



**AGENDA
CITY COMMISSION MEETING
WEDNESDAY, MAY 12, 2021
ELECTRONIC**

Members of the public can attend online at:

<https://us02web.zoom.us/j/86906424815>

OR by calling in to 1-312-626-6799 and using the Webinar ID: 869 0642 4815

Members of the public can also view the meeting online at:

<https://youtu.be/iNU57RWT928>

REGULAR MEETING 6:00 P.M.

1. CALL TO ORDER BY MAYOR
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. ROLL CALL
5. PROCLAMATIONS / PRESENTATIONS
6. VISITORS – (Public comments for items not listed as agenda items)
7. APPROVAL OF AGENDA
8. APPROVAL OF CONSENT AGENDA (agenda below)
9. UNFINISHED BUSINESS
10. NEW BUSINESS
 - A. W. Congress St. Sidewalk Public Hearing – Barry Cox
 - B. Sturgis Area Community Foundation Round Up Program – Michael Hughes
 - C. Cemetery Historical Tours – Tony VanNest
 - D. Cemetery Rules Amendment for Development and Rates – Tony VanNest
 - E. Task Order for N. Franks Roundabout – Barry Cox
 - F. Spence Storage Building Bids – Daniel Root
 - G. Budget Amendments – Holly Keyser
11. COMMISSIONER / STAFF COMMENTS
12. CLOSED SESSION – Purchase of Property
13. ADJOURN

CONSENT AGENDA

8A. Action of Minutes of Previous Meetings

APPROVE the minutes from the April 28, 2021 regular meeting as presented.

8B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,106,096.86 as presented.

8C. 2021 Car Cruise-In & Eats Event Requests

APPROVE the requests for the 2021 DDA Car Cruise-In & Eats events on May 14th, July 16th, and August 13th, 2021 as presented.

8D. Memorial Day Parade

APPROVE the requests for the 2021 Memorial Day Parade and activities as presented.

Manager's Report

MAY 12, 2021



CITY OF
Sturgis
MICHIGAN

Submitted by:

A handwritten signature in dark ink, appearing to read "Michael L. Hughes".

Michael L. Hughes
City Manager

8. Consent Agenda

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Consent Agenda for May 12, 2021 as presented.

Staff Recommendation:

APPROVE

8A. Action of Minutes of Previous Meetings

Consent Agenda Motion:

APPROVE the minutes from the April 28, 2021 regular meeting as presented.

8B. Pay Bills

Consent Agenda Motion:

AUTHORIZE the payment of the City bills in the amount of \$1,106,096.86 as presented.

8C. 2021 Car Cruise-In & Eats Event Requests

The Sturgis Downtown Development Authority (DDA) will be holding several “Car Cruise-In & Eats” events throughout the spring and summer of this year. Event dates are:

- Friday, May 14th
- Friday, July 16th
- Friday, August 13th

All three events will be held from 4:00pm to 8:00pm. Classic cars will be parked along US-12 in addition to food truck vendors and acoustic musicians positioned outside in downtown. As part of the events, the DDA is requesting a number of items for each event:

- Closure of Pleasant Ave. from US-12 through the first parking lot drive from 3:00pm-10:00pm on the days of the events.

- Temporary No Parking and use of all parking spots on US-12 from Jefferson St. to Monroe St. from 3:00pm-9:00pm on the days of the events.

Consent Agenda Motion:

APPROVE the requests for the 2021 DDA Car Cruise-In & Eats events on May 14th, July 16th, and August 13th, 2021 as presented.

8D. 2021 Memorial Day Parade

The local VFW and American Legion are requesting use of South Nottawa Street for the Memorial Day Parade. The route will run from the VFW post on Fawn River Road north on South Nottawa Street to Oak Lawn Cemetery. They request that barricades be dropped off for the parade by DPS at intersections along the route, specifically South Street and E. Fawn River Rd. The groups will provide road guards to set up and take down barricades for the parade. They are also requesting a police escort for the parade. The route is the same one approved by the Commission in past years. The parade will start at the VFW at 10:30 a.m. on Memorial Day (May 31st).

The VFW and American Legion are also requesting the use of Oaklawn Park during the event, as well as setup and use of the sound system, and waiver of fees for these activities. The Mayor is requested to give a greeting at the event.

A representative of the groups has been in contact with the Branch-Hillsdale-St. Joseph Community Health Agency and will be operating within applicable COVID-19 guidelines.

Consent Agenda Motion:

APPROVE the requests for the 2021 Memorial Day Parade and activities as presented.

10. New Business

A. W. Congress Street Sidewalk Public Hearing

Staff: Barry Cox

OPEN PUBLIC HEARING

The City of Sturgis Engineering Department is initiating a Sidewalk Repair Special Assessment District in accordance with the Public Sidewalk Construction Policy approved by the City Commission in 2011. The district is being considered in conjunction with the reconstruction of W. Congress Street between S. Centerville Road and S. Clay Street over the next two years. The intent of the assessment district is to repair existing sidewalk segments along both sides of W. Congress Street. Attached is the preliminary Special Assessment District including the property tax ID number, owner, address, and estimated assessment amount.

A letter has been sent to each property owner listed in the preliminary assessment district notifying them of the public hearing date and estimated assessment cost. A form will be prepared listing each property tax ID number, owner, address, and estimated assessment amount. The form will be recorded at the St. Joseph County Register of Deeds so a title search on a prospective sale will indicate the special assessment information.

CLOSE PUBLIC HEARING

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY a Special Assessment District #2021-03 for the W. Congress Street Sidewalk Repair Program as presented.

Staff Recommendation:

APPROVE

Included in your packet:

1. Special Assessment District

10. New Business

B. Sturgis Area Community Foundation Round Up Program

Staff: Michael Hughes

Included in your packet is a letter from the Sturgis Area Community Foundation (SACF) requesting to partner with the City of Sturgis to provide utility customers a way to invest and make a difference in their community by offering a Round Up option on their utility bill. The Round Up program would allow utility customers the ability to round up their utility bill to the nearest dollar. Contributions received would be placed into a fund at the SACF and used to support community projects within the City's utility customer service areas. The City and the SACF would collaborate on identifying projects for funding.

In order to provide the Round Up option, the City would have to purchase a utility billing software upgrade. The cost of this upgrade is \$6,106.00. SACF has offered to reimburse the City's cost of the software upgrade. A copy of the quote for this software upgrade is included in your packet.

If this program is implemented and we estimate half of the accounts rounding up per month and one third participation; approximately \$1,000.00 per month would be donated to SACF.

In 2012, City staff conducted a project/issue analysis report for a similar round up program request. A copy of this report is included in your packet.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Round Up Program request from the Sturgis Area Community Foundation as presented.

Staff Recommendation:

APPROVE

Included in your packet:

1. Sturgis Area Community Foundation Letter of Request

2. Billing Software Upgrade Quote
3. 2012 Project/Issue Analysis Report

10. New Business

C. Cemetery Historical Tours

Staff: Tony VanNest

At the April 27, 2021 Parks and Cemetery Board Meeting, Jenifer Blouin Policelli, Director of the Sturgis Historical Museum, presented a request to conduct tours at Oak Lawn Cemetery this fall. These tours will highlight the lives of 12 Sturgis residents who are buried at Oak Lawn Cemetery including Thomas Collins, Mary Hackstaff, Judge John and Ardillacy Sturgis, Jonathan Wait and Susan Buck Wait, Dr. Nelson Packard, Wallace Weatherly, Clarence Jesse, Ray and Elsie Kimball and Helen Walton Bishop.

They will provide volunteer guides from the Sturgis Historical Society (SHS) who will lead audience members between grave sites. Costumed actors from the Sturgis Civic Players will portray the deceased and deliver accounts of their lives. The theme for this tour is “Notable Firsts in Sturgis History”.

The tour dates will be Saturday, September 18, 2021, Saturday, October 16, 2021 and possibly Saturday, October 30, 2021. In the event of inclement weather, the rain date would be Sunday, September 19, 2021 and October 17, 2021. The tours will run every half an hour from 4:00 pm to 6:00 pm; the last tour will end at 7:00 pm. SHS plans to charge a \$10.00 fee per visitor for the tours.

SHS has agreed to follow the Oak Lawn Cemetery Rules and Regulations. They will follow up with staff prior to the tour dates regarding burials so there is no disruption. SHS will acquire an insurance policy for volunteers in the event of injury or damage to property. They plan to have visitors park along Magnolia Street, in lots at Oaklawn Park and in parking spaces at the maintenance building. They have requested use of a restroom at the maintenance building for their volunteers. SHS will follow all COVID-19 guidelines in place at the time of these tours.

Included in your packet is the full proposal from the Sturgis Historical Museum. The Parks and Cemetery Board did recommend approval of the request to the City Commission at their April 27, 2021 meeting.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Sturgis Historical Museum's plan as presented.

Staff Recommendations:

APPROVE

Included in your packet:

1. Cemetery Historical Tours Information

10. New Business

D. Cemetery Rules Amendment for Development and Rates

Staff: Tony VanNest

At the April 27, 2021 Parks and Cemetery Board meeting, staff presented information about opening a new area of lots in Oak Lawn Cemetery, Block ZZ. These lots will be located along S. Nottawa St.

As part of the development of the block, staff are also proposing an amendment to the Cemetery Rules and Regulations, adding section 2-8, which deals with the foundations for Block ZZ. Block ZZ is planned to include a cement foundation ribbon poured throughout the block. The cost of this foundation will be included with the purchase price of a single lot or double lot. This is the first block in Oak Lawn Cemetery that will have the foundation ribbon; in other areas for the cemetery foundations are poured on a lot-by-lot basis and the cost is calculated separately. The proposed cost for a lot in Block ZZ is \$1,110.00 for a City resident and \$1,281.00 for a non-resident. A copy of both the updated Cemetery Rules and Regulations and Cemetery Rates are included in your packet.

The Parks and Cemetery Board approved the development of Block ZZ and proposed pricing and recommended these to the City Commission for approval.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the development of Block ZZ in Oak Lawn Cemetery, APPROVE/DENY an amendment to the Cemetery Rules and Regulations adding Section 2-8, and APPROVE/DENY the proposed cemetery rates as presented.

Staff Recommendation:

APPROVE, APPROVE and APPROVE

Included in your packet:

1. Updated Cemetery Rules and Regulations
2. Updated Cemetery Rates

3. Map of Block ZZ

10. New Business

E. Task Order for N. Franks Roundabout

Staff: Barry Cox

The City received a Michigan Department of Transportation (MDOT) Highway Safety Improvement Program (HSIP) grant of \$472,112.00 to reconstruct the intersection of N. Franks Avenue and E. Lafayette Street as a single lane roundabout with sidewalks and intersection lighting. Construction costs for the road portion of the project are estimated at \$590,140.00 dollars. The City's most recent capital improvement budget had programmed \$325,000.00 in FY 2021-2022 from Fund 201 for costs related to design and construction of the road.

The next step to move forward with the project is the design. Included in your packet is Task Order #98 with Fleis and VandenBrink Engineering, Inc. for Preliminary Design Phase, Final Design, and Bidding Phase engineering services on the project. Total cost of the task order is \$112,300.00.

In addition to the construction of the surface-level improvements, the City also needs to evaluate utility extensions through the intersection as part of the task order. Once the project is complete, the engineering costs will be distributed to the various utility funds according to the final costs incurred.

Water main would be designed to extend from south of the railroad tracks north along N. Franks through the intersection with connections placed for future water extension to the east, north, and west beyond the roundabout to avoid future disturbance of the intersection. These elements are included as part of the task order. Task Order #98 also includes a separate work item to design and build an additional 1,400 feet of 12-inch water main to loop the water system west to the Sturgis Middle School drive. This may be necessary if the Michigan Department of Environment, Great Lakes, and Energy (EGLE) will not permit the project with water main dead ends. The design work item is listed separately at a cost of \$5,500.00 and would only be used if the City is required to build this loop.

Sanitary sewer design would extend sewer main north along N. Franks to the Spence Softball Complex and the property to the west of N. Franks. Future sanitary service areas to the east and west of the intersection would be evaluated for possible construction as well.

The project is very likely to involve property purchase or permanent easements to construct and will require an environmental review. Each of these tasks require specialists to complete in order for the project to follow federal requirements. MDOT's programming application process, grade inspection meeting, and MDOT Local Agency Programs bidding process each add time and complexity to the processes of designing and bidding the project.

Due to the MDOT requirements and the addition of utility design to the project, the City needs to begin design work in the current fiscal year in order to construct it during FY 2021-2022, maintaining the project's construction timeline and grant money obligation. The construction of the project would be bid in two separate contracts. One contract to construct the water and sanitary extensions and one contract for road construction through the MDOT LAP contract process. This removes the utility work from the MDOT contract which will make constructing the utilities less expensive.

Due to the project design needing to begin in FY 2020-2021, a budget amendment will be required. The City Controller will address this budget amendment under Agenda Item 10G.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY Task Order #98 with Fleis and VandenBrink Engineering, Inc. in the amount of one hundred twelve thousand three hundred dollars (\$112,300.00) for the design of street and utility improvements and AUTHORIZE the City Manager to sign the contract on behalf of the City.

Staff Recommendation:

APPROVE and AUTHORIZE

Included in your packet:

1. Task Order #98
2. Concept Layout

10. New Business

F. Spence Storage Building Bids

Staff: Daniel Root

As part of the original building plans for the new Spence Softball Complex, the site was to include a storage building. This storage building was removed as a cost-saving measure on the original project but is still a needed element at the Complex and has been part of the capital plan for the past two years.

City staff's original intent was to have the local High School Building Trades class assist in the construction of this project, but due to class constraints the project was delayed. In addition, Building Trades is now working with the Sturgis Neighborhood Program to construct a new home, eliminating the opportunity to use them to help construct the storage building. The original budget for the project only included materials and supplies; labor was planned to come from the Building Trades program at no cost to the City.

Due to the Building Trades schedule and need for the storage building, it was determined that staff would bid out the project to general contractors. Staff advertised the project the first time in August of 2020; two bids were received, both at twice the amount budgeted due to the cost of a general contractor, a shortage of building materials, and demand causing inflated material pricing. Suppliers also refused to guarantee pricing for more than a few days. Staff decided to try and rebid the project again in early 2021 hoping that the materials cost and supply would stabilize. The project was advertised again in February this year.

Four bids were received ranging from the low bid of \$53,200.00 to the high bid of \$89,396.00. Staff is recommending the low bid from Brussee Brady for the project in the amount of \$53,200.00. Staff also requested a quote from Prime Quality Electric for installation of electric service, lights, and receptacles within the new building; the total amount for that work is \$4,580.03. Copies of the bid tab and electrical estimate are included in your packet.

During final review of the project, City staff made changes to the site location. The original plan was to place the building on the north east edge of the gravel pad in front of the electrical substation. However, when staff met onsite to discuss the location again, it was determined that a more suitable placement would be just off the gravel pad to the north and to rotate the building 90 degrees. This change was partially driven by proximity to the substation concerns and the fact that a future parking expansion was included in the original site plan. The new building location will allow for that parking lot expansion and all stormwater requirements are met.

With the new placement some site work will be required. Removal of the existing topsoil and the addition of a minimum of six inches of compactable fill will be required for the asphalt drive and building site. The City of Sturgis DPS staff will complete this work at a cost estimated of not more than \$10,000.00 for labor and material. An asphalt drive will be installed from the parking lot to the north side of the building approximately twelve feet wide by forty feet long. Installation of this asphalt will include a 1-1/2 inch base course and a 1-1/2 inch top course and has been estimated at \$2,500.00.

The total project cost, including the construction bid, electrical, site work, and paving is \$70,280.03. As mentioned above, this project was originally budgeted at \$25,000.00 based on pre-COVID material costs and labor being completed by the Building Trades Program. Due to the additional cost of hiring a General Contractor, material cost, the electrical work, the site work, and paving, City staff is requesting a budget amendment for the project. The proposed amendment would increase the General Fund Expenditures for this project from \$25,000.00 to \$72,500.00; an increase of \$47,500.00. While staff does not foresee significant additional costs, \$72,500.00 does allow for a small project contingency. The City Controller will address this budget amendment under Agenda Item 10G.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the bid from Brussee Brady for the construction of the storage building at the Spence Complex in the amount of fifty-three thousand two hundred dollars (\$53,200.00) as presented.

Staff Recommendation:

APPROVE

Included in your packet:

1. Bid Tab Spence Storage Barn March 2021
2. Electrical Estimate
3. Building Plan
4. Site Layout Concept w/future parking

10. New Business

G. Budget Amendments

Staff: Holly Keyser

Included in your packet is a memo from City Controller Holly Keyser regarding budget amendments for Fiscal Year 2020-2021. In accordance with the Uniform Budgeting and Accounting Act, governmental funds need to be amended to reflect changes in the expected revenue and operating expenditures incurred in the 2020-2021 fiscal year, as compared to those originally estimated.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Budget Amendments for Fiscal Year 2020-2021 as presented.

Staff Recommendation:

APPROVE

Included in your packet:

1. Memo from City Controller

Noteworthy Meetings / Events

- Sounds of Spring | Downtown | April 23rd
- DDA Promotion Committee Meeting | April 26th
- Parks & Cemetery Board Meeting | April 27th
- Chamber Board Meeting | April 27th
- Bourbon, Bacon & Blues Meeting | April 29th
- St. Joseph County Brownfield Meeting | April 29th
- Road to Restoration: Benefit Screening of Dirty Dancing | April 30th
- Splash Pad Site Plan Meeting | May 4th
- EDC/BRA/SIA Meeting | May 4th
- DDA Meeting | May 5th
- Manager's Group Meeting | May 5th
- City Commission Budget Work Session | May 5th
- Exchange Club Flower Sale | May 6th

Upcoming Events

- Mother's Day Brunch | Sturges-Young | 9:00am-2:00pm | May 9th
- 100 Goodfellas Event | Sturges-Young | 5:30pm | May 13th
- United Way Golf Outing | St. Joe Valley Golf Course | 10:00am | May 14th
- Spring Car Cruise-In & Eats | Downtown | 5:30pm-9:00pm | May 14th
- Summer Concert Series Kevin B. Klein | Sturges-Young | 7:30pm | May 14th

**REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 28, 2021
ELECTRONIC/VIRTUAL**

Mayor Hile called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Hile.

Commissioners present: Bir, Wickey, Malone, Smith, Littman, Good, Vice-Mayor Mullins,
Mayor Hile
Commissioners absent: Klinger

Also present: City Attorney, City Manager, Assistant City Manager, Public Safety Director, City
Controller, City Engineer, Electric Department Superintendent, Deputy Public Safety Director,
Community Development Director, City Clerk

Moved by Comm. Littman and seconded by Comm. Bir to approve the agenda as presented.

Voting yea: Eight Voting nay: None Absent: Klinger MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Smith to approve the Consent Agenda of April
28, 2021 as presented.

8A. Action of Minutes of Previous Meetings

APPROVE the minutes from April 14, 2021 regular meeting as presented.

8B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,068,011.11 as presented.

8C. Retirement Board Resignation

ACCEPT the Resignation of Kimberlee Bontrager from the Retirement Board with regret and send a
letter of thanks for her service.

8D. Utility Easements

APPROVE the utility easement with Midwest V, LLC as presented.

APPROVE the sanitary sewer easement with Midwest V, LLC as presented.

8E. Cable Purchase

APPROVE the bid from Power Line Supply for 11,400 feet of 350kcmil CU primary URD cable in
the amount of one hundred eighteen thousand, one hundred and four dollars (\$118,104.00) as
presented.

Voting yea: Eight Voting nay: None Absent: Klinger MOTION CARRIED

Commissioner Klinger joined the meeting.

City Manager Michael Hughes provided information on proposed changes to the marijuana ordinance as it relates to stacked permits and permit extensions. Discussion followed.

Moved by Comm. Good and seconded by Comm. Malone to consider this the second reading of and approve amendments to the City Code of Ordinances Section 38-92 Medical Marihuana Facilities and Section 38-93 Adult Use Marihuana Establishments effective May 21st, 2021.

Voting yea: Eight

Voting nay: Wickey

MOTION CARRIED

AMENDMENTS TO CITY ORDINANCES
PERTAINING TO THE AUTHORIZATION AND PERMITTING
OF COMMERCIAL MEDICAL MARIHUANA FACILITIES

An ordinance to amend Chapter 38-Article IV Section 38-92 of the Ordinances of the City of Sturgis to provide for the modification of operational requirements of commercial medical marihuana facilities.

WHEREAS, the City Commission, has determined that it is in the best interest of the residents of the City to modify the City Ordinances to provide for the modification of operational requirements of commercial medical marihuana facilities;

NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan ordains: Chapter 38-Article IV, Section 38-92 of the City Ordinances is hereby amended as follows effective as of May 21, 2021.

ARTICLE IV. OFFENSES AGAINST PUBLIC SAFETY

Sec. 38-92 MEDICAL MARIHUANA FACILITIES

- (a) *Purpose.* The purpose of this Ordinance is to exercise the police regulatory powers of the City of Sturgis by licensing and regulating provisioning centers, grower facilities, safety compliance facilities, processor facilities, and secure transporter to the extent permissible under the State of Michigan and to protect the public health, safety and welfare of the residents of the City of Sturgis. It is not the purpose or intent of this Ordinance to diminish, abrogate, or restrict the protections for medical use of marihuana found in the Michigan Medical Marihuana Act or City Ordinance Sec. 38-91.
- (b) *Definitions.* The following words, terms and phrases when used in this Section shall have the meanings ascribed to them in this Subsection. Definitions from Section 38-93, when used in this section shall have the meanings ascribed to them in that Section when referring to Adult Use (Recreational) Marihuana:
 - (1) “*Applicant*”, unless specifically stated to mean a state License, means an individual, organization, partnership, company, corporation enterprise, or other entity that applies for a Municipal License as well as the person or persons associated with the Applicant. For purposes of this definition, an Applicant includes a managerial employee of the Applicant, a person holding a direct or indirect ownership interest of more than 10% in the Applicant, and the following for each type of Applicant:

- For an individual or sole proprietorship: the proprietor and spouse.
- For a partnership and limited liability partnership: all partners and their spouses.
- For a limited partnership and limited liability limited partnership: all general and limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the partnership, and their spouses.
- For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the company, and their spouses.
- For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
- For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
- For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.
- For a nonprofit corporation: all individuals and entities with membership or shareholder rights in accordance with the articles of incorporation or the bylaws and their spouses.

For purposes of this definition, an Applicant does not include:

- A person who provides financing to an applicant or licensee under a bona fide financing agreement at a reasonable interest rate.
- A franchisor who grants a franchise to an applicant, provided that the franchisor does not have the right to receive royalties based upon the sale of marihuana or marihuana- infused products by the applicant who is a franchisee. Nothing herein shall be construed to preclude a franchisor from charging an applicant who is a franchisee a fixed fee. As used in this definition, the terms “franchise,” “franchisor,” and “franchisee” shall have the meanings set forth in section 2 of the Franchise Investment Law, 1974 PA 269, MCL 445.1502.
- A person receiving reasonable payment for rent on a fixed basis under a bona fide lease or rental obligation.

- A person receiving reasonable payment under a licensing agreement or contract concerning the licensing of intellectual property including, but not limited to, brands and recipes.
- (2) “*Application*” means an Application for a Permit under this Ordinance and includes all supplemental documentation attached or required to be attached thereto.
 - (3) “*Application Documents*” means the items required as part of an Application submitted to the City prior to them being accepted as complete as provided in Subsection (e)(1).
 - (4) “*Clerk*” means the City of Sturgis Clerk or his/her designee.
 - (5) “*Co-Located Facility*” means marihuana businesses holding 2 or more types of state operating licenses under the MRTMA and MMFLA operating within a single location.
 - (6) “*Commercial Medical Marihuana Facility*” or “*Facility*” means one of the following:
 - i. “*Provisioning Center*,” as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 (“MMFLA”);
 - ii. “*Processor*,” as that term is defined in the MMFLA;
 - iii. “*Secure Transporter*,” as that term is defined in the MMFLA;
 - iv. “*Grower*,” including *Class A*, *Class B* and *Class C*, as those terms are defined in the MMFLA;
 - v. “*Safety Compliance Facility*,” as that term is defined in the MMFLA.
 - (7) “*Department*” means the Michigan State Department of Licensing and Regulatory Affairs or any authorized designated Michigan agency authorized to regulate, issue or administer a Michigan License for a Commercial Medical Marihuana Facility.
 - (8) “*License*” means a current and valid License for a Commercial Medical Marihuana Facility issued by the State of Michigan.
 - (9) “*Licensee*” means a Person holding a current and valid Michigan License for a Commercial Medical Marihuana Facility.
 - (10) “*Marihuana*” means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.
 - (11) “*Michigan Regulation and Taxation of Marihuana Act*” or MRTMA means Initiated Law 1 of 2018, MCL 333.27951 et. seq.
 - (12) “*Medical Marihuana*” means that term as defined in MCL 333.26423.

- (13) “*Paraphernalia*” means drug paraphernalia as defined in section 7451 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7451, that is or may be used in association with Medical Marihuana.
- (14) “*Patient*” means a “registered qualifying patient” or a “visiting qualifying patient” as those terms are defined by MCL 333.26421, et seq.
- (15) “*Permit*” means a current and valid Permit for a Commercial Medical Marihuana Facility issued under this Ordinance, which shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. Said Permit shall be in addition to the Special Use Permit required to be obtained under the City Zoning Ordinance.
- (16) “*Permit Holder*” means the Person that holds a current and valid Permit issued under this Ordinance.
- (17) “*Permit Slot*” means an unissued permit available to be issued to an Applicant.
- (18) “*Permitted Premises*” means the particular building, buildings, or tenant space within which the Permit Holder will be authorized to conduct the Facility’s activities pursuant to the Permit.
- (19) “*Permitted Property*” means the real property comprised of a lot, parcel or other designated unit of real property upon which the Permitted Premises is situated.
- (20) “*Person*” means a natural person, company, partnership, profit or non-profit corporation, Limited Liability Company, or any joint venture for a common purpose.
- (21) “*Premises*” means the particular building, buildings, section of land, or tenant space within which a particular use is conducted.
- (22) “*Public Place*” means any area in which the public is invited or generally permitted in the usual course of business.
- (23) “*School*” means any property owned or leased by an elementary, parochial, private, or secondary school, including buildings, fields, or other property utilized by the school. Elementary, parochial, private and secondary schools are defined as in the City of Sturgis Zoning Code.
- (24) “*Stacked Permit*” means one or more additional Class C Grower Permits applied for or issued to either a single Applicant already requesting an initial Class C Grower Permit or a single Permit Holder with at least one Class C Grower Permit under this ordinance.

(c) *Permit Required; Eligibility; General Provisions.*

- (1) The City hereby authorizes the operation of the following types of Commercial Medical Marihuana Facilities:

- i. Growers, Class A
 - ii. Growers, Class B
 - iii. Growers, Class C
 - iv. Processors
 - v. Provisioning Centers
 - vi. Safety Compliance Facilities
 - vii. Secure Transporters
 - viii. Co-Located Facilities as defined in this ordinance
- (2) The following number of Permits can be issued for each authorized Commercial Medical Marihuana Facility type:
- i. Growers, Class A: Unlimited
 - ii. Growers, Class B: Unlimited
 - iii. Growers, Class C: Unlimited
 - iv. Processors: Unlimited
 - v. Provisioning Centers in B-H 1 Zoning District: 3 Permits
 - vi. Provisioning Centers in M Zoning District: Unlimited
 - vii. Provisioning Centers in all other Districts: 0 Permits
 - viii. Safety Compliance Facilities: Unlimited
 - ix. Secure Transporters: Unlimited
- (3) No person shall operate a Commercial Medical Marihuana Facility at any time or any location within the City unless a currently-effective Permit for that person at that location has been issued under this Ordinance.
- (4) Commercial Medical Marihuana Facilities shall operate only as allowed under this Ordinance.
- (5) The City Manager is granted the power to fully and effectively implement and administer the Permit Application process.
- (6) The requirements set forth in this Ordinance shall be in addition to, and not in lieu of, any other licensing or permitting requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances.
- (7) As specified in this Ordinance, each Applicant shall pay nonrefundable Review fees, Application fees, annual fees, renewal fees and inspection fees for Permits to the City to defray the costs incurred by the City for inspection, administration and enforcement of the local regulations regarding Commercial Medical Marihuana Facilities. The City Commission shall by resolution set the fees in an amount not to exceed any limitations imposed by Michigan law. The Permit fee requirement shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or City law or ordinance, including, by way of example, any applicable zoning or building permits.

- (8) The City has no obligation to process or approve any incomplete Application.
- (9) A Permit shall remain valid for one year following removal of all stipulations on an issued Permit.
- (10) It is the sole and exclusive responsibility of each Permit Holder or Applicant at all times during the Application period and during its operation to immediately provide the City with all material changes in any information submitted on an Application and any other changes that may materially affect any state License or its City Permit.
- (11) No Permit issued under this Ordinance may be assigned or transferred to another person or entity except as specified in this Ordinance.. No Permit issued under this Ordinance is transferrable to any other location except for the Permitted Premises on the Permitted Property.
- (12) The original Permit issued under this Ordinance shall be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement and administrative authorities.
- (13) A Permit Holder may not engage in any other Commercial Medical Marihuana Facility in the Permitted Premises or on the Permitted Property, or in its name at any other location within the City, without first obtaining a separate Permit.
- (14) No Permit shall be granted or renewed for a Commercial Medical Marihuana Facility in a residence.
- (15) Co-Located Facilities are subject to state law for multiple uses per premises, subject to the City Manager or his designee's determination that such uses are compatible together at that location, are consistent on a shared basis with all the provisions of the MMFLA and each use is consistent with zoning and other provisions of the City Code of Ordinances. If these conditions are met, more than one different marihuana facility may be located on one parcel. Unless higher performance is required by applicable law, there must be a minimum of a one-hour fire wall separating any marihuana facility and any adjacent businesses.
- (16) Stacked Permit. An Applicant that is requesting an initial Class C Grower Permit or a Permit Holder that has been issued a Class C Grower permit may apply for one or more Stacked Permits at the same Permitted Premise subject to all requirements of the MMFLA, administrative rules and local regulations. Each Stacked Permit is subject to all applicable fees for application and renewal. There are two categories for a Stacked Permit: Minor or Major.
 - i. Stacked Permit-Minor. A minor Stacked Permit is one that doesn't require changes to the Permitted Premise or Permitted Property and doesn't require changes to the information provided in the original Class C Grower Application. This permit type does not require an additional special land use permit approved by the Planning

Commission and maybe approved by the Zoning Administrator.

- ii. Stacked Permit-Major. A major permit is one that requires changes to the Permitted Premise or Permitted Property and/or has changes to the information provided in the original Class C Grower Application. This permit type must follow all of the application requirements and approvals.

(d) *Other Laws and Ordinances.* In addition to the terms of the Ordinance, any Commercial Medical Marihuana Facility shall comply with all City Ordinances, including without limitation the City Zoning Ordinance, and with all other applicable federal, state and local ordinances, laws, codes and regulations. To the extent that the terms of this Ordinance are in conflict with the terms of any other applicable federal, state or local ordinances, laws, codes or regulations, the terms of the most restrictive ordinance, law, code or regulation shall control.

(e) *Application for and Renewal of Permits.*

...

(3) *Processing and Review of Applications.*

...

- viii. If all conditions of this Ordinance have been met, the City Clerk shall issue the Permit to the Applicant.

1) All Permits issued have the following stipulations:

- a. Issuance of License Qualification by the State of Michigan for the Permit Holder under State law and the City of Sturgis receiving a copy of that License Qualification prior to occupancy.
- b. Issuance of final occupancy of the Permitted Premises by the Community Development Department. All construction must be in accordance with applicable zoning ordinances, building codes, and any other applicable state or local laws, rules or regulations.
- c. For Processors and Class A, B, and C Growers proposing to connect to or to contribute to the POTW, a wastewater discharge permit. Refer to City of Sturgis Code of Ordinances Section 62-191.
- d. Issuance of Final Approval by the State of Michigan and the City of Sturgis receiving a copy of the Final Approval prior to the business opening.

- 2) A Permit Holder has one (1) year from the date of issuance to meet all stipulations of the Permit. If all stipulations are not met in this timeframe, the Permit is revoked and considered denied. A Permit Holder may request an extension up to six (6) months to this timeframe, which may be granted by the City Clerk.
 - a. If a permit holder has been issued an extension, a building permit has been issued for the permitted premise and construction is ongoing or completed, but they have not satisfied all the stipulations of the permit, the permit holder may apply for an extension request with the City Commission.

...

AMENDMENTS TO CITY ORDINANCES
PERTAINING TO THE AUTHORIZATION AND PERMITTING
OF ADULT USE MARIHUANA ESTABLISHMENTS

An ordinance to amend Chapter 38-Article IV Section 38-93 of the Ordinances of the City of Sturgis to provide for the modification of operational requirements of adult use marihuana establishments.

WHEREAS, the City Commission, has determined that it is in the best interest of the residents of the City to modify the City Ordinances to provide for the modification of operational requirements of commercial medical marihuana facilities;

NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan ordains: Chapter 38-Article IV, Section 38-93 of the City Ordinances is hereby amended as follows effective as of May 21, 2021.

Sec. 38-93 ADULT USE MARIHUANA ESTABLISHMENTS

...

- (b) Definitions. The following words, terms and phrases when used in this Section shall have the meanings ascribed to them in this Subsection (and Section 38-92 when Medical Marihuana definitions are indicated by the word "Medical"):
 - (25) "*Applicant*", unless specifically stated to mean a state License, means an individual, organization, partnership, company, corporation enterprise, or other entity that applies for a Municipal License as well as the person or persons associated with the Applicant. For purposes of this definition, an Applicant includes a managerial employee of the Applicant, a person holding a direct or indirect ownership interest of more than 10% in the Applicant, and the following for each type of Applicant:
 - For an individual or sole proprietorship: the proprietor and spouse.
 - For a partnership and limited liability partnership: all partners and their spouses.
 - For a limited partnership and limited liability limited partnership: all general and

limited partners, not including a limited partner holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the partnership, and their spouses.

- For a limited liability company: all members and managers, not including a member holding a direct or indirect ownership interest of 10% or less and who does not exercise control over or participate in the management of the company, and their spouses.
- For a privately held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
- For a publicly held corporation: all corporate officers or persons with equivalent titles and their spouses, all directors and their spouses, and all stockholders, not including those holding a direct or indirect ownership interest of 10% or less, and their spouses.
- For a multilevel ownership enterprise: any entity or person that receives or has the right to receive more than 10% of the gross or net profit from the enterprise during any full or partial calendar or fiscal year.
- For a nonprofit corporation: all individuals and entities with membership or shareholder rights in accordance with the articles of incorporation or the bylaws and their spouses.

For purposes of this definition, an Applicant does not include:

- A person who provides financing to an applicant or licensee under a bona fide financing agreement at a reasonable interest rate.
- A franchisor who grants a franchise to an applicant, provided that the franchisor does not have the right to receive royalties based upon the sale of marihuana or marihuana- infused products by the applicant who is a franchisee. Nothing herein shall be construed to preclude a franchisor from charging an applicant who is a franchisee a fixed fee. As used in this definition, the terms “franchise,” “franchisor,” and “franchisee” shall have the meanings set forth in section 2 of the Franchise Investment Law, 1974 PA 269, MCL 445.1502.
- A person receiving reasonable payment for rent on a fixed basis under a bona fide lease or rental obligation.
- A person receiving reasonable payment under a licensing agreement or contract concerning the licensing of intellectual property including, but not limited to, brands and recipes.

(26) “*Application*” means an Application for a Municipal License under this Ordinance

and includes all supplemental documentation attached or required to be attached thereto.

- (27) “*Application Documents*” means the items required as part of an Application submitted to the City prior to them being accepted as complete as provided in Subsection (e)(1).
- (28) “*Board*” means the marihuana licensing board, as anticipated by the MRTMA to be created at LARA in order to regulate and administer state licenses.
- (29) “*Clerk*” means the City of Sturgis Clerk or his/her designee.
- (30) “*Co-located Facility or Co-location*” means marihuana businesses holding 2 or more types of state operating licenses under the MRTMA and MMFLA operating within a single location.
- (31) “*Cultivate or Cultivation*” means to propagate, breed, grow, harvest, dry, cure, or separate parts of the marihuana plant by manual or mechanical means.
- (32) “*Department*” means the Michigan State Department of Licensing and Regulatory Affairs or any authorized designated Michigan agency authorized to regulate, issue or administer a Michigan License for a Marihuana Establishment.
- (33) “*Designated Consumption Establishment*” means a commercial space that is licensed by the agency and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the state License.
- (34) “*Excess Marihuana Grower*” means a license issued to a person holding 5 class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to Marihuana Establishments.
- (35) “*Grower*” means a person licensed to cultivate marihuana and sell or otherwise transfer marihuana to Marihuana Establishments.
- (36) “*License*” means a current and valid License for Marihuana Establishment issued by the State of Michigan.
- (37) “*Licensee*” means a Person holding a current and valid Michigan License for a Marihuana Establishment.
- (38) “*Marihuana*” means that term as defined in Section 3 of the MRTMA, MCL 333.27953.
- (39) “*Marihuana Accessories*” means any equipment, product, material, or combination of equipment, products, or materials, which is specifically designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, ingesting, inhaling, or otherwise

introducing marihuana into the human body.

- (40) “*Marihuana Concentrate*” means the resin extracted from any part of the plant of the genus *cannabis*.
- (41) “*Marihuana Establishment*” means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, marihuana designated consumption establishment, or any other type of marihuana-related business licensed by the department pursuant to MCL 333.27951.
- (42) “*Marihuana Event Organizer*” means a person licensed to apply for a temporary marihuana event license under these rules.
- (43) “*Marihuana-Infused Product*” means a topical formulation, tincture, beverage, edible substance, or similar product containing marihuana and other ingredients and that is intended for human consumption.
- (44) “*Marihuana Microbusiness*” means a person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.
- (45) “*Marihuana Processor*” means a person licensed to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.
- (46) “*Marihuana Retailer*” means a person licensed to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.
- (47) “*Michigan Medical Marihuana Act*” or MMMA means 2008 IL 1, MCL 333.26421 et seq., as may be amended.
- (48) “*Michigan Marihuana Facilities Licensing Act*” or MMFLA means Public Act 281 of 2016, MCL 333.27101 et seq. as may be amended.
- (49) “*Michigan Marihuana Tracking Act*” means Public Act 282 of 2016, MCL 333.27901 et seq. as may be amended.
- (50) “*Municipal License*” means a current and valid license for a Marihuana Establishment issued under this Ordinance, which shall be granted to a Municipal License Holder only for and limited to a specific Municipally-Licensed Premises and a specific Municipally-licensed Property. Said Municipal License shall be in addition to the Special Use Permit required to be obtained pursuant to the City Zoning Ordinance.

- (51) “*Municipal License Holder*” means the an individual, organization, partnership, company, corporation enterprise, or other entity that holds a current and valid Municipal License issued under this Ordinance as well as the person or persons associated with the Municipal License Holder as Applicant(s) for that Municipal License.
- (52) “*Municipal License Slot*” means an unissued permit available to be issued to an Applicant.
- (53) “*Municipally-Licensed Premises*” means the particular building, buildings, or tenant space within which the Municipal License Holder will be authorized to conduct the Facility’s activities pursuant to the Municipal License.
- (54) “*Municipally-Licensed Property*” means the real property comprised of a lot, parcel or other designated unit of real property upon which the Municipally-Licensed Premises is situated.
- (55) “*Person*” means a natural person, company, partnership, profit or non-profit corporation, Limited Liability Company, or any joint venture for a common purpose.
- (56) “*Premises*” means the particular building, buildings, section of land, or tenant space within which a particular use is conducted.
- (57) “*Public Place*” means any area in which the public is invited or generally permitted in the usual course of business.
- (58) “*Rules*” means rules promulgated by the Department in consultation with the Board to implement this Act, including the LARA Rules as may be amended.
- (59) “*Safety Compliance Establishment*” means a person licensed to test marihuana, including certification for potency and the presence of contaminants.
- (60) “*School*” means any property owned or leased by an elementary, parochial, private, or secondary school, including buildings, fields, or other property utilized by the school. Elementary, parochial, private and secondary schools are defined as in the City of Sturgis Zoning Code.
- (61) “*Secure Transporter*” means a person licensed to obtain marihuana form marihuana establishments in order to transport Marihuana to Marihuana Establishments.
- (62) “*Stacked License*” means one or more additional Class C Grower Licenses applied for or issued to either a single Applicant already requesting an initial Class C Grower License or a single Municipal License Holder with at least one Class C Marihuana Grower License under this ordinance.
- (63) “*State Operating License*” or, unless the context requires a different meaning, “*License*”, means a license issued by the Department that allows a person to operate

a Marihuana Establishment.

- (64) “*Temporary Marihuana Event License*” means a state License held by a marihuana event organizer for an event where the onsite sale or consumption of marihuana products, or both, are authorized at the location indicated on the state License during the dates indicated on the state License.
- (65) “*Window*” means the time period set by the City Manager to receive Applications for evaluation by the competitive process as specified in this Ordinance.

(c) *Municipal License Required; Eligibility; General Provisions.*

- (1) The City hereby authorizes the operation of the following types of Marihuana Establishments:
 - i. Growers, Class A
 - ii. Growers, Class B
 - iii. Growers, Class C
 - iv. Processors
 - v. Retailer
 - vi. Safety Compliance Facilities
 - vii. Secure Transporters
 - viii. Marihuana Microbusiness
 - ix. Co-Located Facilities as defined in this Ordinance
- (2) The following number of Municipal Licenses can be issued for each authorized Marihuana Establishment type:
 - i. Growers, Class A: Unlimited
 - ii. Growers, Class B: Unlimited
 - iii. Growers, Class C: Unlimited
 - iv. Processors: Unlimited
 - v. Retailers in B-H 1 Zoning District: 3 Municipal Licenses
 - vi. Retailers in M Zoning District: Unlimited
 - vii. Retailers in all other Districts: 0 Municipal Licenses
 - viii. Safety Compliance Facilities: Unlimited
 - ix. Secure Transporters: Unlimited
 - x. Marihuana Microbusiness in M Zoning District: Unlimited
 - xi. Marihuana Microbusiness in all other Districts: 0 Municipal Licenses
- (3) No person shall operate a Marihuana Establishment at any time or any location within the City unless a currently-effective Municipal License for that person at that location has been issued under this Ordinance. No Marihuana Establishments are allowed nor shall a Municipal License be considered or granted for those activities and facilities defined as a “special license” being a state license described under section 8 of the MRTMA and issued by the state pursuant to section 9 of the MRTMA, MCL 333.2795 and 333.27959, including but not limited to, Designated

Consumption Establishment, Excess Marihuana Grower, Marihuana Event Organizer, Temporary Marihuana Event, and any special license types hereafter recognized by the state.

- (4) Marihuana Establishments shall operate only as allowed under this Ordinance.
- (5) The City Manager is granted the power to fully and effectively implement and administer the Municipal License Application process.
- (6) The requirements set forth in this Ordinance shall be in addition to, and not in lieu of, any other licensing or Municipal Licensing requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances.
- (7) As specified in this Ordinance, each Applicant shall pay nonrefundable Review fees, Application fees, annual fees, renewal fees and inspection fees for Municipal Licenses to the City to defray the costs incurred by the City for inspection, administration and enforcement of the local regulations regarding Marihuana Establishments. The City Commission shall by resolution set the fees in an amount not to exceed any limitations imposed by Michigan law. The Municipal License fee requirement shall be in addition to, and not in lieu of, any other licensing and permitting requirements imposed by any other federal, state or City law or ordinance, including, by way of example, any applicable zoning or building permits.
- (8) The City has no obligation to process or approve any incomplete Application.
- (9) A Municipal License shall remain valid for one year following removal of all stipulations on an issued Municipal License.
- (10) It is the sole and exclusive responsibility of each Municipal License Holder or Applicant at all times during the Application period and during its operation to immediately provide the City with all material changes in any information submitted on an Application and any other changes that may materially affect any state License or its City Municipal License.
- (11) No Municipal License issued under this Ordinance may be assigned or transferred to another person or entity except as specified in this Ordinance. No Municipal License issued under this Ordinance is transferrable to any other location except for the Municipally-Licensed Premises on the Municipally-Licensed Property.
- (12) The original Municipal License issued under this Ordinance shall be prominently displayed at the Municipally-Licensed Premises in a location where it can be easily viewed by the public, law enforcement and administrative authorities.
- (13) A Municipal License Holder may not engage in any other Marihuana Establishment in the Municipally-Licensed Premises or on the Municipally-Licensed Property, or in its name at any other location within the City, without first obtaining a separate Municipal License.

- (14) No Municipal License shall be granted or renewed for a Marihuana Establishment in a residence.
- (15) Co-located Facilities are subject to state law for multiple uses per premises, subject to the City Manager or his designee's determination that such uses are compatible together at that location, are consistent on a shared basis with all the provisions of the MRTMA and each use is consistent with zoning and other provisions of the City Code of Ordinances. If these conditions are met, more than one business may be located on one parcel. Unless higher performance is required by applicable law, there must be a minimum of a one-hour fire wall separating any Marihuana Establishment and any adjacent businesses.
- (16) Stacked License. A Municipal License Holder that is requesting an initial Class C Grower License or a Municipal License Holder that has been issued a Class C Grower License may apply for one or more Stacked Licenses at the same Municipally Licensed Premise subject to all requirements of the MRTMA, administrative rules and local regulations. Each Stacked License is subject to all applicable fees for application and renewal. There are two categories for a Stacked License: Minor or Major.
 - i. Stacked License-Minor. A minor Stacked License is one that does not require changes to the Municipally Licensed Premise or Municipally Licensed Property and does not require changes to the information provided in the original Class C Grower Application. This license type does not require an additional special land use approved by the Planning Commission and maybe approved by the Zoning Administrator.
 - ii. Stacked License-Major. A major license is one that requires changes to the Municipally Licensed Premise or Municipally Licensed Property and/or has changes to the information provided in the original Class C Grower Application. This license type must follow all of the application requirements and approvals.
- (d) *Other Laws and Ordinances.* In addition to the terms of the Ordinance, any Marihuana Establishment shall comply with all City Ordinances, including without limitation the City Zoning Ordinance, and with all other applicable state and local ordinances, laws, codes and regulations.
- (e) *Application for and Renewal of Municipal License.*
- ...
- (4) Processing and Review of Applications.
- ...
- vii. If all conditions of this Ordinance have been met, the City Clerk shall issue the Municipal License to the Applicant.

- 1) All Municipal Licenses issued have the following stipulations:
 - a. Issuance of License Qualification by the State of Michigan for the Municipal License Holder under State law and the City of Sturgis receiving a copy of that License Qualification prior to occupancy.
 - b. Issuance of final occupancy of the Municipally-Licensed Premises by the Community Development Department. All construction must be in accordance with applicable zoning ordinances, building codes, and any other applicable state or local laws, rules or regulations.
 - c. For Processors and Class A, B, and C Growers and Microbusinesses proposing to connect to or to contribute to the POTW, a wastewater discharge permit. Refer to City of Sturgis Code of Ordinances Section 62-191.
 - d. Issuance of Final Approval by the State of Michigan and the City of Sturgis receiving a copy of the Final Approval prior to the business opening.
- 2) A Municipal License Holder has one (1) year from the date of issuance to meet all stipulations of the Municipal License. If all stipulations are not met in this timeframe, the Municipal License is revoked and considered denied. A Municipal License Holder may request an extension up to six (6) months to this timeframe, which may be granted by the City Clerk.
 - a. If a Municipal License Holder has been issued an extension, a building permit has been issued for the Municipally Licensed Premise and construction is ongoing or completed, but they have not satisfied all the stipulations of the permit, the permit holder may apply for an extension request with the City Commission.

...

City Controller Holly Keyser explained that in an effort to attract and retain employees part-time and seasonal employees, staff is proposing to include an adult Doyle membership to their compensation. Discussion followed.

Moved by Comm. Malone and seconded by Comm. Smith to approve the amendment to the Doyle Membership Policy as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Josh Czajkowski provided information on the bids related to a new skid steer. Discussion followed.

Moved by Comm. Bir and seconded by Comm. Wickey to approve the purchase of a 2021 John Deere 325G Skid Steer from AIS Construction equipment in the amount of sixty-three thousand, six hundred and twenty-two dollars (\$63,622.00) as presented.

Voting yea: Bir, Wickey, Malone, Littman, Hile

Voting nay: Klinger, Smith, Good, Mullins

MOTION CARRIED

Moved by Comm. Mullins and seconded by Comm. Bir to authorize the sale of vehicle #233-04 a 2004 Caterpillar Multi-Terrain Loader via public auction.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Josh Czajkowski provided information on the bids related to a new mini excavator. Discussion followed.

Moved by Comm. Bir and seconded by Comm. Good to approve the purchase of a 2021 Bobcat E35i Mini Excavator from Carleton Equipment Company in the amount of forty-eight thousand two hundred dollars (\$48,200.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Josh Czajkowski provided information for preliminary engineering on improvements at the Sturgis Dam. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve a bid waiver for and the proposal from Lawson-Fisher Associates to conduct the Embankment Rehabilitation Study in an amount not-to-be exceed sixty-eight thousand dollars (\$68,000.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 7:26 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

Date	Check#	Vendor	Vendor Name	Amount
Manual Checks				
04-26-2021	239788M	05910	JOINT APPR & TRAIN TRUST FUND	4,000.00
04-26-2021	239789M	03833	COCM	230.00
04-30-2021	239790M	06141	AMY SWETCOFF	187.00
04-16-2021	PR0554M	00061	CITY OF STURGIS PAYROLL	260,170.73
04-21-2021	T13653M	01127	STATE OF MICHIGAN	690.00
04-21-2021	T13654M	01127	STATE OF MICHIGAN	1,602.50
04-26-2021	T13655M	04197	MI PUBLIC POWER AGENCY	181,246.66
04-28-2021	T13656M	04088	BLUE CROSS BLUE SHIELD OF MI	23,864.30
04-27-2021	T13657M	05903	WEST SIDE BEER DISTRIBUTING	161.80
04-29-2021	T13658M	05892	PAYCOR	325.45
04-16-2021	T13659M	00062	CITY OF STURGIS-EMPLOYEE INS	59,181.66
04-16-2021	T13660M	04294	CITY OF STURGIS-BASIC/SBT	161.70
04-16-2021	T13661M	05588	ALERUS FINANCIAL/MERS TRANSFER	2,280.00
04-16-2021	T13662M	04609	FIFTH THIRD/HSA TXFR	550.00
04-16-2021	T13663M	00065	DOYLE MEMBERSHIP TRANSFER	2,129.00
04-16-2021	T13664M	00063	CITY OF STURGIS TAX TRANSFER	14,644.92
04-16-2021	T13665M	05123	COMERICA BANK-INST TRUST SERV	27,590.93
04-16-2021	T13666M	03229	CITY OF STURGIS-WORKERS COMP	2,316.79
04-16-2021	T13667M	00064	INTL CITY MGMT ASSOC RETR CORP	6,007.19
05-20-2021	T13668M	00197	CITY OF STURGIS UTILITIES	4,556.10
05-20-2021	T13669M	00197	CITY OF STURGIS UTILITIES	9,030.11
05-04-2021	T13670M	00197	CITY OF STURGIS UTILITIES	13,552.84
05-12-2021	T13671M	00197	CITY OF STURGIS UTILITIES	13,595.34
05-26-2021	T13672M	00197	CITY OF STURGIS UTILITIES	2,890.27
05-06-2021	T13673M	03770	MICHIGAN GAS UTILITIES	599.77
05-06-2021	T13674M	03770	MICHIGAN GAS UTILITIES	85.57
05-07-2021	T13675M	03770	MICHIGAN GAS UTILITIES	43.19
05-07-2021	T13676M	03770	MICHIGAN GAS UTILITIES	511.89
05-14-2021	T13677M	03770	MICHIGAN GAS UTILITIES	231.63
05-17-2021	T13678M	03770	MICHIGAN GAS UTILITIES	783.52
05-17-2021	T13679M	03770	MICHIGAN GAS UTILITIES	785.64
05-17-2021	T13680M	03770	MICHIGAN GAS UTILITIES	198.44
05-19-2021	T13681M	03770	MICHIGAN GAS UTILITIES	268.62
05-20-2021	T13682M	03770	MICHIGAN GAS UTILITIES	646.84
05-20-2021	T13683M	03770	MICHIGAN GAS UTILITIES	56.06
05-20-2021	T13684M	03770	MICHIGAN GAS UTILITIES	160.85
05-03-2021	T13685M	04389	FRONTIER COMMUNICATIONS A	105.30
05-13-2021	T13686M	04389	FRONTIER COMMUNICATIONS A	51.10
05-13-2021	T13687M	04389	FRONTIER COMMUNICATIONS A	55.93
05-13-2021	T13688M	04389	FRONTIER COMMUNICATIONS A	26.33
05-13-2021	T13689M	04389	FRONTIER COMMUNICATIONS A	67.33
05-13-2021	T13690M	04389	FRONTIER COMMUNICATIONS A	169.82
05-13-2021	T13691M	04389	FRONTIER COMMUNICATIONS A	145.98
05-14-2021	T13692M	04389	FRONTIER COMMUNICATIONS A	193.05
05-14-2021	T13693M	04389	FRONTIER COMMUNICATIONS A	53.14
05-17-2021	T13694M	04389	FRONTIER COMMUNICATIONS A	609.74
05-19-2021	T13695M	04389	FRONTIER COMMUNICATIONS A	212.43
05-19-2021	T13696M	04389	FRONTIER COMMUNICATIONS A	226.23
05-24-2021	T13697M	04389	FRONTIER COMMUNICATIONS A	1.84
05-10-2021	T13698M	04421	AT&T MOBILITY	755.04
05-12-2021	T13699M	02909	CHARTER COMMUNICATIONS	585.91
05-03-2021	T13700M	04197	MI PUBLIC POWER AGENCY	195,558.62
05-01-2021	T13701M	03951	SOUTHERN MICHIGAN BANK & TRUST	1,658.42
05-01-2021	T13702M	04088	BLUE CROSS BLUE SHIELD OF MI	28,159.31
05-12-2021	T13703M	00512	CAMOCO FUEL SYSTEM	11,535.30
05-01-2021	T13704M	04291	HUNTINGTON NATIONAL BANK	3,064.69
05-05-2021	T13705M	06121	GREENBAKER RENEWABLE ENERGY	2,195.12
Automatic Checks				
05-12-2021	239791	00110	A & K PRINTING & POOLS	315.00
05-12-2021	239792	00066	ACTION QUICK PRINT PLUS	145.00
05-12-2021	239793	00332	ALEXANDER CHEMICAL CORP	6.00
05-12-2021	239794	00002	ALL-PHASE ELECTRIC SUPPLY	814.92
05-12-2021	239795	06119	AMAZON.COM SALES INC	1,912.39
05-12-2021	239796	06070	ANGEL ARMOR LLC	1,012.71
05-12-2021	239797	05634	ANTHONY AND KATE PERCIVAL	50.00
05-12-2021	239798	03576	ARROW SERVICES INC	67.55
05-12-2021	239799	02292	ASPLUNDH TREE EXPERT CO	9,291.70
05-12-2021	239800	06117	BENITA ANN LEWIS	45.00
05-12-2021	239801	00072	BIRD, SCHESKE, REED & BEEMER,	7,395.00
05-12-2021	239802	05080	BOBILYA CHRYSLER DODGE JEEP	123.75
05-12-2021	239803	00132	BOFA INC	41.98
05-12-2021	239804	00006	BOLAND TIRE INC	216.00
05-12-2021	239805	05975	NICOLE D BOLDA	600.00
05-12-2021	239806	00296	BRIANNA K BOST	93.12
05-12-2021	239807	00138	BS & A SOFTWARE	2,922.00
05-12-2021	239808	05929	FACTUAL DATA	50.00
05-12-2021	239809	00315	CENTURYLINK	50.64
05-12-2021	239810	01861	CORE COMM	60.00
05-12-2021	239811	05863	COTTINS DO IT BEST HARDWARE	163.49

05-12-2021	239812	05634	DAVID AND DEBRA OCONNELL	50.00
05-12-2021	239813	02005	DELL MARKETING LP	20,551.64
05-12-2021	239814	05155	DH WIRELESS SOLUTIONS	2,765.28
05-12-2021	239815	02815	ENVIRONMENTAL RESOURCE ASSOC	597.45
05-12-2021	239816	06123	EVE FITNESS LLC	160.00
05-12-2021	239817	00296	FANNIE MAE	25.72
05-12-2021	239818	06116	FARRA SCHULER	40.00
05-12-2021	239819	00169	FASTENAL COMPANY	79.16
05-12-2021	239820	05151	FAWN RIVER MECHANICAL LLC	2,958.86
05-12-2021	239821	05490	FERGUSON WATERWORKS #3386	4,500.00
05-12-2021	239822	00013	FISHBECK THOMPSON	22,791.18
05-12-2021	239823	00776	FLEIS & VANDENBRINK	13,310.53
05-12-2021	239824	04389	FRONTIER COMMUNICATIONS A	3,340.34
05-12-2021	239825	06021	GABRIDGE & COMPANY PLC	30,000.00
05-12-2021	239826	02082	GECKO SECURITY LLC	95.00
05-12-2021	239827	00183	W W GRAINGER INC	536.35
05-12-2021	239828	00578	HAVEL	7,106.00
05-12-2021	239829	03402	SHARON HUDSON	160.00
05-12-2021	239830	04922	HUTSON ASSESSING INC	5,228.20
05-12-2021	239831	00296	JASON M WEBB	35.82
05-12-2021	239832	05842	JOHN DEERE FINANCIAL	54.99
05-12-2021	239833	06140	KEITH NUNN	300.00
05-12-2021	239834	00020	KENDRICK STATIONERS INC	110.70
05-12-2021	239835	01615	KENNEDY INDUSTRIES INC.	3,516.38
05-12-2021	239836	03284	TERRY KOEHL	160.00
05-12-2021	239837	00041	LUCY ZIMMERMAN	135.83
05-12-2021	239838	00296	MACKENZIE K ANDERSON	88.89
05-12-2021	239839	05634	MARIA MUNOZ	50.00
05-12-2021	239840	05945	MED SAFETY PLUS LLC	230.40
05-12-2021	239841	06128	MERCHANDISE EQUIPMENT & SUPPLY	17,994.06
05-12-2021	239842	04817	MICHIANA RECYCLING AND	846.81
05-12-2021	239843	00024	STATE OF MICHIGAN - MDOT	663.92
05-12-2021	239844	05121	MICKEY'S LINEN	211.35
05-12-2021	239845	06026	MID-CITY SUPPLY CO INC	34.50
05-12-2021	239846	04014	MILLERS SALES & SERVICE	332.11
05-12-2021	239847	06138	MUTUAL OF OMAHA INSURANCE CO	4,138.94
05-12-2021	239848	05753	NALCO WATER PRETREATMENT	43.89
05-12-2021	239849	06069	NAPA AUTO PARTS	1,142.79
05-12-2021	239850	00296	NEWKIRK ELECTRIC ASSOCIATES	122.31
05-12-2021	239851	05677	NORTH BREATHING AIR LLC	520.00
05-12-2021	239852	03080	OTIS ELEVATOR COMPANY	752.64
05-12-2021	239853	02365	G PERSING INC	2,680.20
05-12-2021	239854	03104	PHILLIPS STEEL CORPORATION	165.15
05-12-2021	239855	05042	PLANT GROWTH MANAGEMENT SYSTEM	3,465.60
05-12-2021	239856	00033	POSTNET POSTAL & BUSINESS	200.32
05-12-2021	239857	00485	POWER LINE SUPPLY	13,331.90
05-12-2021	239858	04481	PROF SPORTS SPECIFIC TRAINING	180.00
05-12-2021	239859	05468	PVS TECHNOLOGIES INC	2,199.94
05-12-2021	239860	04844	R & R FABWERKS LLC	125.00
05-12-2021	239861	04251	RAI JETS LLC	1,260.00
05-12-2021	239862	00279	RATHCO SAFETY SUPPLY	1,310.50
05-12-2021	239863	00035	RESCO	322.50
05-12-2021	239864	05379	S & S INDUSTRIAL SUPPLY	386.60
05-12-2021	239865	00276	SAFETY SERVICES INC	121.41
05-12-2021	239866	00296	SHELBY J ROBINSON	79.08
05-12-2021	239867	00296	SILVIA M WOLFE	30.74
05-12-2021	239868	04210	SONS OF THE AMERICAN LEGION	739.91
05-12-2021	239869	02179	SPRINT	1,419.28
05-12-2021	239870	00099	ST JOSEPH COUNTY	1,091.95
05-12-2021	239871	00101	STURGIS NEIGHBORHOOD PROGRAM	5,033.33
05-12-2021	239872	00507	STURGIS OVERHEAD DOOR & LADDER	1,030.82
05-12-2021	239873	04140	SWICK BROADCASTING COMPANY	594.00
05-12-2021	239874	00296	TAMMY L AND KRISTEN L HAWES	32.33
05-12-2021	239875	05682	ROBERT TAYLOR	80.00
05-12-2021	239876	06125	THE COPY IMAGE INC	400.00
05-12-2021	239877	05777	TRACE ANALYTICAL LABORATORIES	3,991.80
05-12-2021	239878	05999	TRI-STATE LINE-X	701.00
05-12-2021	239879	04326	USA BLUEBOOK ACCT #665206	86.84
05-12-2021	239880	00556	VIVIAN VANNEST	160.00
05-12-2021	239881	04453	VERIZON WIRELESS	2,389.74
05-12-2021	239882	05659	WARNER OIL COMPANY	99.96
05-12-2021	239883	03511	WASTE MANAGEMENT	120.00
05-12-2021	239884	06107	YEOMAN, TALIA	300.00
05-12-2021	D01676	04066	BORDEN WASTE-AWAY SERVICE INC	6,396.46
05-12-2021	D01677	00077	CARQUEST AUTO PARTS	23.48
05-12-2021	D01678	02983	CINTAS LOCATION #351	1,151.05
05-12-2021	D01679	03922	MARANA GROUP	2,379.16

Manual Total	\$880,767.94
Automatic Total	\$225,328.92

Grand Total	\$1,106,096.86
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PAYROLL DISBURSEMENT
FOR PAYROLL ENDING 04/11/2021
PR0554M PAYROLL DATE 04/16/2021

GENERAL	\$130,935.72
MAJOR STREET	8,690.37
LOCAL STREET	6,856.20
CEMETERY	4,216.53
DDA	771.13
AIRPORT	0.00
BUILDING	2,283.91
STURGES-YOUNG CENTER FOR THE ARTS	6,333.10
RECREATION	1,972.71
DOYLE RECREATION CENTER	5,499.95
ELECTRIC	68,809.19
SEWER	14,347.74
WATER	7,036.20
MOTOR VEHICLE	2,417.98
Payroll Sub-Total	\$260,170.73

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10A

NOTICE OF ESTIMATED SPECIAL ASSESSMENT

NOTICE IS HEREBY GIVEN that the CITY OF STURGIS, by Resolution passed by its City Commission at a meeting held on the ____ day of _____, 2021, has determined to make a public improvement consisting of (the repair of existing sidewalks), and that said improvement may be assessed on the following described parcels of real estate in the estimated amounts indicated:

<u>Tax I.D. #</u>	<u>OWNER</u>	<u>ADDRESS</u>	<u>Amount</u>
75-052-040-388-00	Susan Owen	212 S. Jefferson	\$72.00
75-052-110-004-00	James Talbert	306 W. Congress	\$256.00
75-052-110-005-00	James Talbert	308 W. Congress	\$476.00
75-052-110-001-00	Gilberto Zarazue	301 S. Clay	\$1,302.00
75-052-040-391-00	Henry Schwartz	303 W. Congress	\$268.00
75-052-040-390-00	Douglas Brown	305 W. Congress	\$220.00
75-052-110-026-00	Congress Investments, LLC	301 S. Jefferson	\$1,580.00
75-052-040-370-00	Boland Tire Inc.	209 S. Jefferson	\$420.00
75-052-040-375-00	Congress Investments, LLC	405 W. Congress	\$1,704.00
75-052-110-027-00	Daniel Boring	406 W. Congress	\$394.00
75-052-777-146-00	Omnisource, LLC	408 W. Congress	\$768.00
75-052-330-077-00	CAC1, LLC	409 W. Congress	\$1,266.00
75-052-777-280-00	Prairie Investments LLC	W. Congress	\$80.00
75-052-330-076-00	Jamie & Sharon Crites	411 W. Congress	\$856.00
75-052-530-001-00	William Krontz	412 W. Congress	\$160.00
75-052-330-075-00	Roger Halstead	413 W. Congress	\$52.00
75-052-330-074-00	Mayuiers Home Rentals LLC	212 Grove	\$80.00
75-052-530-002-00	CAC1, LLC	500 W. Congress	\$384.00
75-052-530-003-00	CAC1, LLC	502 W. Congress	\$232.00
75-052-530-004-00	Bobbie Lytle	506 W. Congress	\$476.00
75-052-777-121-00	David Broker	209 Grove	\$210.00
75-052-530-005-00	Charles & Cynthia Huber	508 W. Congress	\$192.00

Parcel Number	Property Owner Name	Property Address	Owner Cost
75-052-777-120-00	James & Ina Taulbee	509 W. Congress	\$72.00
75-052-530-006-00	Henry Schwartz	510 W. Congress	\$374.00
75-052-710-001-00	Jamie & Sharon Crites	213 Surprise	\$256.00
75-052-530-013-00	Christopher Merrill	600 W. Congress	\$636.00
75-052-530-014-00	Patricia Dils - LC	602 W. Congress	\$256.00
75-052-530-015-00	Terry Lynn Meyers	604 W. Congress	\$722.00
75-052-530-016-00	Jose Lopez Garcia	606 W. Congress	\$326.00
75-052-530-012-00	Barbara Sanchez	122 S. Orange	\$96.00
75-052-510-036-00	Charles & Judith Snyder	121 S. Orange	\$104.00
75-052-530-021-00	Larry Crites	700 W. Congress	\$264.00
75-052-530-022-00	Miguel Nieves Paredes	702 W. Congress	\$128.00
75-052-510-035-00	Jennifer Norris	703 W. Congress	\$110.00
75-052-530-023-00	Edward Mcnew - Trust	704 W. Congress	\$294.00
75-052-530-024-00	Edward Mcnew - Trust	706 W. Congress	\$480.00
75-052-510-026-00	Razi Properties LLC	114 S. Centerville	\$692.00

Executed as of the ____ day of _____, 2021.

THE CITY OF STURGIS

By: _____
Mayor

By: _____
Clerk

STATE OF MICHIGAN,)
) ss:
COUNTY OF ST. JOSEPH.)

On this ____ day of _____, 2021 personally appeared before me, a Notary Public in and for the County of St. Joseph, Michigan, Robert Hile, Mayor of The City of Sturgis and Kenneth Rhodes, Clerk of The City of Sturgis and each say that they have executed the foregoing Notice of Special Assessments of their free act and deed.

Notary Public
St. Joseph County, Michigan
My Commission Expires: _____

Prepared in the offices of:
Bird, Scheske, Reed, & Beemer
227 West Chicago Road
P.O. Box 7158
Sturgis, Michigan 49091
By: Roger A. Bird
(269) 651-2445

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10B



Sturgis Area Community Foundation

CONSTANTINE • STURGIS • WHITE PIGEON

May 5, 2021

Dear Commissioners,

For over 60 years, the Sturgis Area Community Foundation (SACF) has worked to improve the quality of life for area residents through our role as a grantmaker and steward of permanently endowed funds to support local communities. As we look to the future, SACF seeks to partner with the City to provide residents with a simple, easy way to invest in our future and make a difference in the community. SACF is requesting your support to implement the SACF Round Up program, which will provide utility service customers with an option to donate to SACF by rounding up their electric utility bill to the nearest dollar. Contributions received through the Round Up program will be deposited into a fund at the Foundation that is restricted to supporting community projects within the utility service customer area. Round Up donations will be completely optional and require customers to opt into the program by making an additional selection, ensuring only those that truly want to donate are impacted.

To provide this service to the community, the City of Sturgis will need to purchase a billing software upgrade at a cost of \$6,106. If the City is willing to implement the Round Up program, SACF will cover 100% of these software upgrade costs, as we believe the funds reinvested in the community will outweigh this initial cost.

Thank you for your time and consideration of this request. Together, we believe this small act will yield big results.

Sincerely,

Lindsay Richardson, Executive Director



SACF

310 North Franks Ave., Sturgis, MI 49091
269-659-8508
www.sturgisfoundation.org
sacf@sturgisfoundation.org

Facebook • [Sturgis Foundation](#)
Twitter • [SturgisFound](#)
Instagram • [SturgisFoundation](#)

Sturgis Area Community
Foundation & City of Sturgis

Rounding Up For Sturgis

PROGRAM OUTLINE

1

SACF covers the costs of billing software upgrades for the City of Sturgis to enable a customer Round Up program

2

Customers can elect to round up their electric bill to the nearest dollar in support of community needs

3

Contributions received from the Round Up program are deposited into a Community Foundation Fund restricted to grant projects within the utility customer service area

4

SACF and the City of Sturgis work together to identify projects and opportunities to make a community impact

5

Funds are then re-invested into the Sturgis Community through grants from the Round Up fund



QUOTE

52 Hillside Court
Englewood, OH 45322
Phone: (800) 686-9313
Fax: (937) 836-1036

Customer

City of Sturgis
130 North Nottawa
Sturgis, MI 49091

Prepared by: M. Matherne
Account Manager: Mark VanHoose
Date: 3/24/2021
Client No. 3560
Order #: 3560 032421

Holly Keyser
269-659-7221
Hkeyser@sturgismi.gov

Pricing Valid Until: **Friday, April 23, 2021**

LINE	DESCRIPTION		QTY	PRICE PER UNIT	EXTENDED PRICE
1	MOD - Client Server Utility		1	\$ 6,106	\$ 6,106
TOTAL					\$ 6,106

NOTES

* A program function will be added to calculate a new charge to roundup the Utility bill to the nearest dollar amount. It will print as a separate dollar amount on the bill and go to its own G/L numbers. A program can be run that will create a file of all these amounts paid by account for the year. Civica will train the client on importing the data into MS Word so a statement can be generated for the customers.

* **Additional cost may be incurred if there are unforeseen changes to this modification.**

Civica Standard Terms and Conditions Apply

Terms: An invoice for the total cost will be sent upon receipt of the signed quote, with payment due upon receipt of invoice

Your authorized signature or attached purchase order makes this a binding contractual agreement subject to all the standard Civica terms and conditions. Please fax signed order to 937-836-1036.

x _____
Customer Signature

x _____
Date

x _____
Printed Name

x _____
Purchase Order No.

x _____
Civica's Managing Director

x _____
Date

PROJECT / ISSUE ANALYSIS REPORT

DATE: December 13, 2012
DEPARTMENT: City Manager's Office
PREPARING STAFF MEMBER: Andrew Kuk



Utility Round Up Program (UPDATED)

Executive Summary

City staff initially prepared this analysis in 2011 to assess the costs and alternatives involved with the implementation of a utility round up program. The report provides several alternatives based on a brief review of other programs from around the country and known costs for implementation at the time. This updated report provides a staff recommendation for a utility round up program based on previous discussions with the City Commission.

Background

In 2011, the City Commission was presented with a proposal by area arts and culture organizations to institute a “round up” program in the utilities department with funds to be collected and distributed to arts organizations operating in the community. These organizations included the Sturgis Civic Players, Sturgis Wind Symphony, and the Open Door Gallery. During several meetings in March and April of 2011 the Commission discussed the issue and reviewed information from staff on the cost of instituting a round up program and the administration of round up programs in other communities in Michigan and around the country. No Commission action was taken on a round up program at that time.

At a recent Commission planning meeting staff again discussed with the Commission the possibility of a round up program for arts agencies. This issue analysis provides a staff recommendation based on previous discussions.

Citizen Input

At this time no citizen input has been gathered on this topic.

Alternatives

Numbered list of alternatives surrounding the project or issue that were considered.

1. Institute a round up program dedicated for specific arts agencies
 2. Institute a round up program using a grant structure dedicated for any arts agency
 3. Institute a round up program for other purposes
 4. Do not institute a round up program
-

Analysis

Alternative 1: Institute a round up program dedicated for specific arts agencies

Alternative 1 involves the institution of a round up program for utilities in line with the proposal presented at the March 23rd 2011 meeting. The utility bills of participating Sturgis customers would be rounded up to the nearest dollar each month, with these additional funds distributed equally to the Sturgis Civic Players, Sturgis Wind Symphony, and the Open Door Gallery.

Establishment of the program would involve upgrades to the City's CMI utility billing software, as well as staff time to establish the system, facilitate promotion of the program, and administer participation in either an opt-in or opt-out program (see Additional Discussion section below).

Under this alternative, additional resources would be allocated to the above arts programs. Staff estimated in 2011 that the total amount gathered by an opt-in round up program would be between \$4,000.00 and \$12,000.00 based on a 10% to 30% participation rate. Under an opt-out program, participation would be anticipated to be higher.

Cost for Alternative: \$1,280.00 +

Based on a quote from CMI, the cost to upgrade the utility billing software is \$1,280.00; this would allow for the round up calculation to be automated, the amount displayed on the bill of a participating customer, and distribution of the round up funds to a separate dedicated account. Additional costs would be incurred for staff setup and training, any program promotion completed, and minimal administration by customer service of those opting in or out of the program.

Alternative 2: Institute a round up program using a grant structure dedicated for any arts agency

From research on other round up programs around the country, several utilized a structure where round up funds were collected and then distributed by an organization on a per-project basis, much like a grant. Often access to these "grants" were limited by purpose; in some cases to area non-profits serving the needy, in others for education, in still others for additional purposes deemed by the organization to be worthwhile. The administering organization varied based on the utility; some used a local United Way, others a dedicated foundation or board setup by the utility, and still others a local non-profit. In Sturgis possible alternatives include the United Way or the Sturgis Area Community Foundation. City staff recently contacted the Community Foundation regarding the possibility of designing a program and received feedback that this arrangement remains available.

Under this alternative, the funds collected by the round up would be distributed to the non-profit administering organization who would then distribute to arts organizations like the Sturgis Civic Players, Sturgis Wind Symphony, the Open Door Gallery, or others on a

competitive, per-project basis. Key to this alternative would be associating with a non-profit organization of some form that would be willing to take on the granting process. Funds would be limited to arts purposes based on Commission dedication.

As with Alternative 1, this alternative would require software upgrades and staff time to implement, as well as additional staff time to initially coordinate with a suitable organization for funding distribution. Once again, additional resources between \$4,000.00 and \$12,000.00 were estimated to be available on a yearly basis to arts organizations under this alternative.

Cost for Alternative: \$1,280.00 +

The cost to upgrade the utility billing software is \$1,280.00. Additional costs would be incurred for staff setup and training, any program promotion completed, minimal administration by customer service of those opting in or out of the program, and organization and coordination with the administering non-profit or organization.

Alternative 3: Institute a round up program for other purposes

As discussed in Alternative 2, round up programs across the country have been used for various purposes. Some of the most common uses of funds include grants to local non-profit organizations serving the community, grants for education purposes (scholarships or equipment), and assistance to needy families for utility payments. Research found additional examples of round up programs dedicated for the arts, as well as one dedicated to fund community beautification.

Under this alternative, the funds gathered in a round up program would be dedicated either via direct organization funding (Alternative 1), grant process (Alternative 2), or an alternative process; the purpose for this funding would be decided by the City Commission. As mentioned, many round up programs are used for utility payment assistance for needy families, often on a one-time basis. Under these programs, an outside organization (typically a non-profit agency) will administer requests for assistance and the use of round up funding. Many other possible purposes for the funding exist and consideration of alternatives would be left to the Commission.

With this alternative, software upgrades and staff time would still be necessary. This alternative provides the same estimated funding (\$4,000.00 to \$12,000.00) but provides the Commission with additional options for dedicating these funds.

Cost for Alternative: \$1,280.00 +

The cost to upgrade the utility billing software is \$1,280.00. Additional costs would be incurred for staff setup and training, any program promotion completed, minimal administration by customer service of those opting in or out of the program, and potential organization and coordination with the administering non-profit or organization.

Alternative 4: Do not institute a round up program

Under this alternative, the City would not act further on the request to institute a round up program for the arts or other organizations. This alternative would have no impact on staff time or budget. No additional resources would be allocated to arts, culture, or other programs as a result of this alternative.

Cost for Alternative: \$0.00

Additional Discussion

Opt-In / Opt-Out Programs. In researching other communities, many utilize an opt-out system whereby customers are initially signed up to participate and can “opt-out” of paying the round up amount. In contrast, under an opt-in system, customers must actively choose to start participating. Participation is anticipated to be higher under an opt-out program. Under an opt-in program, communication of the program is more critical to ensure adequate levels of participation. Legalities of the opt-out option in Michigan are not known and have not been researched to date; both utilities located in Michigan that were reviewed operated on an opt-in basis.

Round Up Plus One Dollar. Some utilities had an option to “round up plus one dollar” where customers would choose to donate an additional dollar beyond their round up amount each month. This option is offered by the Lansing Board of Water and Light among others around the country. Instituting this option would slightly change the scope of the software upgrade. Additional funds could be raised under this option, beneficial if customer participation is low.

Customer-Selected Funding. At least one of the communities reviewed offered customers the option of selecting a specific organization to provide funding to (i.e. my round up will be given to the Open Door Gallery only). This option would be difficult to administer, as the CMI software upgrade specified in the quote would not support this capability. Software could be designed for this function, but the cost of the quote would increase to a total of \$1,800.00.

Staff Recommendation

Based on previous discussions with the City Commission both in 2011 and this year, the Commission seemed willing to consider a round up program dedicated to purposes relating to the arts. As has been shown by various Michigan Municipal League presentations, cultural events and activities such as provided by arts organizations can be a critical element to local placemaking efforts.

Reviewing the alternatives presented in 2011, staff feels that a grant-structured program (alternative 2) is the best setup to provide funding impact to a wide variety of arts programs in the City of Sturgis.

Staff anticipates implementation would involve the purchase of software from BS&A to institute the round up program, with proceeds provided to a dedicated fund administered by the Sturgis Area Community Foundation. The purpose of this fund would be defined by the City Commission to include certain eligible arts projects; the scope of the projects and organizations eligible for funding would be decided by the Commission. A committee, ideally to include members of the City Commission, would review eligible projects and determine which receive funding and how much each project receives.

At this time, staff is recommending a simple opt-in program not utilizing the “plus one dollar” concept. This simple approach has the fewest question marks and would allow for quicker implementation. As the program progresses, if the Commission wishes to consider alterations to the nature of the program, that is their option.

Signed and Reviewed

PREPARING STAFF MEMBER

CITY MANAGER REVIEWED

Andrew Kuk
City Manager’s Office

Michael L. Hughes
City Manager

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10C

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10D



Oak Lawn Cemetery Tour Proposal

Submitted by Sturgis Historical Society

Who

Sturgis Historical Society (SHS), in partnership with Sturges-Young Center for the Arts and the Sturgis Civic Players

What

A walking tour through Oak Lawn Cemetery that highlights the lives of 12 Sturgis residents who are buried there. Volunteer guides from Sturgis Historical Society will lead audience members between grave sites. Costumed actors from the Sturgis Civic Players will portray the deceased and deliver accounts of their lives, written in first-person narrative style by Sturgis Historical Society. Where possible, SHS is in communication with descendants of the deceased to obtain approval of the relevant scripts. The theme for the tour is “Notable Firsts in Sturgis History.”

Featured Oak Lawn Cemetery Permanent Residents:

Thomas Collins: 1st Mayor of Sturgis

Mary Hackstaff: 1st City of Sturgis Librarian

Judge John and Ardillacy Sturgis: part of 1st group of settlers on Sturgis Prairie

Jonathan Wait and Susan Buck Wait: 1st entrepreneurs, established 1st Spiritualist Free Church

Dr. Nelson Packard: opened 1st hospital in Sturgis (in building now known as Christmere House)

Wallace Weatherly: part of 1st graduating class of Sturgis Union School

Clarence Jesse: 1st solo flight from Kirsch Municipal Airport

Ray and Elsie Kimball: 1st couple awarded Book of Golden Deeds by Sturgis Exchange Club

Helen Walton Bishop: claimed to be 1st person evacuated onto lifeboat during sinking of Titanic

When

Saturday, September 18, 2021

Saturday, October 16, 2021

Tours depart every half-hour from 4:00 – 6:00 pm, final tours wrap-up around 7:00 pm

*potential additional date of Saturday, October 30, 2021, dependent on demand and other events

Purpose

The mission of the Sturgis Historical Society is simply to connect people to Sturgis and its history. There are many ways we go about doing this, but they all boil down to education. Therefore, as with any project SHS pursues, the main purpose of our proposed cemetery tours program is to educate people about Sturgis's past. Working under the theme of "Notable Firsts in Sturgis History," the message we intend to convey to our audience is that Sturgis's past is full of interesting "firsts" – from our most well-known and loved stories, to those that have gone largely unrecognized. As one of Sturgis's most important historical resources, Oak Lawn provides the perfect setting to do this. Interpreting Sturgis's past within the physical landscape of the cemetery will allow our visitors to directly engage with tangible parts of the past.

As a non-profit organization, SHS's work is also concerned with sustainability. A secondary goal of our Oak Lawn Cemetery tour program, then, is to raise funds and interest for our work of history education in the community. It is our hope that, with City approval, the tour program we present in 2021 can serve as a precedent and template for annually recurring cemetery tours that continue to generate income and awareness for SHS well into the future.

Rules & Regulations

It is of utmost importance that our tour program demonstrate respect for Oak Lawn Cemetery. While Oak Lawn is a great place to explore history, it is also an active burial ground. City officials, plot owners, and family members of the deceased have a vested interest in making sure Sturgis Historical Society respects Oak Lawn as a kind of living museum. We therefore plan to take the following steps to maintain the integrity of Oak Lawn Cemetery:

- Respect by all volunteers and visitors for all policies listed in "City of Sturgis Oak Lawn Cemetery Rules and Regulations" as found on sturgismi.gov, particularly policy numbers:
 - 1 - 18: No person shall leave any refuse in the cemetery except as they deposit it in the receptacles provided for the same.
 - 1 - 19: The cemetery will not be responsible for loss or damage to any article left upon any lot, grave or other part of the cemetery.
 - 1 - 20: The use of the cemetery as a playground will not be permitted.
 - 1 - 21: No dogs allowed in Cemetery.
 - 1 - 22: Speed limit shall be 10 miles per hour on all cemetery drives.
 - 1 - 24: The cemetery grounds shall be declared officially closed, except for official business, from one hour after sunset until sunrise.
 - 1 - 27: No demonstrations, memorial services or other concerted activity, unrelated to funerals, cenotaph services or interments may be held in the cemetery, without prior authorization from the Board of Oaklawn Cemetery.
 - 3 - 15: Strangers are asked not to approach a grave during a funeral and when deemed necessary by the Sexton, or upon request of the lot owner or his representative, a funeral zone may be established and no one except persons attending the funeral or so authorized, will be permitted within its boundaries.
- SHS will direct all visitors to remain on the paved paths for the duration of the tour

- SHS will remain in communication with sexton regarding burials, to avoid overlap with tours and/or disruption of burial ceremonies
- SHS will acquire an insurance policy for volunteers in the event of injury or damaged property
- SHS will facilitate a public hearing in which interested parties may review this proposal and offer comment. The Cemetery/Parks Board Meeting on April 27, 2021, and a later City Commission Meeting will both serve as forums for said public hearings.

Tour Route



Departing each half-hour, two tours will run simultaneously. The tours will take the same counter-clockwise route around Oak Lawn, with Group A starting at Helen Walton Bishop's grave, and Group B beginning at the Sturgis grave.

Logistics & Details

- Parking
 - Visitors will be directed to park along Magnolia Street, in lots at Oak Lawn Park, and in the lot near the maintenance building at Oak Lawn Cemetery.
- Check-in Station
 - SHS requests permission to erect an EZ-Up tent in either the grassy area adjacent to the stone sculpture on S. Nottawa St., or at Oak Lawn Park to serve as a check-in station for visitors. SHS volunteers will staff the tent to check tickets, direct visitors to their tour guides, and answer any questions. If neither of these locations suits the Board, we are open to suggestions.
- Visitors with disabilities
 - SHS requests permission to use golf carts to transport any visitors with disabilities between grave sites. The golf cart will remain on the paved paths at all times.
- Ticketing
 - Tickets will cost \$10 per visitor, and will be made available for pre-purchase in physical and digital form. No refunds or exchanges, except in special circumstances SHS will consider on a case-by-case basis.
- Restroom access
 - SHS requests permission for volunteers to use restroom located inside the office at the center of the Cemetery.
- Chairs at grave sites for actors
 - SHS requests permission to provide chairs for the actors portraying the deceased individuals. Chairs may need to be placed on the grass over grave sites.
- Sound system for guides and actors
 - Tour guides and actors will be equipped with personal microphones to make voices audible to visitors
- Inclement weather
 - In the event of inclement weather, rain dates will be set for the days immediately following each tour (Sunday, September 19, and Sunday, October 17). We define inclement weather as any weather event that affects personal safety, the sound quality of the actors' voices, or vision of the visitors. (e.g., tours will proceed under a light rain or breeze, but a heavy thunderstorm will constitute necessity of a rain date)
- Number of visitors per tour
 - 10 visitors per tour group, with the potential to increase group sizes to 15 depending on demand and number in each party
- COVID-19 Policy
 - SHS will follow any local, state, and federal guidelines regarding the COVID-19 pandemic that may be in place at the time of the cemetery tours. These guidelines may include but are not limited to: symptom checks, the wearing of masks, social distancing where possible, availability of hand sanitizer

Sample Script

**Thomas Collins
1855-1923
1st Mayor of Sturgis**



Welcome to my grave. My name is Thomas Collins, and in life, I was beloved by my fellow Sturgis residents. You see, not only was I elected the first mayor of Sturgis in 1896, but was also chosen to be village president here – twice! – before the city was incorporated. Of course, only our male citizens were permitted to vote in those days – so my popularity may not have extended to everyone.

I was born in 1855 to Irish immigrants. At that time, many in America held fierce prejudice against the Irish Catholics who poured into the country in the wake of the potato famine. To make matters worse, my parents died when I was young, leaving me orphaned. Alone, I made my way to Sturgis at the age of 17, and took a job as a ticket agent and telegraph operator at the old Lake Shore and Michigan Southern railroad depot. I excelled in my role there, bringing in thousands of dollars per year in ticket sales, and earning the trust of my employers and fellow Sturgis residents.

As the 1800s drew to a close and a new century dawned, I found myself in a new business pursuit. By this time, I had already served as mayor, and I now filled the roles of Vice President and cashier at the new Citizens State Bank in downtown Sturgis. I continued with this employment until my death. Most agreed that I was very good at my job and always had a smile for my customers. In this line of work, I had the privilege of doing business with a great many people. When I died, my obituary reported that I had “more to do with the business life of the community than any other individual.”

Outside of my work, I was very involved with the local Masonic lodges. I even served for a time as Eminent Commander of the Meridian Sun Eagle Lodge No. 49, which still operates in Sturgis today. Indeed, Freemasonry was a way of life for me, and it became even more important after an accident in 1910 left my body crippled.

You see, a niece had been visiting me here in Sturgis. Like any doting uncle would, I accompanied her to the train station when it was time for her to return home. I greeted the station agents – my old colleagues – as I helped her board her train. Then, I settled her in her seat and began to make my way back to the platform. At this point, however, the train had begun to move. To an old depot worker like me, it should have been nothing to leap back to the platform – I had certainly done it enough times during my employment there. However, I was not as young as I once was. The porter on board warned me not to attempt it. But I did jump. And I fell.

The papers made my accident a front-page story. Soon everyone in town knew that their friendly former mayor had been in a horrific accident. I was left without the use of my legs, having to endure amputations below both knees.

Perhaps you can see why the brotherhood of the Freemasons and the business relationships I cultivated played so important a role in my life. At such a dark time as that, I needed the comradery and usefulness those occupations offered. After all, I was without close family for most of my life. I was an orphan. I never married. But I was never alone. I surrounded myself with people and was able to maintain my likable disposition.

By the 1920s, I was nearing the end of my life. In late 1922 I contracted what was thought to be a bad cold. More likely, it was what you in the 21st century would recognize as strep throat. I struggled to recover, and without the benefit of antibiotics, the infection spread and my kidneys failed. I died peacefully at my longtime residence – the Hotel Elliot – in the spring of 1923.

It seemed that everyone in town mourned my death. Businesses closed and conducted moments of silence on the day of my funeral. My beloved Masonic orders conducted final ceremonial rites over my body in my rooms at the Hotel Elliot, and I was finally laid to rest here, in beautiful Oak Lawn Cemetery. I am grateful that I was, at the end, not alone, but among friends.

Rules & Regulations

Oak Lawn Cemetery

&

Sturgis Memorial Gardens



OAK LAWN CEMETERY

CITY OF STURGIS, MICHIGAN

**RULES AND REGULATIONS
REVISED 04-27-2021
TABLE OF CONTENTS**

SECTION ONE	General Rules
SECTION TWO	Lot Sales
SECTION THREE	Burials
SECTION FOUR	Memorials & Foundations
SECTION FIVE	Block SS
SECTION SIX	Cremation Section
SECTION SEVEN	Sturgis Memorial Gardens

**OAK LAWN CEMETERY
CITY OF STURGIS, MICHIGAN
RULES AND REGULATIONS**

SECTION ONE - GENERAL RULES

The rules and regulations contained in this document are the result of study and investigation. They are not intended to restrain the owners of interment rights, but to protect them by preventing the inconsiderate from taking unfair advantage of others. Your cooperation and adherence to these rules will assist us to create and preserve the beauty of Oak Lawn Cemetery and Sturgis Memorial Gardens.

- 1-1 Oak Lawn Cemetery will furnish water for the use of all who wish to maintain flowers, urns, etc. Water will be furnished and available from the various spigots located within the Cemetery grounds from April to October weather permitting. Watering of individual lots by setting up hoses & sprinklers by anyone other than Cemetery personnel is prohibited.
- 1-2 Urns are the liability of the lot owners and are governed by the rules and regulations of the Cemetery. The Cemetery assumes no obligation as to the care, maintenance, protection or damage which may result to urns placed upon lots. Urns not filled and planted by June 15th will be picked up by Cemetery staff. If not claimed within one year, they will become the property of the Cemetery and placed in storage.
- 1-3 No more than one urn will be allowed on single grave spaces.
- 1-4 No more than two urns will be allowed to be placed upon two or more grave spaces.
- 1-5 Urns placed in Oak Lawn Cemetery must be of conventional urn type and style. All urns which are of a permanent or semi-permanent type must be placed upon a base. The base is to be placed on the lot, in either marker or monument row. Statues, figurines etc., may be allowed in lieu of urns upon approval of Sexton and Cemetery Board. These must be placed on a base as well.
- 1-6 Urns which become broken, unsightly in appearance or a nuisance, will be removed from the lot.

- 1-7 Cement or heavy posts are not allowed in front or back of any monument or marker.
- 1-8 Plants in pots may not be placed in the ground. They must be left in the pot and placed to the side of the monument or marker. All such potted plants are not to exceed ten (10) inches in diameter and limited to one (1) per lot. Soil and plant materials at seasons end may not be emptied on lots, around trees, bushes etc. Soil from these may be emptied at the Cemetery maintenance barn on a pile designated for this purpose.
- 1-9 Other than Cemetery Staff, No person shall remove the sod or earth from any lot, alley or roadway.
- 1-10 Shrubs, trees, or flowering bushes may not be planted on any lot, without permission of the Sexton.
- 1-11 Birdhouses, bird feeders & wind chimes are not allowed to hang in any trees or bushes within the Cemetery.
- 1-12 All trees, shrubs, plants etc., that are growing in the Cemetery are subject to trimming or removal by the Sexton or those he or she has appointed to do the work , if at any time they become overgrown and interfere with someone's lot or become a hindrance to Cemetery maintenance.
- 1-13 The decoration of lots or graves with boxes, toys, shells, images, wire screens, arbors, trellises, individual artificial flowers anchored in the ground or any objects of a similar nature are prohibited. Tripods, decorative balls, and other such standing decorations are welcome between the dates of December 1st, and April 1st.
- 1-14 For safety reasons, no shepherd staff, hooks, posts, hangers, glass containers, vases etc. are allowed in the Cemetery. Use of wire, nails, iron rods or other objects to anchor artificial flowers, vases, baskets or other objects to the ground will not be permitted April 1st to Nov. 30th. Injury could result when they become detached and thrown by mowing equipment. Artificial flowers should be placed either on the monument or in an urn. Decorations or other objects may not occupy the front, back or wash of the concrete foundations for monuments and markers.
- 1-15 Flowers, wreaths, emblems, plants, etc., used at funerals or placed upon graves at other times, which become unsightly or faded, will be removed. The Cemetery is not responsible for the protection or maintenance of these items.

- 1-16 As part of the annual Spring and Fall clean-up, the Cemetery will remove all decorations which, in their opinion, have no further use. If lot owners wish to save winter decorations, they must remove them before April 1st. Summer plants, must be removed before October 1st. Grave Blankets may be removed earlier by Cemetery personnel because of weather, to prevent the destruction of the sod. Artificial flowers in urns, pots or saddle arrangements that have become faded or unsightly will be removed and disposed of by Cemetery Staff.
- 1-17 No settee, benches or chairs are permitted without written permission from the Sexton and Cemetery Board.
- 1-18 No person shall leave any refuse in the Cemetery unless it has been deposited in trash receptacles.
- 1-19 The Cemetery is not responsible for loss or damage to any article left upon any lot grave or other section of the Cemetery.
- 1-20 Regular Cemetery working hours shall be from 7:30 a.m. to 4:00 p.m. on weekdays. The Cemetery office hours will be 9:00 a.m. to 5:00 p.m. weekdays. The Cemetery office is now located at City Hall 130 N. Nottawa St.
- 1-21 The Cemetery grounds shall be declared officially closed, except for official business from sunset until 8:00 a.m.
- 1-22 Rules and regulations as well as other information are available at the Cemetery office. The Cemetery will not accept any responsibility for any information other than what is given by authorized Cemetery Staff.
- 1-23 Military Service markers are allowed and will be placed next to the foundation wash around monuments and markers.
- 1-24 Demonstrations, memorial services or other activity, unrelated to funerals, cenotaph services or interments may not be held in the Cemetery, without prior authorization from the Board of Oaklawn Cemetery.
- 1-25 Lots at the Cemetery shall be used exclusively for burial purposes. "Burial Purposes" shall include the installation of a cenotaph.
- 1-26 Speed limit, shall be 10 miles per hour on all Cemetery drives.

- 1-27 It is strongly recommended that drivers not attempt to turn around on the Cemetery drives but, continue to drive around a section. Turning around and backing up increases risk of damage to headstones and Cemetery property.
- 1-28 ATV's and other off-road motorized vehicles are not permitted within the Cemetery.
- 1-29 Use of the Cemetery as a playground will not be permitted.
- 1-30 Children must be accompanied and supervised by an adult who shall be responsible for their conduct.
- 1-31 Feeding wildlife is prohibited. Bread, cereal, corn, and other food materials are not permitted to be spread in the Cemetery.
- 1-32 Dogs are not allowed in the Cemetery.

SECTION TWO - LOT SALES

- 2-1 The word lot as used in the Rules and Regulations of Oak Lawn Cemetery designates a parcel of land located in Oak Lawn Cemetery, City of Sturgis, State of Michigan. Each bears the identification of a lot number and block letter. This conveys the right and privilege of burial, the right to construct a monument or marker and such other privileges and rights subject to the rule of Oak Lawn Cemetery, now in force or may be enacted in the future.
- 2-2 The terms of all lot sales will be cash, check, money order, or bank check on the date of purchase. Upon payment in full, a deed will be issued to the buyer. A single lot space is 4 feet x 10 feet with a double lot space at 8 feet x 10 feet.
- 2-3 Lots are not considered sold until payment has been made in full.
- 2-4 A sale, transfer, assignment of a lot, lots or a part of a lot will not be valid without the consent of the Sexton and the proper recording of such a transaction in the official files of Oak Lawn Cemetery.
- 2-5 Oak Lawn Cemetery reserves the right to limit the sale of lots for burial purposes and intended burial purposes. We will not knowingly sell lots for investment purposes, and no person shall be allowed to speculate in said lots.

- 2-6 Corners of all lots shall be marked with a metal or concrete post, the front right hand (facing) post shall be marked with the lot number. These posts shall be set level with the lot grade and no gravel, sand, etc., shall be placed around such lot markers. Lots shall be marked only with lot markers furnished by the Cemetery.
- 2-7 Only Cemetery Staff is allowed to add soil, compost, etc., or use fertilizers, herbicides and pesticides on any lot or grave space. The Cemetery Staff makes every effort to maintain the grounds and, any lot thought to be unsatisfactory may be reported to the Sexton for repairs.
- 2-8 Block - ZZ in Oak Lawn Cemetery will include a cement foundation ribbon with the purchase of a single lot or double lot. The price of the foundation ribbon will be included in the sale of lots for this specific block.

SECTION THREE - BURIALS

- 3-1 The Sexton or Authorized Cemetery Staff will supervise all interments or services.
- 3-2 No interment of any body other than that of a human being will be permitted.
- 3-3 The Cemetery reserves the right to refuse any order for interment with less than 24 hours notice during summer months and 48 hours notice during winter months before the time of the funeral. Winter months are from November 1st thru April 1st.
- 3-4 Oak Lawn Cemetery will not accept orders for interments on Sundays or the following recognized holidays: Christmas, Christmas Eve Day, Thanksgiving, Day after Thanksgiving, Memorial Day, New Year 's Day, Fourth of July, Labor Day, and Good Friday.
- 3-5 Payment for interment and receipt of burial permit will be required within three (3) days of the burial.
- 3-6 The Cemetery will not assume any responsibility for errors in location in the opening of graves when such orders are given by any means other than written communication . Orders from Funeral Home staff for the opening of graves will be construed as orders from the lot owner or owners.

- 3-7 All Full burials in Oak Lawn Cemetery as well as Sturgis Memorial Gardens are to be made in concrete or metallic outer cases. Concrete outer cases to be defined as concrete vaults, concrete boxes, wood, metal or other substance encased in concrete. Metallic outer cases are those constructed of material of not less than 12 gauge thickness.
- 3-8 Burial outer cases over five feet in length will be classified as adult size.
- 3-9 All cremations must be in standard cremation boxes, urns, or concrete vaults. Any exceptions to the rule must be cleared thru the Sexton and or Cemetery Board. Cremains are not to be spread in the Cemetery over family lots, in flower gardens or bushes. All cremations must follow the above rules for burial. If remains are found on a grave space an invoice for an interment fee will be sent to the owner of the lot.
- 3-10 Per single grave site, the maximum number of burials is as follows:
- a. One (1) full interment & Four (4) cremains without vaults.
 - b. Four (4) cremains in vaults.
 - c. Six (6) cremains in standard size containers without vaults.
- 3-11 Vaults that are used for burials in Oak Lawn Cemetery must be in place to receive casket one hour prior to the scheduled time of the funeral service.
- 3-12 Graves will be opened and closed by employees of the Cemetery and graves will not be reopened for inspection except for official investigation.
- 3-13 Disinterment of a body will not be made until the written consent of the next of kin of the person whose body is to be disinterred and/or all legal documentation has been submitted to a licensed Mortician.
- 3-14 Interments in lots for which deeds have been issued shall be restricted to members of the family and relatives of the owner or owners. Such interments require written consent from the owner or owners or the next of kin. Special written consent must be given by the owner or owners for interments contrary to this rule. All written consent must be notarized.
- 3-15 The Cemetery will not assume responsibility for any damage that might occur in the placing of a body in any mausoleum or crypt. Cemetery Staff will perform the service required with the utmost diligence and care.

- 3-16 Upon request of the lot owner or his representative, a funeral zone may be established and no one except persons attending the funeral or so authorized, will be permitted within its boundaries. Strangers are asked not to approach a grave during a funeral.
- 3-17 Funeral Directors are asked to contact the Cemetery before definitively establishing the time of a funeral because, in some instances the Cemetery already has interment arrangements which may cause a conflict due to location or the proper provision of service. For this reason the Cemetery reserves the right to ask for a change in the funeral hour so as to best serve the families of the deceased.
- 3-18 Any Burial work that occurs after 4 pm will be charged an hourly rate to cover overtime costs
- 3-19 Funeral processions while in the Cemetery will be under the direction and control of the Sexton or his duly appointed staff. Funeral processions and Cemetery vehicles shall have preference over all other vehicles.
- 3-20 All funerals and interments made in Oak Lawn Cemetery are to be conducted in an orderly and dignified manner. The Sexton is authorized to take such means, as in his opinion are necessary, to preserve this order and dignity.
- 3-21 All bodies entombed into any mausoleum or lawn crypt must be embalmed.

SECTION FOUR - MEMORIALS & FOUNDATIONS

- 4-1 All orders for the installation of foundations for memorial work must be submitted on an official order form. The order must be signed by the person, firm, or corporation ordering the foundation installed. The Cemetery will not be bound to honor these foundation orders for the installation of foundations until the above instructions have been complied with.
- 4-2 All foundations for memorial work placed in Oak Lawn Cemetery or Sturgis Memorial Gardens are to be completed by the Cemetery or by its authorized agency. All such work shall be under the direction of the Sexton.
- 4-3 Foundations will be charged to the person, firm or corporation ordering the foundation installed. All charges for foundations must be paid in full at the time of purchase.

- 4-4 If a foundation is placed before a marker or monument has been ordered and needs to be removed because of a change made by the owner to a different size, the lot owner will be charged time and materials to remove the existing foundation. Also the owner will be responsible for the payment of a new foundation to be placed at the current rate. If for any reason a monument is to be removed and replaced with another, the new monument must be approved by the Sexton to make sure it applies with all of the requirements of that section.
- 4-5 Once a foundation is poured no additions are to be added, or attached in any way without the permission of the Sexton or Cemetery Board. No holes are allowed to be bored into the foundation as this takes away from the integrity of the foundation as well as decreases the size of the wash required around the marker or monument.
- 4-6 Foundations will be installed with the top of the foundation conforming with the lot grade as determined by the Cemetery.
- 4-7 No monuments, markers, etc., may be placed on a lot before the foundation is installed. A call will be placed to all Monument companies informing them when foundations are complete. At that time they can deliver all monuments and markers.
- 4-8 It is the intent of the Cemetery to install foundations at least twice yearly. Once in May and once in October. If quantities are great enough to warrant a pouring in mid-summer Cemetery Staff will attempt to do so if their schedule allows.
- 4-9 All mausoleums, monuments, headstones, markers or other permanent memorials above ground, or partly above ground, must be constructed of first quality granite or marble. All such materials which are used in memorial work must be guaranteed by the Memorial Dealer to be of first grade, clear stone at least six inches in thickness, free from sap or anything which will cause rust stains, that it will not crack or check, and has been executed in first grade workmanship.
- 4-10 All memorial work in Oak Lawn Cemetery or Sturgis Memorial Gardens must be done between the hours of 8:00 a.m. and 4:00 p.m. on weekdays, and from 8:00 a.m. to 11:00 a.m. on Saturday, Eastern Standard Time.
- 4-11 Monuments, markers, or other memorials may not be removed from the lot or lots, or taken from the Cemetery, without proper notification to the Sexton.

- 4-12 No monument, double marker, double tablet, single marker or other memorial, may be erected on any lot or grave until the lot or grave space is fully paid for and, the deed issued for the same or, until any other charges are paid in full.
- 4-13 Graves are to be marked only with standard markers or memorials which comply with the rules and regulations of Oak Lawn Cemetery.
- 4-14 Grave markers made from U.S. Standard Bronze or its equivalent will be allowed.
- 4-15 No burials will be permitted to be marked with a vase, urn, memorial, receptacle, or other article of any nature bearing the name of the mortician, memorial dealer or any person selling or giving such articles for marketing purposes.
- 4-16 Any damage to turf, trees, shrubs, flowers or structures, resulting from the delivery or setting of memorial work, will be assessed to the person, firm, or corporation selling the memorial work.
- 4-17 No more than one marker will be allowed per single grave space.
- 4-18 No more than one flush marker will be allowed in marker row in Blocks II, JJ, KK, LL, MM, and TT.
- 4-19 Monuments, double markers on a base, double tablets, slanted-faced double markers without a base, and two single markers on a base will occupy monumental positions on lots. All other memorials will be placed in the marker locations, at the foot of the graves, as determined by the cemetery. Overall monument height is 42 inches, anything taller must be approved by the Sexton and Cemetery Board. Stone bases over 54 inches in length also need approval of the Sexton and Cemetery Board. A single monument base can be no larger than 42 inches in length. A single monument placed in monument row can be no larger than 42 inches in length and 42 inches high.
- 4-20 No more than one monument, double marker, double tablet or other memorial which will occupy a monument position on a lot is allowed. All other memorials will be placed in the marker location at the foot of the grave as determined by the Cemetery. The lot is to be determined from the official plat and record maps of Oak Lawn Cemetery or Sturgis Memorial Gardens. These are located at the Cemetery Office.

- 4-21 All markers to be set on a lot as platted or which are described as a family lot in the official records of Oak Lawn Cemetery, must match as to size, design, color, and lettering. The maximum size for single markers placed in Oak Lawn Cemetery shall be: 12 inches in width, 24 inches in length, and 12 inches in height, except:
- a. Where markers are to match markers already on a lot.
 - b. When slant-faced single markers are used the maximum size allowed will be: 12 inches in width, 24 inches in length, and 16 inches in height.
 - c. In Single Grave Section, Block J, the maximum size allowed will be 10 inches in width, 20 inches in length, and 6 inches in height.
- 4-22 Maximum size for markers in Babyland, block MM will be: 16 inches in length 8 inches in width, and 6 inches in height. A small urn may be placed at the head of the grave next to the marker. A small statue may be placed in lieu of an urn upon approval of the Sexton. Babyland lot size is 3 feet wide by 5 feet long. Foundation size is 36 inches in length x 18 inches in width.
- 4-23 Memorials which are determined as monuments are to be leveled when set and the bases are to be securely fastened to the foundation.
- 4-24 Lettering for mausoleum crypt fronts is to be done upon request after payment, or upon death after crypt purchase. (The cost of lettering is included in the purchase price.)
- 4-25 No mausoleum, mausoleum work, crypts, or any structure above or below the ground, other than standard memorials, may be constructed until complete designs, details and specifications have been submitted to the Board of Oak Lawn Cemetery for its approval and, suitable arrangements acceptable to the Board, have been completed for future maintenance.
- 4-26 If any memorial, headstone or marker shall become unsightly, in need of repair or attention, or a menace, the Cemetery will notify the owner or owners to take such steps as necessary to place the structure in satisfactory condition. If the owner or owners fail to comply with this notice within a reasonable length of time, the Cemetery shall have the right to cause the necessary repairs to be made, and the cost shall be charged to the owner or constitute a lien upon the lot or lots. Any charge resulting from such action, remaining unpaid for a period of six months or more, will prohibit the owner from any subsequent services being provided by the Cemetery until at such time the lien is satisfied.

- 4-27 The Board of Oak Lawn Cemetery shall reserve the right to refuse permission for the erection of any memorial which on account of size, design, type or quality of stone, or location to be placed on the lot is in their opinion unsuited to the lot or lots.
- 4-28 The Rules and Regulations of Oak Lawn Cemetery governing foundations, monuments, markers and memorials, will be made available to anyone who would like a copy. The Cemetery assumes no responsibility for memorial sales which may be made in conflict with these rules and regulations, nor does the Cemetery assume any responsibility for any information transmitted during memorial transactions other than that covered in the official rules and regulations, and transmitted by its duly authorized agents.
- 4-29 The Cemetery is not responsible for the protection and maintenance of flowers, wreaths, emblems, or other items used at funerals. As soon as such items become unsightly they will be removed.
- 4-30 All level lawn or flush markers (except bronze plates) will be encased in cement with a 3 inch wash. A 5 inch wash is required for markers with vases attached. Due to added labor when placing these markers the cost will be the same as a monument instead of a marker.
- 4-31 Ground surfaces - The following rules shall apply:
- a. Surfaces other than soil and sod are prohibited.
 - b. No person or persons shall remove any sod or soil from any lot.
 - c. No sand, gravel, washed gravel, crushed stone, or other loose material shall be placed around the wash of a foundation or in any other area on the grave space.
 - d. No steps or artificial walkways of any kind shall be permitted.
 - e. Raised mounds around graves will not be permitted.

SECTION FIVE - BLOCK SS

Specific rules are as follows:

1. All Oak Lawn Cemetery rules apply to section SS.
2. The following rules are specific to block SS, and may take precedent over some general Cemetery rules.

- a. If a monument is placed on a lot designated for this purpose the monument must have a base. The maximum monument size is inches in length, 14 inches in width, and 36 inches in height.
- b. Lots designated for flush markers may have two flush single markers with a maximum size of 24 inches in length, by 12 inches in width, or one flush double marker with a maximum size of 44 inches in length by 13 inches in width.
- c. All monuments and markers will be located at the head position on the lot. No markers are permitted at the foot of the grave.
- d. No urns are permitted in this section. Vases permanently attached to the base of the monument are allowed.

SECTION SIX - CREMATION SECTION

This section was developed to meet the growing number of people opting for cremation. The section consists of a number of three foot square lots situated in rows surrounding a central planter. One Cremation lot will hold two cremains. The use of retractable urns is encouraged.

- 6-1 Only flush markers are allowed in this section. Markers cannot exceed 30 inches in length by 12 inches in width with the foundation for a marker at 36 inches in length by 18 inches in width.
- 6-2 This section is also available to families that wish to remember those who have donated their bodies to science.
- 6-3 All cremations must be interred by Cemetery Staff. The dumping, spreading, or scattering of ashes is prohibited unless an area is established by the Cemetery for this purpose. Anyone found to be in violation of this rule will be billed an interment fee and may be subject to other fines.

Sanctions:

Any person who violates any of the above rules or regulations of Oak Lawn Cemetery or Sturgis Memorial Gardens will be subject to fines as follows:

1 st offense	Warning
2 nd offense	\$100.00
3 rd Offense	\$300.00
Scattering of Ashes	\$400.00 plus Interment fee

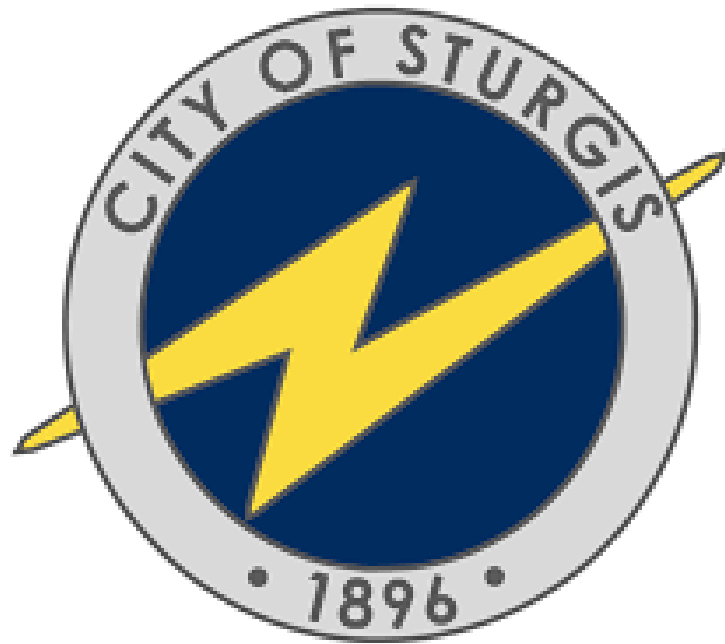
SECTION SEVEN - STURGIS MEMORIAL GARDENS

The Philosophy of Sturgis Memorial Gardens is to create an open park-like, natural setting in which to honor our loved ones who have passed away. To this end, the following rules and regulations have been developed. Your cooperation and adherence to these rules will assist us in creating and preserving the beauty of Sturgis Memorial Gardens so that the entire Cemetery may be a beautiful natural Memorial dedicated to all of those at rest there.

- 7-1 Each grave space will be allowed to have one marker with a vase set flush with the turf at the head of the grave, and one marker without a vase set flush at the foot of the grave.
- 7-2 If a marker with a vase is preferred, the marker should be purchased with its own built in vase as this is the only type of container that will be allowed on your lot. This vase should be contained within the memorial and have its own receptacle for those times when it is not being used. A vase may be added as long as it has its own foundation and will fit on the lot.
- 7-3 For the following special days: Memorial Day, Easter Sunday, Mother's Day, Father's Day: flowers, potted plants or baskets may be placed on the grave, but not before Friday evening preceding the special day. They may remain thru Tuesday but on Wednesday morning they will be removed and disposed of by Cemetery Staff.
- 7-4 Live and artificial flowers are only allowed in retractable vases. Dates allowed are April 1st to October 1st.
- 7-5 Any changes to, additions, or removal of a foundation will be charged time and materials for the work completed. A new foundation will be placed at the rate currently charged at the time of the work.

All other rules contained in the Oak Lawn section apply to Sturgis Memorial Gardens. The exceptions are listed above and are exclusive to Sturgis Memorial Gardens.

City of Sturgis Cemetery Rates



Oak Lawn Memorial Gardens



City of Sturgis *Cemetery Rates*



Grave Opening	Full Rate	Resident Rate
Weekday	\$631	\$505
Saturday	\$773	\$618
Disinterment	\$1,547	\$1,238
Cremation Opening		
Weekday	\$210	\$168
Saturday	\$422	\$338
Weekday with Vault	\$338	\$270
Saturday with Vault	\$473	\$378
Disinterment (Cremation)	\$238	\$190
Disinterment with Vault (Cremation)	\$421	\$337
Baby Burial		
Interment	\$210	\$168
Saturday Interment	\$263	\$210
Disinterment	\$365	\$292
Cemetery Lots		
Oak Lawn	\$855	\$684
Memorial Gardens	\$788	\$630
Cremation Section	\$411	\$329
Babyland	\$299	\$239
*Block – ZZ in Oak Lawn includes foundation ribbon. (4ft by 2 ft for a single lot and 8ft by 2 ft for a double lot.)	\$1,281	\$1,110

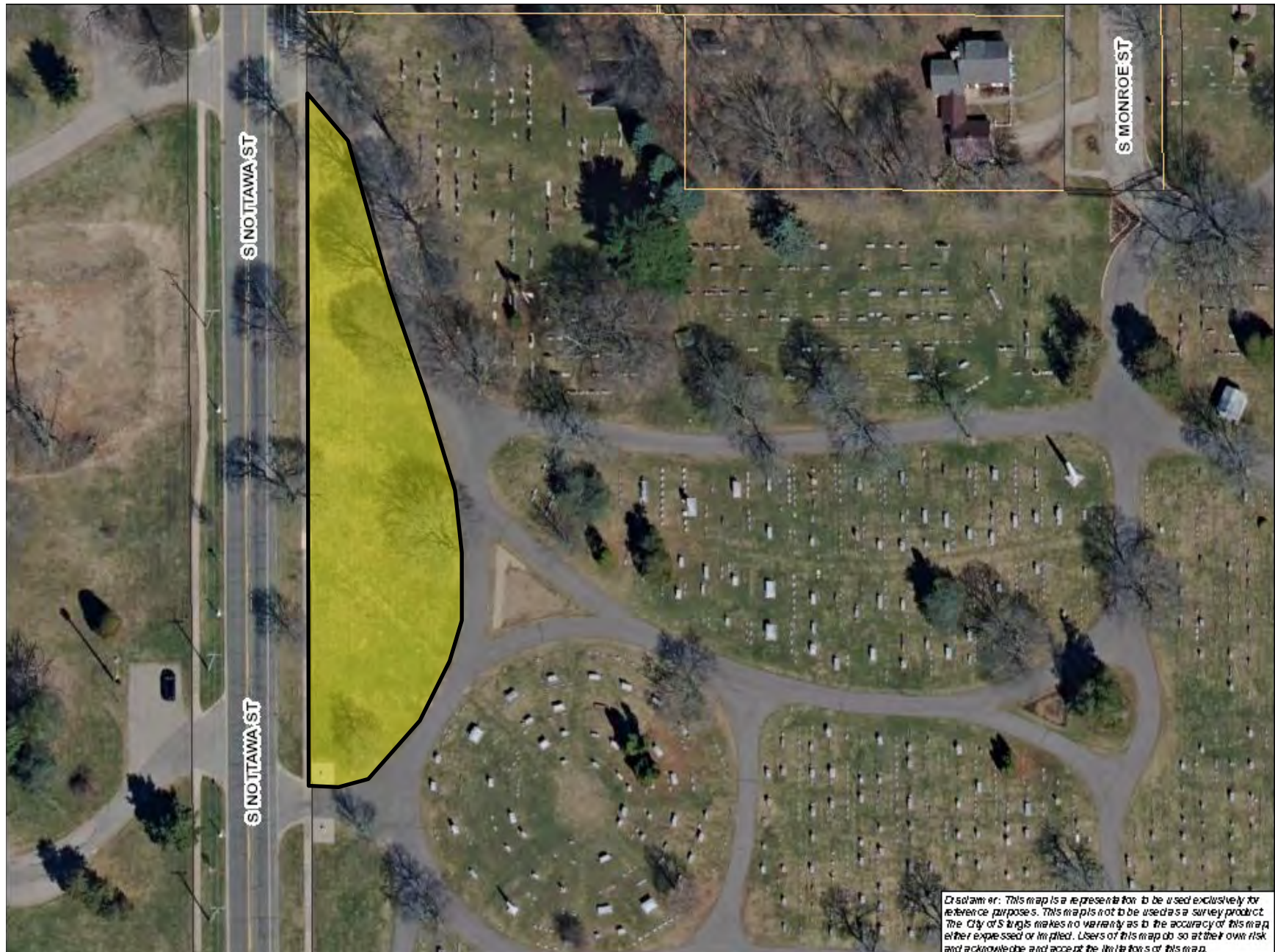


City of Sturgis *Cemetery Rates*



	Full Rate	Resident Rate
Mausoleum (Oak Lawn & Memorial Gardens)		
Crypt	\$2,531	\$2,025
Interment	\$112	\$90
Lettering	<u>\$394</u>	<u>\$394</u>
TOTAL	\$3037	\$2509
Disinterment	\$281	\$225
Columbarium (Oak Lawn & Memorial Gardens)		
Single/Double Niche	\$1,631	\$1,305
Interment for One (1)	<u>\$69</u>	<u>\$55</u>
TOTAL	\$1,700	\$1360
Single/Double Niche	\$1,631	\$1,305
Interment for Two (2)	<u>\$ 141</u>	<u>\$ 113</u>
TOTAL	\$1772	\$1418
Disinterment	\$141	\$113
Foundations		
Markers	\$0.32 per top square inch	
Monuments	\$0.37 per top square inch	
Other Fees		
Overtime Services	\$130 per hour	
Deed Duplicate	\$21	\$21
Transfer Deed	\$79	\$79

Oak Lawn Cemetery—Proposed Area for Block ZZ



**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10E

Task Order

In accordance with paragraph 1.01 of the Standard Form of Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated February 27, 2014 ("Agreement"), Owner and Engineer agree as follows:

1. Specific Project Data

A. Title: City of Sturgis
N. Franks Avenue Roundabout
Design and Bidding Phase

B. Background/Description:

The purpose of this task order is to prepare an environmental review, acquire property, complete design drawings and specifications for the installation of water main and sanitary sewer along N. Franks Avenue and construct a roundabout at N. Franks Ave and Lafayette Rd intersection.

The City of Sturgis received highway safety improvement program (HSIP) funding for the construction of a roundabout and sidewalk at the intersection of Lafayette Road and N. Franks Ave. The roundabout will be placed north of the existing intersection to avoid electrical equipment. The roundabout will be designed using the smallest diameter allowing a standard bus to pass through without using the center overrun lane. The roundabout will also allow farm equipment and semi-trucks to pass through using the center overrun lane. Lighting will be added to improve visibility.

8-inch sanitary sewer will be installed from the existing manhole at the end of Franks Avenue north to provide a sanitary sewer connection to the softball complex. The sanitary sewer will be placed as far west to allow for future development.

12-inch water main will be placed at least 10-feet east of the sanitary sewer. The water main will connect to the existing water main on Franks Ave and extend 100-feet in each direction along Lafayette from the N. Franks intersection. A service connection will be placed to service the softball complex.

The Michigan Department of Environment, Great Lakes, and Energy (EGLE) may require the water main to be looped. Based on conversations with EGLE, the water main may be extended 1400-feet to the existing stub near the west driveway of Sturgis Middle School. Water service will be provided to the residents along E. Lafayette.

Two contracts are anticipated. The utility extensions will be bid according to City standards. The roundabout project will follow the fiscal year (FY) 2022 MDOT Local Agency Project Planning Guide.

C. Work Scope:

This task order is to provide Preliminary Design Phase, Final Design, and Bidding Phase engineering services.

The work scope to complete the preliminary design portion of the project includes:

1. Complete a topographic survey and identify property lines.
2. Obtain ASCE Subsurface Utility Collection Level C information for electric, gas, telephone, cable TV, water, and sanitary sewer.
3. Subcontract with an Archeologist and submit State Historic Preservation Office (SHPO) notification on behalf of City.
4. Subcontract with a property acquisition specialist to provide the City and MDOT with the necessary documents to purchase property.
5. Complete Local Agency Environmental Clearance Form 5323 and submit to MDOT on behalf of City.
6. Complete, design, and prepare construction drawings including:
 - Title Sheet
 - Cross-sections, Notes, and Details
 - Existing Conditions/Removals Sheet
 - Plan and Profile Sheet
 - Lighting Plan
 - Intersection Details
 - Construction Staging & Barricading Plans
 - Pavement Marking Plans
 - Detour Plan
7. Obtain pavement cores and soil borings, as needed for design, on the City's behalf. Engineer will coordinate the geotechnical investigations with these services billed directly to the City by the drilling company.
8. Prepare programming application for City submittal to MDOT as required.
9. Prepare opinions of the probable construction cost for the project.
10. Review preliminary plans, special provisions, and estimate with the City.
11. Schedule and attend Grade Inspection Meeting with MDOT as required.

The work scope to complete the final design portion of the project includes:

1. Complete design and prepare final plans, specifications, and estimate incorporating City and MDOT comments from the preliminary design review.
2. Prepare and submit water main and sanitary sewer permits on behalf of the City.
3. Prepare final bid package including specifications, bid items, probable construction costs, and plans.

The work scope to complete the bidding portion of the project includes:

1. For the roundabout contract answer questions during MDOT bid period and issue clarifications, if necessary.
2. Assist the City with writing the project bid advertisement. City will coordinate advertisement publication with the local paper. Advertising costs to be paid by the City of Sturgis.
3. Prepare and distribute bid documents including 3 full sets of plans and specs to the City.
4. Answer questions during bid period and issue addenda, if necessary.
5. Attend bid opening, tabulate bids, review and prepare recommendation of award to the City.
6. Prepare three (3) sets of contract documents for execution by the City.

- We anticipate the City will acquire licensing agreements with the railroad for placement of utilities. F&V services are not anticipated to be needed for railroad coordination.

2. Services of Engineer

The work scope is to provide Study Phase, Preliminary Design Phase, and Final Design Phase Engineering professional services. The following paragraphs from Exhibit A of the Standard Form of Agreement Between Owner and Engineer for Professional Services – Task Order Edition, are incorporated by reference, along with a brief summary:

A1.02 – Preliminary Design Phase, in its entirety.

A PDF version of preliminary design phase documents will be submitted to the City for review.

A1.03 – Final Design, include paragraphs:

A.1 through A.5- Final design drawings and specifications will be prepared.

A1.02 – Bidding or Negotiation Phase, include paragraphs:

A.2.

3. Owner's Responsibilities

Owner shall take those responsibilities set forth in Article 2 and in Exhibit B.

4. Times for Rendering Services

The time for rendering services is the term of the Agreement, as identified in Article 3.01.A of the Agreement. The times for rendering services are as follows.

<u>Utility Extension Contract</u>	<u>Proposed Completion Date</u>
<u>Preliminary Design Phase Services</u>	<u>July 9, 2021</u>
<u>Final Design Phase Services</u>	<u>August 16, 2021</u>
<u>Bidding Phase Services</u>	<u>October 18, 2021</u>
<u>Roundabout Contract</u>	<u>Proposed Completion Date</u>
<u>Preliminary Design Phase Services</u>	<u>September 8, 2021</u>
<u>Final Design Phase Services</u>	<u>November 19, 2021</u>
<u>Bidding Phase Services</u>	<u>February 4, 2022</u>

5. Payments to Engineer

A. Owner shall pay Engineer for Services rendered as follows:

Category of Services	Compensation Method	<i>Estimate of Compensation for Services</i>
<i>Preliminary Design Phase</i>	<i>Standard Hourly Rates</i>	<i>\$66,000</i>
<i>Final Design Phase</i>	<i>Standard Hourly Rates</i>	<i>\$38,300</i>
<i>Bidding Phase</i>	<i>Standard Hourly Rates</i>	<i>\$2,500</i>
<i>Additional Water Main Looping</i>	<i>Standard Hourly Rates</i>	<i>\$5,500</i>
TOTAL FEES =		\$112,300

C. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

7. Other Modifications to Master Agreement:

None.

8. Attachments:

None

9. Documents Incorporated by Reference:

None.

10. Terms and Conditions:

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is April 29, 2021

OWNER
City of Sturgis

ENGINEER
Fleis & VandenBrink Engineering, Inc.



5-5--2021

Signature _____ Date _____

Michael Hughes
Name

City Manager
Title

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Barry Cox
Name

City Engineer
Title

130 N. Nottawa
Address

Bcox@sturgismi.gov
E-Mail Address

(269) 659-7249
Phone

(269) 659-7295
Fax

Sturgis Purchase Order No.: _____

Signature _____ Date _____

Craig Shumaker, P.E.
Name

Senior Vice President
Title

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Matt Johnson, PE
Name

Project Manager
Title

4798 Campus Drive
Address

mjohnson@fveng.com
E-Mail Address

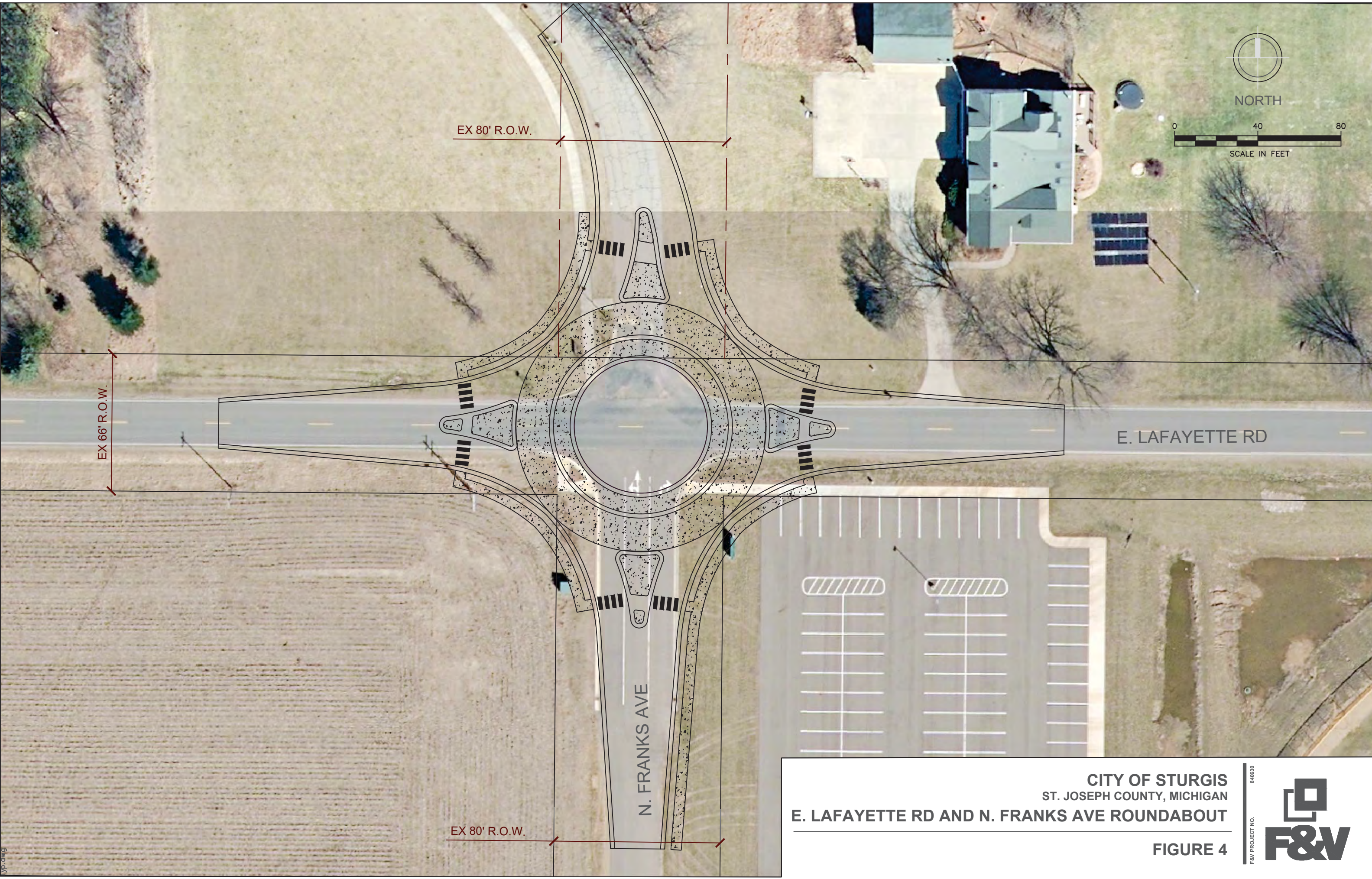
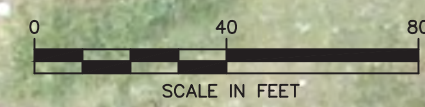
(269) 749-9079
Phone

(269) 382-6972
Fax

F&V Vendor No.: 00776



NORTH



CITY OF STURGIS
ST. JOSEPH COUNTY, MICHIGAN
E. LAFAYETTE RD AND N. FRANKS AVE ROUNDABOUT

FIGURE 4

840630
FAV PROJECT NO.



blaken/Mt:\Proj\839001-841000\840630 Sturgis-MODT Safety Grant 2019\Cad\Plns\840630 Plan and
typ.dwg

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10F

Bid Tab - Spence Complex Storage Bldg

Contractor	Address	Base Bid	Alt. Bid 1	Alt. Bid 2	Notes
CopperRock Construction	601 5th St NW STE 300 Grand Rapids, MI 49504	\$ 59,100.00	\$ 1,000.00	\$ 1,000.00	Not bid as tax exempt, Bid as screw down metal roof instead of asphalt shingle, ALT. 1 Add 4" #53 stone under interior slab
In Depth Excavation and Construction	10524 Stoneridge Dr Shelbyville, MI 49344	\$ 89,396.00			
Brussee/Brady, Inc	110 West St Three Rivers, MI 49093	\$ 53,200.00			
Tree House Construction	464 Primrose Ln Flushing, MI 48433	\$ 57,600.00			

Prime Quality Electric, LLC

PO Box 284

Sturgis, MI 49091

"Exacting In Detail and Ensuring High Quality."(269) 651-3845 *primequality@msn.com***Estimate**

Date	Estimate #
3/18/2021	3893

Name / Address	Project
City of Sturgis ATTN: Dan Root 130 N Nottawa St Sturgis, MI 49091	Wiringfor Softball Field Barn

Description	Cost	Total
Wiring for softball field barn Provide material, labor and permit to complete the following: -install a 240 volt 60 amp feeder from the existing electrical service by the gate, underground to the new barn -install a 6 space main lug panel in the new barn -install two receptacles for the garage door openers -install 10 GFI protected receptacles on two circuits -install 6 keyless light fixtures with LED bulbs (equal to 100 watt) controlled by two switches -two exterior LED wall pack fixtures over each door controlled by dusk to dawn lights		
Labor	2,925.00	2,925.00
Material	1,458.03	1,458.03
Permit Fee	197.00	197.00

Thank you for this opportunity to provide you with an estimate.	Total	\$4,580.03
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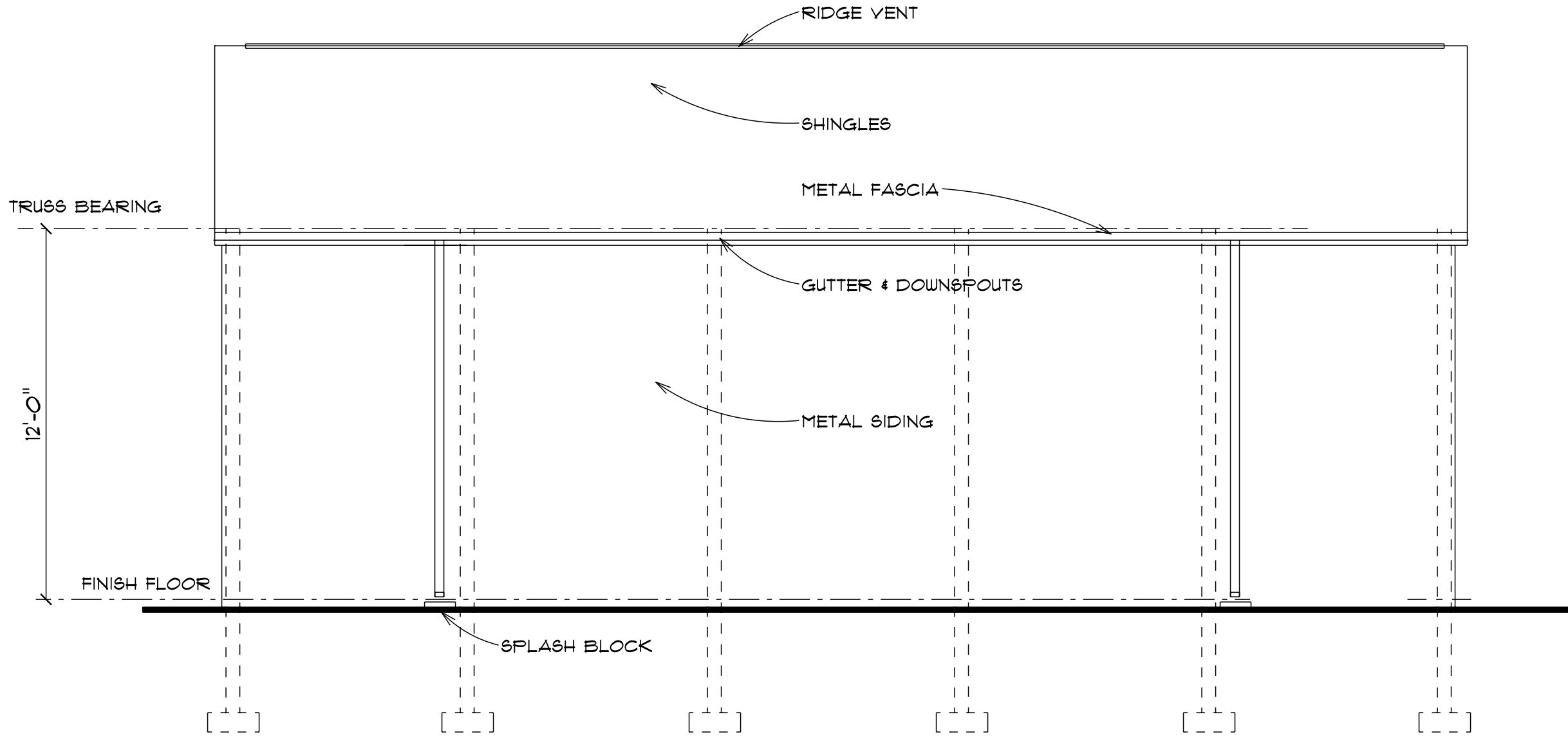
All prices are CASH pricing. If paying by credit card, please add 4%. A payment for the material costs will be due upon acceptance of this estimate. The remainder will be billed upon progress billings. Any changes made after the estimate will be billed accordingly and will also be due upon receipt. All accounts will be subject to 2% monthly finance charge (equivalent to 24% annual percentage rate) on the unpaid balance 30 days from the date of invoice.

Please return signed estimate with payment.
Make check payable to:

Prime Quality Electric, LLC

Signature _____ Date:

Driver's License or Fed ID# Required _____



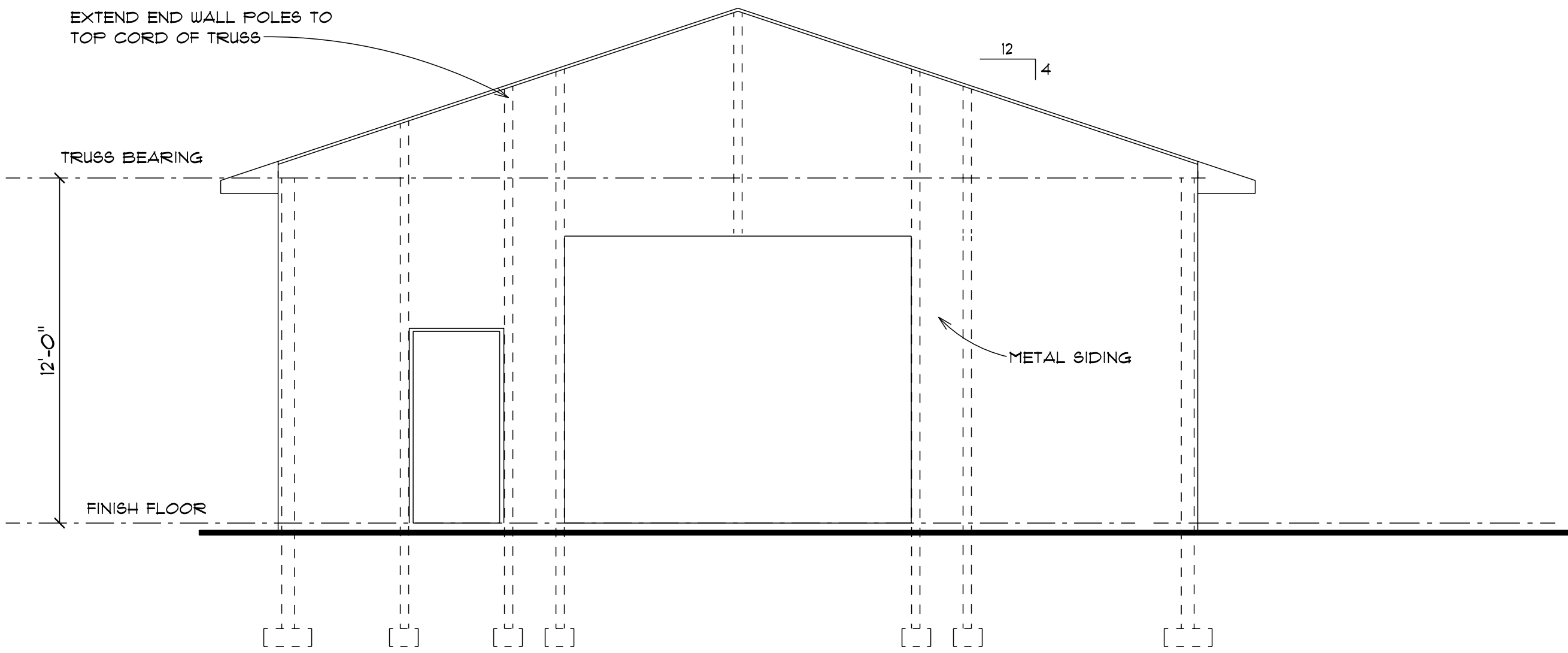
WEST ELEVATION

(EAST ELEVATION SIMILAR)

SCALE: 1/4" = 1'-0"

GENERAL NOTES

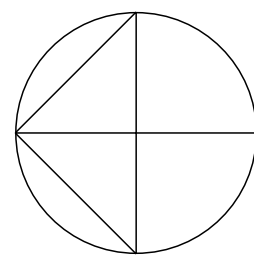
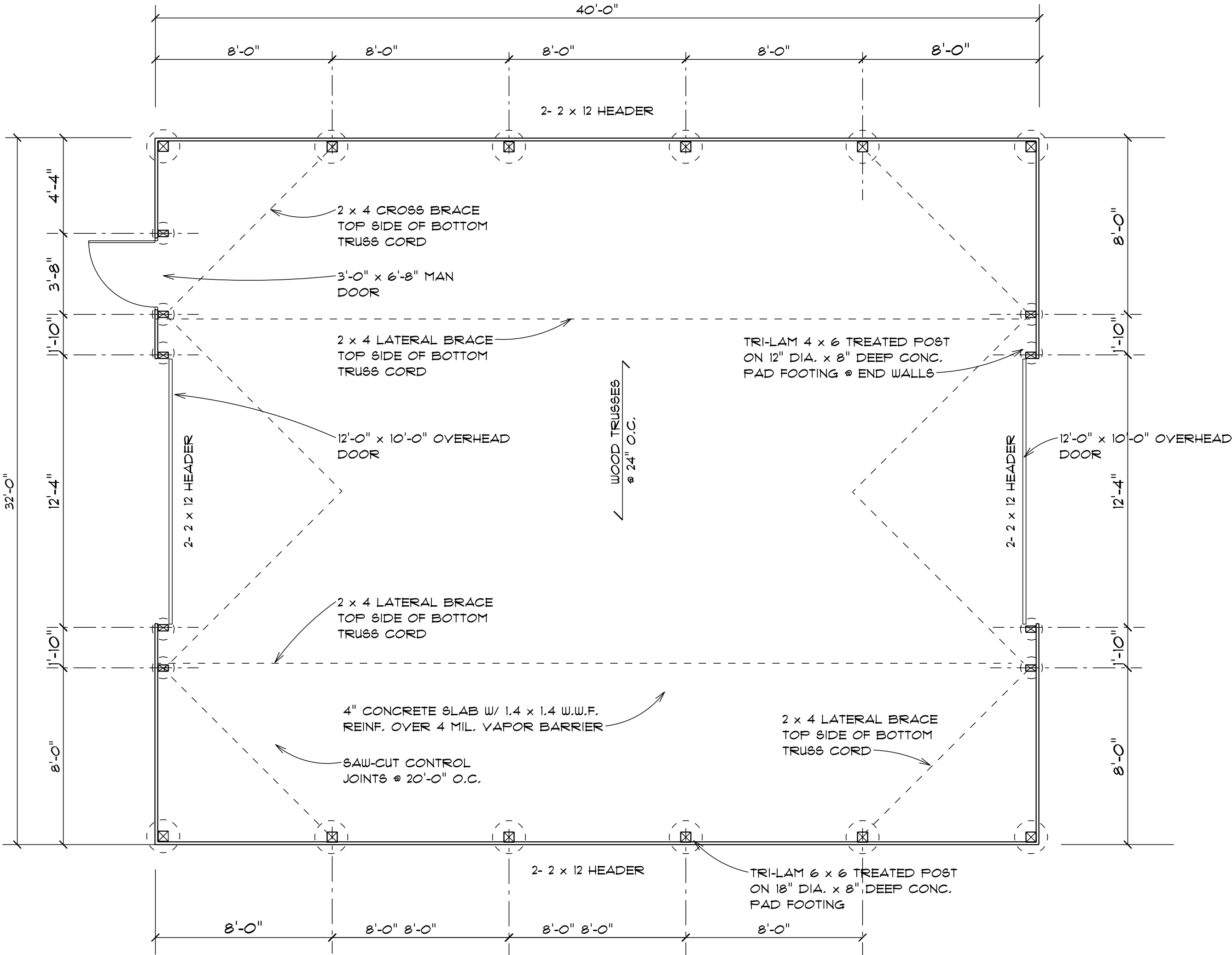
1. CONCRETE FOR FOOTINGS SHALL ATTAIN 3,000 PSI COMPRESSIVE STRENGTH @ 28 DAYS.
2. CONCRETE FOR SLABS SHALL ATTAIN 4,000 PSI COMPRESSIVE STRENGTH @ 28 DAYS.
3. SOIL BEARING CAPACITY ASSUMED @ 2000 PSI.
4. BUILDING USE GROUP S-2 LOW HAZARD STORAGE.
5. CONSTRUCT TYPE 5B UNPROTECTED.
6. ALLOWABLE AREA TABLE 506.2 = 13,500 S.F.
7. PROPOSED BUILDING AREA = 12,80 S.F.
8. OCCUPANT LOAD = 3 PERSONS
9. WOOD FRAMING FOR POSTS AND HEADERS SHALL BE GRADE NO. 1 OR BETTER.
10. THE PROPOSED BUILDING IS NOT DESIGNED TO BE HEATED OR CONDITIONED.
11. TRUSS DESIGNED FOR 30 PSF SNOW LOAD. PROVIDE STAMPED ENGINEERED SHOP DIAGRAMS TO BUILDING INSPECTOR AND ARCHITECT.



NORTH ELEVATION

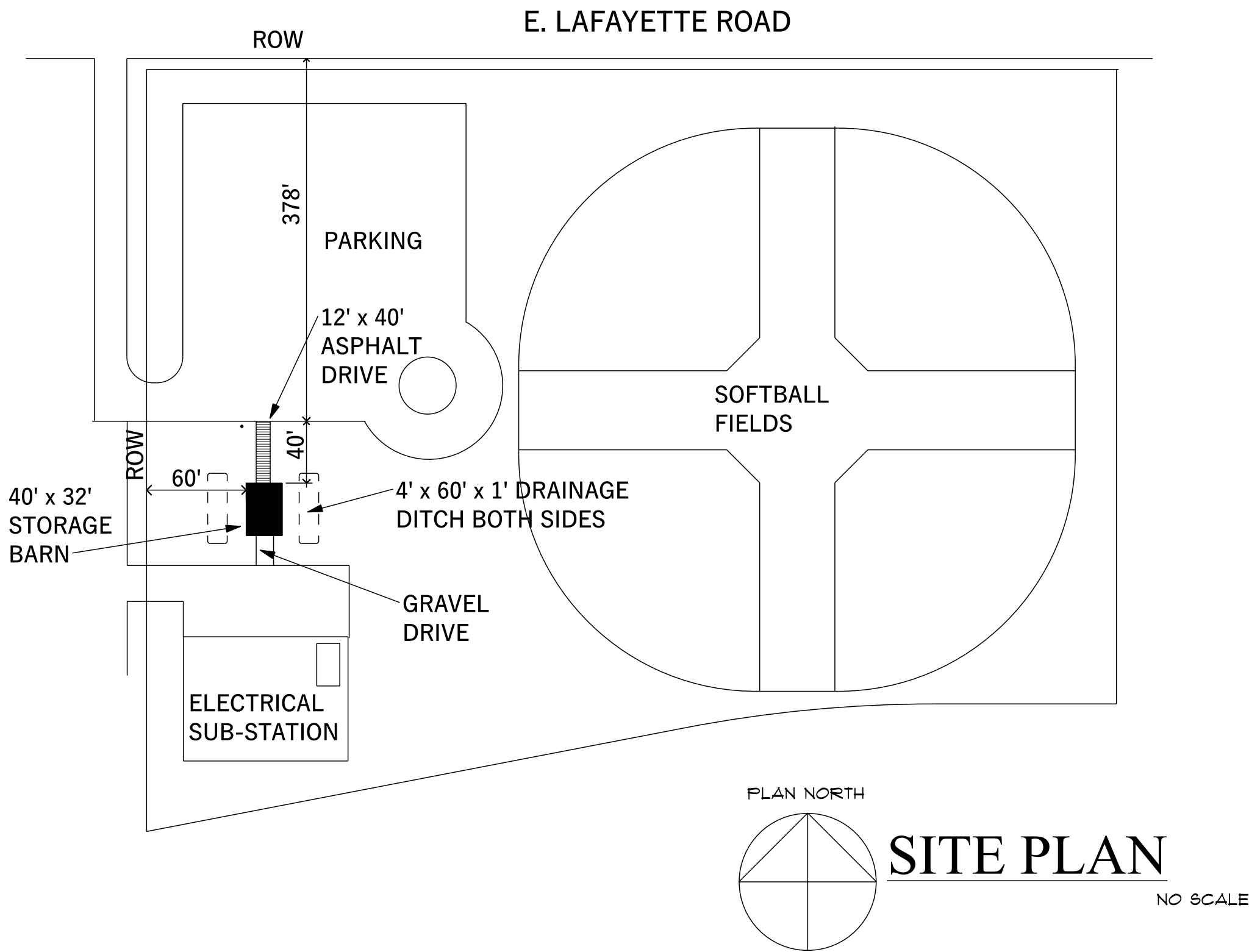
(SOUTH ELEVATION SIMILAR)

SCALE: 1/4" = 1'-0"



FLOOR PLAN

SCALE: 1/4" = 1'-0"



PLAN NORTH

SITE PLAN

NO SCALE

s. allen design

ARCHITECTURE

49A WEST CHICAGO STREET
COLDWATER, MICHIGAN 49036
TEL. 517-279-7787
www.sallendesign.com

STORAGE BUILDING FOR:

CITY OF STURGIS

E. LAFAYETTE ROAD
STURGIS, MICHIGAN

COPYRIGHT 2020 - S. ALLEN CORP.

4-19-21

1-7-20

DATE

REVISED SITE

PERMITS

ISSUE

PROFESSIONAL SEAL

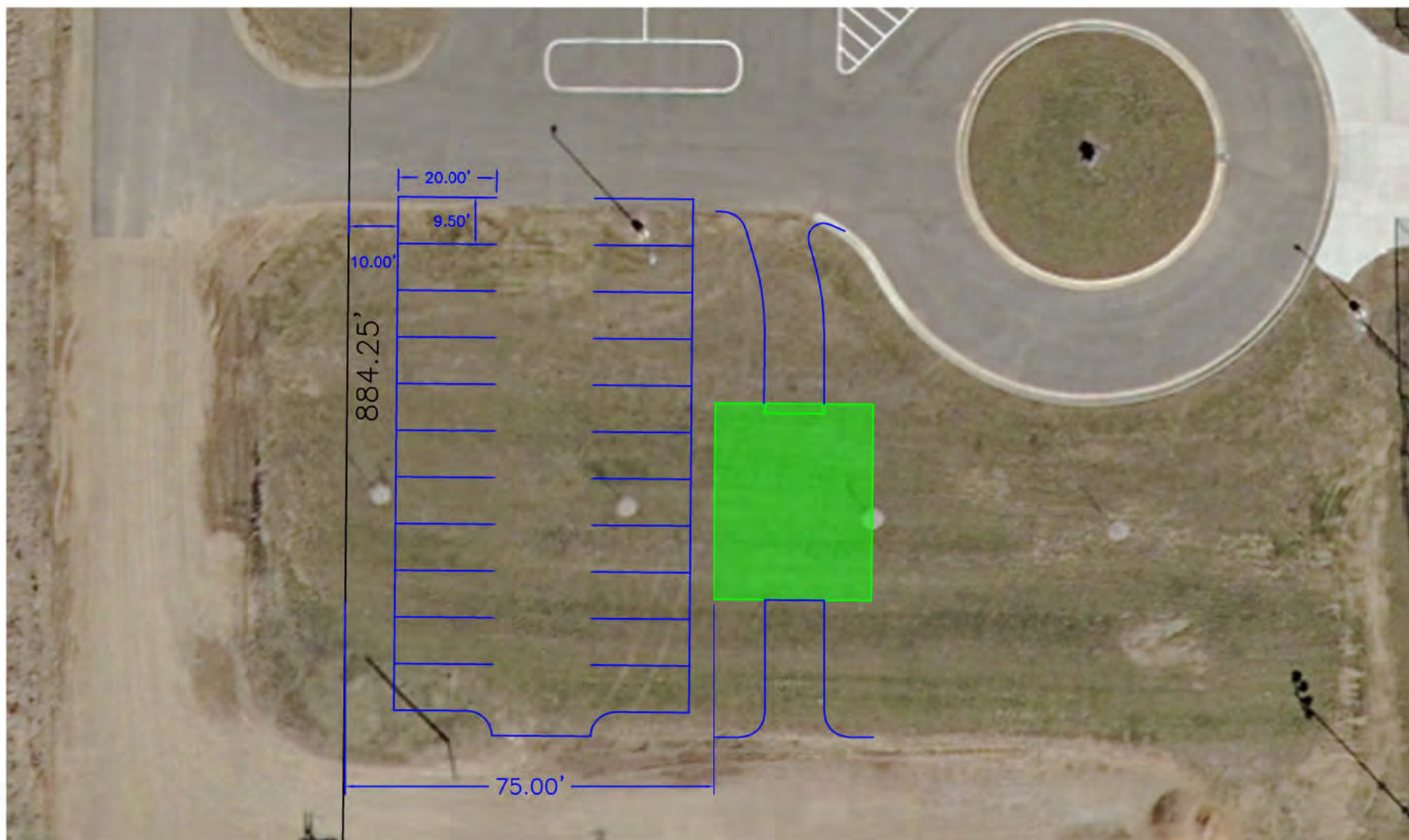


DRAWING TITLE

PLAN &
ELEVATIONS

DRAWING NUMBER

A-1



**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10G



TO: Michael L. Hughes, City Manager
 FROM: Holly Keyser, City Controller
 SUBJECT: 2020-2021 Proposed Budget Amendments
 DATE: May 12, 2021

In accordance with the Uniform Budgeting and Accounting Act, the following governmental funds need to be amended to reflect changes in the expected revenue and operating expenditures anticipated in the 2020-2021 fiscal year, as compared to those originally estimated in the 2020-2021 approved budgets as previously amended.

	Original Budget	Amendment 1 9.23.20	Amendment 2 12.4.20	Amendment 3 3.10.21	Amendment 4 3.24.21	Amendment 5 5.12.21	Proposed Budget
General Fund - 101							
Revenue	8,849,020	-	-	-			8,849,020
Expenditures	8,979,320	60,000	40,000	20,000	110,500	47,500	9,257,320
Change in Fund Balance	(130,300)	(60,000)	(40,000)	(20,000)	(110,500)	(47,500)	(408,300)
Beginning Fund Balance-updated to audit	3,079,125	2,948,825	2,888,825	2,848,825	2,828,825	2,718,325	3,079,125
Projected Ending Fund Balance	2,948,825	2,888,825	2,848,825	2,828,825	2,718,325	2,670,825	2,670,825

The General Fund budgeted expenditures for capital outlay were modified due to the following:

Spence Storage Barn estimated at \$72,500, budgeted at \$25,000 \$ 47,500.00

Summary of Budget Amendments for General Fund FY2021:		
Original Budgeted Expenditures in the General Fund		\$ 8,979,320
Amendment 1-9.23.20 to add Administrative Specialist Position	\$ 60,000	\$ 9,039,320
Amendment 2-12.9.20 to modify Nye Drain Special Assessment	\$ 40,000	\$ 9,079,320
Amendment 3-3.10.21 for police/fire HVAC project	\$ 20,000	\$ 9,099,320
Amendment 4-3.24.21 for White Elephant Property/Outdoor Public Fireplace	\$ 110,500	\$ 9,209,820
Amendment 5-5.12.21 for Spence Storage Barn	\$ 47,500	\$ 9,257,320

	Original Budget	Amendment 1 3.24.21	Amendment 2 5.12.21	Proposed Budget
Street Repair Fund -201				
Revenue	500	-	-	500
Expenditures	126,500	670,000	112,300	908,800
Contribution from General Fund	-			-
Contribution from Capital Reserve Fund	-	-	-	-
Change in Fund Balance	(126,000)	(670,000)	(112,300)	(908,300)
Beginning Fund Balance-updated to audit	972,591	846,591	176,591	972,591
Projected Ending Fund Balance (was \$276,000)	846,591	176,591	64,291	64,291

The Street Repair Fund is amended to reflect the approval for engineering design services for the N. Franks Roundabout Project not previously budgeted in the current fiscal year. This project is estimated to be constructed in fiscal year 2022 or 2023.