments to the following education programs: Community Education Ambassador Program, Development of courses and educational materials outlining best practices for safe use and storage, training materials for industry workers related to safe use and storage, and community engagement opportunities.

- On pg15 the Applicant demonstrates “proof of support for community wellness/mental health initiatives” with commitments to the following initiatives:

suicide prevention programs, opioid misuse awareness and prevention, prediabetes prevention, obesity prevention, commitments to community healthcare support, social support, local school collaboration and development of specific health and lifestyle improvement initiatives.

- *Rubric Scoring Category 13 – Applicant shows proof of support for community recreational opportunities (trail development, community events, parks, green spaces, etc) – 5pts*
  - The 5 points allotted to this category were not awarded to the Applicant for any of their applications. However, the Applicant dedicated specific sections of their Business Plan to specifically explaining how important support for community recreational spaces are. Additionally, the Applicant proposed many specific improvements and support programs. Below, I will indicate specific information provided by the Applicant to fulfill this category:
    - ➔ On pg35 the Applicant proposes Trail Development, which will consist of contributions to the improvement of existing paved and unpaved trails, development of new trails for community use, offering to include improvements and development of trails for walking, biking, snowmobiling, ATV's, etc.
    - ➔ On pg35 the Applicant proposes contributions to be used directly for local school improvement including interior and exterior developments.
    - ➔ On pg35 the Applicant proposes a plethora of community recreational events including: music events/festivals, art festivals, fundraisers, local art shows, craft fairs, and partnering with local and regional wetland and river conservation organizations for specific support and maintenance funding and development.
    - ➔ On pg36 the Applicant proposes development and specific programs tailored to public park improvements and development and construction of new parks as desired by the community.
    - ➔ On pg36 the Applicant proposes the development of recreational cabin developments to help increase eco-tourism and local recreational opportunities in the region.

- On pg36 the Applicant proposes the development of a snowmobile resort and surrounding recreational development that could be used for summer and winter recreational lodging and activities.
- On pg36 The Applicant proposes the improvement and development of new dog parks in accordance with the desires of the local community.
- On pg37 the Applicant proposes the development of a music studio for recreational and educational use by the local community.
- On pg62 the Applicant proposes contribution of .5% of yearly revenue for investment into the community for sponsorship of events, programs, and initiatives.
- *Rubric Scoring Category 16 – Pre-qualification Letter from the State of Michigan – 10pts*
  - The 10 points allotted to this category were not awarded to the Applicant. However, the Applicant offered to supplement their application with the awarded prequalification letter. Below, I will indicate specific information provided by the Applicant to fulfill this category:
    - The Applicant indicated in its initial submission that the application to the State of Michigan was pending approval.
    - Between the time of submission and the first deficiency period the Applicants received their prequalification letter from the State.
    - When speaking to City representatives on the phone, the Applicants were instructed that they did not need to provide the prequalification letter with their deficiency response.
    - Attached is the awarded prequalification letter from the State of Michigan.

Based on the information provided above the Applicant should have received all points allocated to the above noted Rubric Scoring Categories 1, 5, 6, 9, 12, 13, and 16. As explained above, the Applicant provided information specific to each category in their business plan in a manner that met the language of the Scoring Rubric.

# SCOTT ROBERTS

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## LAW

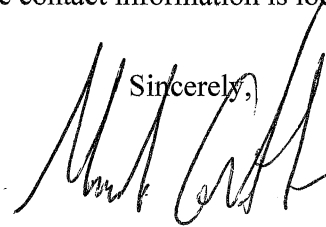
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MOHAMED@SCOTTRROBERTSLAW.COM

Additionally, the Applicant included in the submission of their Business Plan a section entitled "Rubric Answers" on pages 4-7. The "Rubric Answers" section specifically points to sections of the application which demonstrate how the Applicant fulfilled the requirements of the Scoring Rubric.

In light of the new information provided by the Applicant in this Appeal letter, the stakeholders respectfully request the City Commission review this denial. The denial of this application is no longer appropriate when considering the increased base score the Applicant should have received. The Applicant requests the City Commission provide an approval for the licenses applied for.

For any questions or concerns related to this Administrative Appeal please contact the Applicants Attorney, whose contact information is located below.

Sincerely,  


Mohamed Ghait

500 Temple St, STE 2M

Detroit, MI 48201

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**LAW**

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**EXHIBIT A**  
**PREQUALIFICATION LETTER**

GRETCHEN WHITMER  
GOVERNOR



ORLENE HAWKS  
DIRECTOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
LANSING  
VIA ELECTRONIC MAIL

Date: January 05, 2021

Addressee: Cultivatd LLC

Address: 326 West Mcleod Avenues  
Ironwood, MI 49938

RE: Prequalification status for your pending application

Dear Applicant:

The Marijuana Regulatory Agency (Agency) considered your partial application for prequalification status and determined that you have prequalification status pursuant to the licensing provisions of the Michigan Regulation and Taxation of Marihuana Act (MRTMA) and associated rules. This letter may be provided to a municipality as documentation of your prequalification status. Please note that this is a pending status until all application requirements of the MRTMA and associated rules are completed. A state license for a marihuana establishment cannot be issued at this stage of the application process. During complete application review, the Agency will consider all information relevant to eligibility including information that has been newly acquired or information that is newly apparent since determination of prequalification status.

If you have not already done so, please submit a marijuana establishment license application (Step 2) for each state license for which you wish to apply. You may submit an application online through the Accela Citizen Access Portal on the Agency website at [www.michigan.gov/mra](http://www.michigan.gov/mra) or your application may be submitted by mail as follows:

**Mailing Address:**

Marijuana Regulatory Agency  
Licensing Division  
Adult-Use  
P.O. Box. 30205  
Lansing, MI 48906

Sincerely,

Licensing Division  
Marijuana Regulatory Agency





## MEMO

**To:** Mayor Annette Burchell and the City Commission

**From:** Dennis Hewitt, Bldg Inspector

**Date:** September 7, 2021

Meeting Date: September 13, 2021

**Re:** Discuss and Consider for awarding Bid for Demolition at 400 E. Tamarack Street.

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The City of Ironwood received 3 bids for the demolition of 400 E. Tamarack Street. Fahrner Excavating was the lowest bidder at \$20,061.00, Snow County Contracting for \$24,993.00 and Bolle Contracting for \$25,900.00. It is our recommendation to award the bid to Fahrner Excavating, this will be paid from the Code Enforcement Demolition budget.

DEMO - 400 E Tamarack

BID OPENING: Tuesday, September 7, 2021 @ 11:00 AM

Name of Bidder					Total Amount
Fahrner Excavating					\$20,061.00
Snow Country Contracting					\$24,993.00
Bolle Contracting					\$25,900.00

Witnesses to Bid Opening:

*[Signature]*  
*[Signature]*  
*[Signature]*

Bid Award

Action Taken:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_