



AGENDA
CITY COMMISSION MEETING
WEDNESDAY, JUNE 23, 2021
STURGES-YOUNG CENTER FOR THE ARTS
201 N. NOTTAWA ST.

WORK SESSION 5:00 P.M.

1. Public Safety Hiring, Retention, and Recruitment

REGULAR MEETING 6:00 P.M.

1. CALL TO ORDER BY MAYOR
2. PLEDGE OF ALLEGIANCE
3. INVOCATION – Pastor Cal Kolzow, Trinity Lutheran Sturgis
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. Millage Rate Public Hearing – Kenneth Rhodes
 - B. DWSRF Public Hearing – Barry Cox
 - C. Marihuana Permit Extension Requests – William Prichard
 - D. Zoning District Changes First Reading – William Prichard
 - E. B-C and PDD-2 Zoning Amendments First Reading – William Prichard
 - F. Parking Ordinance Amendments First Reading – William Prichard
 - G. 2021 Street Improvements Bid – Barry Cox
 - H. W. Congress Phase I Reconstruction Bids – Barry Cox
 - I. Creative Dining Contract Notice – Sheila Bolda
 - J. Borden Contract Amendment – Kenneth Rhodes
11. COMMISSIONER / STAFF COMMENTS
12. ADJOURN

CONSENT AGENDA

8A. Action of Minutes of Previous Meetings

APPROVE the minutes from the June 9, 2021 regular meeting as presented.

8B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,427,021.34 as presented.

8C. Newell Brands Easement

APPROVE the Easement Document related to Newell Brands as presented.

Manager's Report

JUNE 23, 2021



CITY OF
Sturgis
MICHIGAN

Submitted by:

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

Michael L. Hughes
City Manager

Work Session

1. Public Safety Hiring, Retention, and Recruitment

Staff: Michael Hughes

The Public Safety Department is considering ways to hire, retain and recruit employees in a challenging labor market. City staff will provide information and engage the City Commission in a discussion about these ideas.

8. Consent Agenda

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Consent Agenda for June 23, 2021 as presented.

Staff Recommendation:

APPROVE

8A. Action of Minutes of Previous Meetings

Consent Agenda Motion:

APPROVE the minutes from the June 9, 2021 regular meeting as presented.

8B. Pay Bills

Consent Agenda Motion:

AUTHORIZE the payment of the City bills in the amount of \$1,427,021.34 as presented.

8C. Newell Brands Easement

Environmental Resources Management (ERM) is the environmental consultant overseeing the Newell Brands Superfund Cleanup activities. On behalf of Newell Brands, ERM is requesting a private easement to install five, 6-inch High-Density Polyethylene (HDPE) pipelines under E. Hatch Street. These pipelines would connect the remediation system required for the Sturgis Municipal Well Field Superfund Site located at 308 N. Prospect Street with the recently installed soil vapor extraction system located at 305 E. Hatch Street.

Included in your packet is an easement document to provide Newell Brands authorization to use a portion of E. Hatch Street public right of way. Exhibit A provides a description of the easement and Exhibit B provides a map of the easement.

The proposed easement would be 10 feet wide as described in Exhibit A and shown in Exhibit B. The easement would terminate at the end of the remediation system's lifespan. The five pipelines will be grouted closed during remediation system's abandonment activities.

Consent Agenda Motion:

APPROVE the Easement Document related to Newell Brands as presented.

Information Included in Packet:

1. City to Newell Brands Easement 6.17.21
2. Exhibit A
3. Exhibit B

10. New Business

A. Millage Rate Public Hearing

Staff: Kenneth Rhodes

OPEN PUBLIC HEARING

In order to include the City's millages on 2021 summer tax bills, the City Commission needs to set the City Operating property tax rate by the end of June. A public hearing provides residents with the opportunity to comment on the millage proposed for this year. The City also needs to set the rate for the Streets/Sidewalks Improvement Millage, which was approved by voters in 2013 for 3.0 mils.

In addition, as approved in years past, a 1% tax administration fee is scheduled to be collected on all City tax bills this year. This fee is authorized and recommended by the State to allow communities to recover the costs of tax collection. Any changes regarding this fee would need to take place at this meeting in order to properly calculate tax bills for 2021.

As directed by the City Commission, the Public Hearing was advertised with no increase in the previous millage rate. The City Operating rate was advertised at 10.4623, which is the same as 2020. The City Commission may set the rate at a lower amount after the Public Hearing if they choose; the rate may not be set a higher rate without another Public Hearing. Due to the Headlee rollback rule, the highest millage rate the City may consider without a vote of the electorate is 11.8477. The Streets/Sidewalks Improvement Millage was advertised at 2.9895, which is the Headlee maximum amount based on the rollback for 2021.

The Commission will need to set the millage at this meeting.

CLOSE PUBLIC HEARING

Proposed Motion:

Move that the Sturgis City Commission SET the 2021 operating millage tax rate at 10.4623 mils and SET the Streets/Sidewalk Improvement Millage tax rate at 2.9895 mils.

Staff Recommendation:

SET

10. New Business

B. DWSRF Public Hearing

Staff: Barry Cox

OPEN PUBLIC HEARING

Back in March, the City Commission approved a request to work with Fishbeck, Inc. to develop a Drinking Water State Revolving Loan Fund (DWSRF) Project Plan. The DWSRF Project Plan is a detailed plan of projects to be built using loan funding. The DWSRF Project Plan is good for 5 years once completed and approved by the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

The City must submit their project plan to EGLE by July 1st and a public hearing is required on the draft DWSRF Project Plan prior to that date so public comments can receive responses in the final project plan submittal. The availability of the plan was advertised May 21st in the Sturgis Journal and on the City's website to receive public comment and publicize the public hearing.

A copy of the draft Project Plan is included in your packet. Neil DeWit from Fishbeck, Inc. will attend the meeting to provide a brief overview of the required information for the public hearing and a high-level summary of the projects in the project plan. He will also be available to answer any questions the public or City Commission may have regarding the project plan.

Following the public hearing, City staff is recommending the Commission adopt the resolution for the DWSRF Project Plan as drafted. This includes adopting the project plan and selected alternatives for projects as outlined in the plan. The plan reviews several alternatives for projects to be constructed before ultimately providing a recommended or "selected" alternative. The resolution also designates an authorized representative related to the Project Plan, which staff is recommending be the City Manager.

CLOSE PUBLIC HEARING

Proposed Motion:

Move that the Sturgis City Commission ADOPT the Resolution Adopting a DWSRF Project Plan for Water System Improvements and Designating an Authorized Project Representative.

Staff Recommendation:

ADOPT

Included in your packet:

1. Draft DWSRF Project Plan
2. Resolution

10. New Business

C. Marihuana Permit Extension Requests

Staff: William Prichard

City staff recently received requests to extend the medical marihuana permits of Sturgis Wellness & Provisioning Center located at 2770 S. Centerville Rd. and DAP Synergy, LLC (dba Bloom City Club) located at 2773 S. Centerville Rd. A copy of these requests are included in your packet. They are both requesting a six-month extension of their medical marihuana permits.

Both 2770 S. Centerville Rd. and 2773 S. Centerville Rd. were originally issued permits on May 21, 2019 with an expiration date of May 21st, 2020. They requested and were granted an initial 6-month extension that was set to expire on November 21, 2020. The Medical Marihuana ordinance allows permit holders to “request an extension up to six months.”

At the September 23, 2020 Commission meeting, the Commission provided consensus to allow the City Manager to provide an additional, one-time, 6-month administrative extension due to the unique circumstances and delays related to COVID-19. The City Attorney provided the opinion that the ordinance allowed for the City Manager to provide such an administrative extension. The extensions were only for medical marihuana applicants that on September 23, 2020 had both a permit from the City and an approved building permit. Both 2770 S. Centerville Rd. and 2773 S. Centerville Rd. requested and were granted these administrative extensions, and they expire July 21, 2021.

In April the Commission amended the Medical Marihuana ordinance, adding Chapter 38-Article IV Section 38-92 e (3) viii 2) a., to allow a permit holder that had previously been granted an extension to request a further extension if 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 proposed extension requests for 2770 S. Centerville Rd. and 2773 S. Centerville Rd. fall under the provisions of this section.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the six month medical marihuana permit extension for Sturgis Wellness & Provisioning Center located at 2770 S. Centerville Rd.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the six month medical marihuana permit extension for DAP Synergy, LLC (dba Bloom City Club) located at 2773 S. Centerville Rd.

Included in your packet:

1. Extension Request Letter – Sturgis Wellness & Provisioning Center
2. Extension Request Letter – DAP Synergy, LLC (dba Bloom City Club)

10. New Business

D. Zoning District Changes First Reading

Staff: William Prichard

Staff is recommending a series of zoning district changes for Commission consideration. The proposed zoning district changes have been separated into 4 groups with 8 properties. Maps identifying the different properties are included in your packet.

Group 1 represents properties that are split zoned Business Highway 1 (B-H1) and Residential 3 (R-3). The future land use map recommends these properties be Business Highway. Staff is recommending these properties be rezoned to B-H1.

The properties included in this group are:

- 705 Enterprise (residential property)
- 406 S Centerville (Kentucky Fried Chicken)
- 512 S Centerville (Aqua Blast Carwash)
- 1101 S Centerville (Sturgis Bowl)

Group 2 are two properties adjacent to Aqua Blast Carwash. These properties are currently zoned R-3. The properties, although separate parcels, cover a portion of the parking areas of the main site. Ultimately these properties should be combined with the main business parcel to clean up the development. Staff recommends rezoning these parcels to B-H1 to facilitate a future lot combination and match the primary, developed property.

The properties included in this group are:

- 505 S Orange (Aqua Blast parking area)
- 509 S Orange (Aqua Blast/512 Auto parking area)

Group 3 is currently split zoned B-H1 and Manufacturing (M). It includes property at 408 W. South St. and is the part of the Meijer property. Staff recommends rezoning this parcel B-H1. This would remove the split zoning and allow for a future development.

Group 4 is currently zoned Business Highway 2 (B-H2). The property is 704 W Chicago Rd., the Sunoco gas station at the corner of Centerville and Chicago Roads. The Future Land Use map recommends this property be business highway, but staff is recommending it be changed to the BH-1 zoning district as the character of the property and its location at the S. Centerville Rd. intersection suggest a better fit in this zoning district.

Public Notice was given to the impacted property owners as well as surrounding property owners within 300 feet. Notices were sent by mail and were also published in the local newspaper on May 29, 2021. Representatives from parcels provided notice of the changes contacted the Community Development Department with questions. The department was able to answer those questions, causing no further concerns. A public hearing for these changes was held at the June 15th Planning Commission meeting. At the meeting, the Planning Commission recommended the changes to the City Commission.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Zoning District changes as presented.

Staff Recommendation:

APPROVE

Included in your packet:

1. Current Zoning Map
2. Future Land Use Map

10. New Business

E. B-C and PDD-2 Zoning Amendments First Reading

Staff: William Prichard

City staff is recommending amendments to the description of districts for the Central Business (B-C) and Planned Development District 2 (PDD-2) zoning districts, including their permitted and special land uses; PDD-2 covers the Moso Village development. Over the last few years, City staff has been reviewing zoning districts and updating their uses. This has included ensuring appropriate uses are included in each district as well as ensuring consistent wording and definitions for uses are used among all districts. With current and new developments coming into these areas, staff believed it was the appropriate time to evaluate the uses and propose changes to these districts.

Below is a review of some of the amendments being proposed; full red-lined copies with all changes in each district are included in your packet.

B-C Restricted Zone. In the B-C district the City has previously created a “Restricted Zone” which is the area between Jefferson Street to the West and Monroe Street to the East. In this area, several uses are only permitted above or below the first floor. These uses are professional service offices; dental or medical clinics; business schools; and private schools. Under the proposed changes banks, credit unions and similar uses will now be included. Currently, banks and credit unions are categorized under professional service offices. Adding banks, credit unions or similar uses as a separate use category to the B-C now standardizes the uses, terminology, and definitions that have been used in other zoning districts. Staff has also moved information regarding the Restricted Zone to its own section; previously it was described in the “Intent” section.

Changes to Specific Uses in the B-C District. Uses in the B-C district have been updated to be consistent with the specific terms and use types in other districts. For example, “professional offices” has been changed to “professional service offices” to match the terminology for this use in other districts as well as the definition in section 1.0202 Specific Terms. Permitted uses for existing housing,

personal services, recreational facility, and studio were added. Special land uses for condominiums, drive-through operations, and tourist homes were added.

Changes to Specific Uses in PDD-2. As with the B-C district, uses in the PDD-2 have been updated to be consistent with the specific terms and use types in other districts. Permitted and special land uses in the PDD-2 are also being added to reflect the proposed changes to the B-C District. PDD-2 was originally intended to, with a few exceptions, mimic the B-C and staff recommends to continue to have that be the case.

Alphabetizing. All permitted and special land uses (with the exception of “Uses similar to the above uses” and “Accessory Structures...”) in both the B-C and PDD-2 districts have been alphabetized for easier reference.

In order to complement the changes to the B-C and PDD-2 zoning districts, staff is also recommending changes to the definitions section of the Zoning Ordinance as well as the section designating specific special land uses. Changes to section 1.0202 Specific Terms include minor adjustments to terminology for “recreational equipment” and “recreational facility” relating to proposed amendments here and in the off street parking section of the Zoning Ordinance. Changes to section 1.0603 (KK), Special Land Use Designated amend this special land use to include “banks, credit unions and similar uses” as that specific use is recommended to be added.

Public Notice of these proposed changes was posted in the local newspaper May 29, 2021. As of June 11, 2021, the Community Development Department received some questions with no concerns with the proposed ordinance amendments. The Planning Commission held a Public Hearing on these changes at their July 15th meeting and recommended the changes to the City Commission.

Proposed Motion:

Move that the Sturgis City Commission CONSIDER/NOT CONSIDER this the first reading of amendments to sections 1.0407 - Central Business District, 1.0412.1 - PDD-2 Planned Development District, 1.0202 - Specific Terms, and 1.0603(KK) - Special Land Use Designated as presented.

Staff Recommendation:

CONSIDER

Included in your packet:

1. 1.0407 BC Central Business District Redlined
2. 1.0412 PDD2 Planned Development District Redlined
3. 1.0202 Specific Terms Redlined
4. 1.0603 Special Land Use Designated Redlined

10. New Business

F. Parking Ordinance Amendments First Reading

Staff: William Prichard

City staff worked with City Planning Consultant, Beckett & Raeder on updating our parking ordinance. This is a holistic update that includes residential, commercial, and industrial requirements. Below are highlights of the recommended changes. A full red-lined copy of the changes is included in your packet.

- **Permits required for construction and rehabilitation of off-street parking area.**

Rehabilitation is when someone has an existing parking area or driveway and they decide to remove the finish surface and install a new parking area in the same area. There are several potential issues that can be resolved prior to the project starting, which may include:

- The new parking area is not being striped according to the zoning ordinance or approved site plan.
- They are removing parking that is required according to the zoning ordinance.
- They are changing grades and storm water management could be an issue.

This proposed change requires a permit and sketch plan prior to the work being completed. If grading is required for the project or the parking area is increased, a full site plan is required.

- **Length of time to complete parking area after certificate of occupancy is granted.** Currently, the length of time for a permitted parking area to be completed is within 1 year of issuance of a permit. Staff is proposing to change this to allow the parking area to be completed within 6 months of the issuance of a certificate of occupancy, with a possible 3-month extension. The reason that a parking area is often not completed prior to a certificate of occupancy is related to the weather. By allowing the additional 6 months, it should allow the parking area to be completed during better weather without holding up issuing occupancy on the project.

- **Updated number of spaces for several uses.** The table of parking requirements for all uses was reviewed and updated. Several changes were made to ensure requirements were in line with other communities and made sense compared to numbers provided by developers as well as staff's experience in the field.
- **Shared Parking.** The ordinance language now includes options for shared parking. Where one or more developments provide for a mix of uses and a common parking area, these uses often create staggered periods where any one use is at the peak of parking required. The shared parking option provides a table and multiple parking factors that creates flexibility for these mixed-use developments and allows for the total parking requirement of these developments to be reduced.
- **Deferred Parking.** Developments may defer construction of the required number of parking spaces, if they can demonstrate their parking demand is less than that required by their use to the Planning Commission. If deferred parking is approved, the development is still required to have the area reserved for parking if in the future it is deemed necessary. The deferred parking area will also be used in their storm water calculations as if it is already paved, ensuring stormwater retention is correctly sized for the future.
- **Community Parking District.** The Community Parking District is located within the downtown and surrounding areas that are within a 500-foot area of a public parking area. The ordinance allows for:
 - Special Parking calculations for all new developments, changes of use, or redevelopments in the area.
 - No new required parking for changes or use or redevelopments unless they require 10 additional parking spaces versus the previous use.
 - No required off-street parking for new developments unless they require 10 or more parking spaces.
 - The ability for developments to create an alternative parking plan for approval by the Planning Commission that could reduce or eliminate required parking or consider a solution such as a shared parking agreement. The Planning Commission may require the developer to have a parking study completed.

The provisions of this section will create flexibility for businesses and developments in this area.

- **Business Neighborhood Parking.** The Business Neighborhood zoning district was discussed throughout the master plan process. This district is adjacent to the Central Business District and represents a transition from the density and walkability of the Central Business District. It is composed of a mix of residential and commercial buildings. It is less auto intensive than the Business Highway districts, due to the smaller lot sizes to accommodate parking. This area will allow developments to utilize on street parking for some of their required parking and ask for consideration from the Planning Commission for an alternate parking plan.
- **Residential Parking.** Several changes including:
 - Adding an exception to the maximum driveway width for a property owner whose lot exceeds 100 feet in width; these owners can request consideration from the Planning Commission for a second driveway or a driveway width greater than 26 feet.
 - Including bricks or pavers as an approved hard surface for the driveway or defined parking area; however, these materials may not be used in the right of way.
 - Changing the requirement of hard surface only in the required front yard setback area (a minimum of 25 feet) to require hard surface in the entire driveway or parking area.
 - Including language that states the opening at the right-of-way shall be no less than 10 and no greater than 24 feet.
 - Including language that clarifies lawn parking is prohibited for off-street parking or regular access to a driveway, building or accessory structure.
- **RV and Recreational Equipment.** Several changes including:
 - Including recreational equipment in the parking requirements. They will follow the same requirements as RV except there is no limit to the number of recreational equipment.

- Clarifying language on parking of RVs or recreational equipment in a developed driveway or defined parking area; it shall be permitted as long as the required off street parking requirements are maintained and remain available.
 - Including language for a guest RV. Currently, the only RV that is permitted on site must be owned by the occupant of the residence. This would allow a guest RV to be parked on premise. This would be limited to 2 weeks in a 30 day period and not to exceed 6 weeks in any calendar year.
- **Loading requirements.**
 - Clarified language regarding the type of surface material to be utilized for freight loading areas.
 - Provided language for passenger loading in the B-C and B-N zoning district. For properties that don't provide parking immediately adjacent to the business, a passenger drop off and pick up location may need to be provided.
- **Barrier Free Parking.** Included language in the ordinance on what is required for barrier free parking (handicapped parking).
- **Curb and vehicle stops.** Language was added for when curb and vehicle stops are required.
- **Connection of parking areas to adjacent properties.** A requirement for a new development or rehabilitation of an off-street parking area to provide cross-connection or the ability for future cross-connection to an adjacent parking area in the B-C, B-N, B-H1 and B-H2 zoning districts. There is also an exception that may be granted by the Planning Commission.
- **Drives and aisles.** A requirement for all new developments and those redevelopments with sufficient space and a drive-through to provide an "escape lane" for vehicles.

- **Screening, landscaping and lighting.** Updated language on dumpster enclosures to allow screening up to 8 feet. Included the requirement for tree islands for parking areas that have 20 or more parking spaces. Language was updated for lighting to include where to measure so as not to create a nuisance to adjacent properties.
- **Surfacing.** Included language for surfacing requirements and screened storage areas to reflect how this has been historically enforced.
- **Stormwater.** Included language for stormwater drainage areas that abut a driveway, parking area or sidewalk that are greater than three feet in depth and has a side slope steeper than 1 foot in vertical rise for every 3 feet in horizontal run shall be enclosed with 4' high fencing.
- **Tree Islands.** A provision for all new off-street parking areas with 20 or more spaces per row to provide tree islands as part of their design.

Public Notice was posted to local newspaper May 29, 2021. As of June 11, 2021, the Community Development has received some questions with no concerns with the proposed ordinance amendments. A public hearing on these changes was held at the June 15th Planning Commission meeting and the Planning Commission has recommended these changes to the City Commission.

Proposed Motion:

Move that the Sturgis City Commission CONSIDER/NOT CONSIDER this the first reading of amendments to Appendix A Zoning, Article IX-Off Street Parking and Loading as presented.

Staff Recommendation:

CONSIDER

Included in your packet:

1. Current Parking Ordinance
2. Proposed Parking Ordinance

10. New Business

G. 2021 Street Improvements Bids

Staff: Barry Cox

The 2021 Street Improvements Project involves rehabilitation of E. Congress from S. Lakeview to Farwell, Ulm Street from N. Nottawa to Jean, and Michigan from E. Congress to E. South. The scope of this project includes asphalt milling, placement of new asphalt material, ADA sidewalk ramps with curb and gutter replacement, and limited storm drainage structure and pipe replacement.

On Monday, June 14, 2021, the City received bids for construction of the project. A bid tabulation and letter of recommendation for award is included in your packet. Two bids were received. The low bidder was Northern Construction Services Corporation from Niles, Michigan in the amount of \$697,822.50. The Engineer's Estimate of probable cost was \$674,000.00.

The project is budgeted for a total of \$649,000.00 for FY 2020-2021 with \$200,000.00 from the Major Street fund and \$449,000.00 from the Local Street fund. Included in your packet is a summary spreadsheet that details budget information as well as approved, recommended, and estimated costs for the project. Additional project costs include:

- Design and bid phase engineering services approved in February of 2021.
- A recommended contingency budget of \$34,890.00, or 5% of the construction project cost. Staff is requesting approval of this contingency budget at this meeting.
- An estimated amount for construction phase engineering (project inspection); a finalized task order will be brought to the next Commission meeting.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the contract for the 2021 Street Improvements Project with Northern Construction Services Corporation in the amount of six hundred and ninety-seven thousand, eight hundred twenty-two dollars, and fifty cents (\$697,822.50) and AUTHORIZE the City Manager to sign contract documents on behalf of the City.

Staff Recommendation:

APPROVE and AUTHORIZE

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY a contingency budget of thirty-four thousand, eight hundred ninety dollars (\$34,890.00) for the 2021 Street Improvements Project.

Staff Recommendation:

APPROVE

Included in Your Packet:

1. Bid Tab
2. Recommendation of Award
3. 2021 Street Improvements Project Budget and Cost Summary

10. New Business

H. W. Congress Phase I Reconstruction Bids

Staff: Barry Cox

The City budgeted for reconstruction of W. Congress Street from S. Centerville to S. Clay as part of the FY 2020-2021 budget. In November of 2020 the City Commission approved design and bidding for Phase I of the project (Prairie to S. Centerville) and followed with approval of design and bidding for Phase II of the project (Prairie to S. Clay) in December. Design was originally split into phases due to concern about permitting of water main on the project; staff anticipated that these issues may result in a need to also split construction between FY 2020-2021 and FY 2021-2022.

Despite the best efforts of staff to have both phases designed, bid, and constructed this fiscal year, permitting timelines have necessitated the phasing of construction on the project.

On Monday, June 14, 2021, the City received bids for the W. Congress Utility & Street Improvements Phase I project. A bid tabulation and letter of recommendation for award is included in your packet. Three bids were received. The low bidder was Northern Construction Services Corporation from Niles, Michigan in the amount of \$737,113.50. The Engineer's Estimate of probable cost was \$816,000.00.

Included in your packet is a summary spreadsheet that details budget information as well as approved, recommended, and estimated costs for the project. This summary includes cost estimates for both phases of the project, as well as showing an overall total and totals per-phase. Additional project costs include:

- Design and bid phase engineering services for Phase I and Phase II approved in November and December of 2020.
- A recommended contingency budget of \$58,969.00 for Phase I, or 8% of the construction project cost. Staff is recommending an 8% contingency for this

project due to underground utility work in the scope of work. They are requesting approval of this contingency budget at this meeting.

- An estimated amount for construction phase engineering for Phase I (project inspection); a finalized task order will be brought to the next Commission meeting.
- Estimated construction project costs, contingency budget, and construction phase engineering for Phase II.

The summary sheet includes both Phase I and Phase II costs due to the fact that the original FY 2020-2021 budget anticipated both Phases being completed this year. All Phase I elements will occur in the FY 2020-2021 budget year along with the design and bid phase engineering for Phase II. All remaining expenses for construction, contingency, and construction phase engineering for Phase II will be included as part of the FY 2021-2022 budget to be approved by the Commission.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the contract for the W. Congress Utility and Street Improvements Phase I Project with Northern Construction Services Corporation in the amount of seven hundred and thirty-seven thousand, one hundred thirteen dollars and fifty cents (\$737,113.50) and AUTHORIZE the City Manager to sign contract documents on behalf of the City.

Staff Recommendation:

APPROVE and AUTHORIZE

Proposed Motion

Move that the Sturgis City Commission APPROVE/DENY a contingency budget of fifty-eight thousand, nine hundred sixty-nine dollars (\$58,969.00) for the W. Congress Utility and Street Improvements Phase I Project.

Staff Recommendation:

APPROVE

Included in Your Packet:

1. Bid Tab
2. Recommendation of Award
3. W. Congress Phase I Project Budget and Cost Summary

10. New Business

I. Creative Dining Contract Notice

Staff: Sheila Bolda

In early 2019, the Sturges-Young Center for the Arts (SYCA) pursued a contract with Creative Dining Services to fill its vacant chef position. The service contract supplied the SYCA with a fully trained chef manager in order to provide continuity of food services, due to the hiring of a new Executive Director with more theater than food service experience.

When the COVID-19 pandemic started in early 2020, it had a profound impact on the operations of the SYCA. As restrictions forced the closure of the facility, the SYCA lost a significant amount of its service staff. Despite restrictions being eased and some limited food service operations returning in June of 2020, staffing levels and revenue associated with these operations have not recovered.

Staffing has been particularly difficult for the SYCA, as it has for most food service operations. Beyond staff losses due to the pandemic, some staff that had been previously retained or which came back as restrictions were lifted have recently moved on to other employment opportunities. Attempts to hire new staff have fallen short of the necessary numbers to continue to provide the excellent services all have come to associate with the facility. Creative Dining has also experienced similar staffing shortages. The current chef working at the SYCA is only assigned to the facility on a temporary basis and will be returning to a different account at the end of June. Creative Dining has been working to fill this vacant chef position, but it has not been without challenges.

After internal discussions between City staff, the SYCA Advisory Board, and Creative Dining, we are recommending termination of the contract with Creative Dining. As per this contract (a copy of which is included in your packet) this would involve providing a formal 30-day notice of request to terminate.

The decision to terminate the contract is also a decision to suspend the food service option provided by the SYCA, transitioning the non-event side of the facility

to a rental space which would allow outside catering services. The current food license held by the SYCA allows for outside catering to use our facilities; the SYCA would still plan to sell concessions during shows as well as retain their liquor license and the ability to sell liquor onsite. By necessity, the proposed food service changes would result in related budgetary and part-time staffing impacts.

The SYCA administrative staff are working with the SYCA Advisory Board to facilitate a plan for this transition while accommodating the needs of current event rentals and services clubs. Similarly, the budget impacts are being analyzed, with no finalized impacts yet available.

City staff is requesting City Commission approval to submit a 30-day notice of request to terminate the contract between the Sturges-Young Center for the Arts and Creative Dining Services.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY submission of 30-day cancellation notice to Creative Dining Services to terminate services for the Sturges-Young Center for the Arts.

Staff Recommendation:

APPROVE

Included in your packet:

1. Creative Dining Contract – Termination Clause Section G. 1. A. - Highlighted

10. New Business

J. Borden Contract Amendment

Staff: Kenneth Rhodes

In a review of the invoices from Borden Waste-Away for the City's recycling program, it was discovered that they included a fuel and compliance surcharge as part of the bill. Although this is a standard charge on Borden invoices, it was not included as part of the original agreement with the City or any subsequent extensions. While this resulted in an overcharge to the City, the overcharge was not passed on to property owners through the recycling fee on their tax bill.

City Staff contacted Borden and they immediately removed the surcharge from invoices moving forward. City Staff and Borden then discussed options to address the past overcharges. One option offered by Borden was to extend the current agreement by an additional two years at the current rate.

The City's current curbside recycling contract with Borden Waste-Away Service, Inc. is set to expire on April 30, 2023. Borden and the City first entered into a five-year contract for curbside recycling in 2008 and extended that contract twice for additional five year periods. The cost for curbside recycling began at \$1.92 per parcel per month and increased to \$1.97 with the extension in 2018.

The City funds curbside recycling through an assessment of \$2.00 per month on residential properties within the City. This assessment is authorized by Public Act 138 of 1989 for waste reduction programs and collection of recycling or composting materials.

In recent years, the market for recycled materials has changed significantly and the cost for curbside pickup has increased. In a review of similar programs in the area, it is possible that the cost per parcel per month could increase to \$2.50 per month or higher at the end of our current contract. As stated earlier, the State statute only allows a maximum assessment of \$2.00 per month or \$25.00 annually. Without a change to the statute, this assessment will most likely be insufficient to pay for curbside recycling.

The City Attorney prepared a Third Addendum to the City's contract with Borden which extends the contract through December 31, 2025. These additional eight months beyond Borden's proposal will allow City residents to receive a full year's service for the assessment on their 2025 property tax bill.

This extension will provide City Staff time to review options for continuation of the City's curbside recycling program, assuming that new bids will come back greater than the allowable assessment.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Third Addendum to Contract for Service Citywide Curbside Recyclable Collection and Disposal with Borden Waste-Away Service, Inc. as presented.

Staff Recommendation:

APPROVE

Information Included in Packet:

1. Draft Third Addendum to Contract

Noteworthy Meetings / Events

- St. Joseph County Leadership Class Presentation | June 9th
- Chamber of Commerce Spring Swing Golf Outing | June 11th
- SABEA Meeting | June 14th
- Southwest Michigan City Manager Group Meeting | June 15th
- Exchange Club Meeting | June 17th
- Sturges-Young Advisory Board Meeting | June 17th

Upcoming Events

- SNP Grand Open House | 126 S. Maple St. | 3:00pm-7:00pm | June 24th
- Summer Car Cruise-In | Downtown | 5:30pm-9:00pm | June 25th
- Out of Office | June 25th-July 9th
- Phins Up Concert | Sturges-Young | 7:00pm | June 26th

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 8A

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 9, 2021
STURGES-YOUNG CENTER FOR THE ARTS

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 Comm Good.

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

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, City Engineer, Facilities Manager, Community Development Director, City Clerk

Moved by Comm. Good and seconded by Comm. Littman to add the Allopathic Crop Services, LLC Extension Request to the agenda.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None
MOTION CARRIED

Moved by Comm. Smith and seconded by Comm. Littman to approve the agenda as amended.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None
MOTION CARRIED

Moved by Comm. Smith and seconded by Comm. Littman to approve the Consent Agenda of June 9, 2021 as presented.

8A. Action of Minutes of Previous Meetings

APPROVE the minutes from May 26, 2021 regular meeting as presented.

8B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,760,437.46 as presented.

8C. Set Public Hearing for Millage Rate

SET a Public Hearing for Wednesday, June 23, 2021 at 6:00 p.m. for consideration of the 2021 City Operating and City Streets/Sidewalks millage rates and ADVERTISE the rate at 10.4623 and 2.9895 respectively.

8D. Fireworks Approvals

AUTHORIZE Deputy Public Safety Director Andrew Strudwick or his designated representative to complete all necessary permit reviews and SIGN all necessary documents for a community fireworks display.

APPROVE the requests for the fireworks display as presented.

8E. Downtown Events Requests

APPROVE the requests for Movies in the Park on June 11th, July 16th, August 13th, and September 17th and the requests for the Downtown Sturgis Grand Re-Opening on June 18th as presented.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

Tony Percival, Member, Allopathic Crop Services, LLC, provided a timeline of their progress on their provisioning center and difficulties with State approvals. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve a six month extension for Allopathic Crop Services, LLC related to their medical marihuana provisioning center permit.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

Sturgis Neighborhood Program Executive Director Monica Smith provided information on their most recent project and their proposed project. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Bir to approve the request for the SNP open house as presented.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Good to approve the sale of 303 S. Fourth St. to the Sturgis Neighborhood Program for one dollar (\$1.00) and covering closing costs in an amount not-to-exceed one thousand five hundred dollars (\$1,500.00) and authorize City Manager Michael Hughes to sign all necessary documents.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on a proposed RFQ related to Thurston Woods Park Improvements that would be related to the proposed splashpad. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Bir to approve the Request for Qualifications for the Thurston Woods Park Improvements design services.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Mullins to appoint Comm. Bir and Comm. Klinger to the Thurston Woods Park Improvements RFQ review committee.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

Facilities Manager Dan Root provided information on the bids related to the Doyle bathroom renovations. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Good to approve the bid of Brussee/Brady, Inc. for the Doyle Bathroom Renovation project with alternates 1 and 2 in the amount of one hundred and fourteen thousand, nine hundred and fifty dollars (\$114,950.00) as presented.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on an agreement with Michigan Southern Railroad related to a trail and the Franks Avenue crossing. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Good to approve the Agreement of Understanding between the City of Sturgis and Michigan Southern Railroad for the North Franks Crossing as presented.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Mullins to go into Closed Session to conduct a periodic personnel evaluation at the request of the employee.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:18 p.m.

Meeting reconvened at 7:39 p.m.

Moved by Comm. Good and seconded by Comm. Mullins to approve the Employment Agreement with City Manager Michael Hughes as modified.

Voting yea: Seven

Absent: Wickey, Malone

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 7:41 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 8B

Date	Check#	Vendor	Vendor Name	Amount
Manual Checks				
06-18-2021	240110M	05460	LAFONTAINE CHRYSLER DODGE	25,031.00
06-04-2021	240111M	05910	JOINT APPR & TRAIN TRUST FUND	4,000.00
06-04-2021	240112M	06149	OUTFRONT MEDIA INC.	1,816.25
06-11-2021	PR0558M	00061	CITY OF STURGIS PAYROLL	294,805.88
05-11-2021	T13801M	05903	WEST SIDE BEER DISTRIBUTING	207.80
06-04-2021	T13802M	00426	STURGES YOUNG AUDITORIUM	727.36
06-25-2021	T13803M	04389	FRONTIER COMMUNICATIONS A	51.26
06-25-2021	T13804M	04389	FRONTIER COMMUNICATIONS A	51.26
06-25-2021	T13805M	04389	FRONTIER COMMUNICATIONS A	204.34
06-12-2021	T13806M	00449	CENTURY BANK & TRUST	3,402.13
06-09-2021	T13807M	04524	ALERUS FINANCIAL	23,015.00
06-03-2021	T13808M	04088	BLUE CROSS BLUE SHIELD OF MI	40,210.34
06-07-2021	T13809M	04197	MI PUBLIC POWER AGENCY	220,032.83
06-03-2021	T13810M	06093	PEPSI BEVERAGES COMPANY	910.29
06-01-2021	T13811M	06030	VERIZON CONNECT NWF INC	113.33
06-09-2021	T13812M	04088	BLUE CROSS BLUE SHIELD OF MI	36,541.70
06-10-2021	T13813M	05892	PAYCOR	1,261.52
06-28-2021	T13814M	04389	FRONTIER COMMUNICATIONS A	44.70
06-30-2021	T13815M	03770	MICHIGAN GAS UTILITIES	54.16
06-14-2021	T13816M	04197	MI PUBLIC POWER AGENCY	236,238.42
06-09-2021	T13817M	00181	GORDON FOOD SERVICE	8,498.87
05-22-2021	T13818M	03858	FARMERS STATE BANK	7,781.90
06-22-2021	T13819M	03858	FARMERS STATE BANK	7,781.90
06-16-2021	T13820M	04088	BLUE CROSS BLUE SHIELD OF MI	8,629.41
06-25-2021	T13821M	04197	MI PUBLIC POWER AGENCY	12,588.45
06-11-2021	T13822M	00062	CITY OF STURGIS-EMPLOYEE INS	60,061.06
06-11-2021	T13823M	04294	CITY OF STURGIS-BASIC/SBT	161.70
06-11-2021	T13824M	05588	ALERUS FINANCIAL/MERS TRANSFER	2,311.31
06-11-2021	T13825M	00065	DOYLE MEMBERSHIP TRANSFER	2,288.09
06-11-2021	T13826M	00063	CITY OF STURGIS TAX TRANSFER	16,592.78
06-11-2021	T13827M	05123	COMERICA BANK-INST TRUST SERV	28,424.93
06-11-2021	T13828M	03229	CITY OF STURGIS-WORKERS COMP	2,918.23
06-11-2021	T13829M	00064	INTL CITY MGMT ASSOC RETR CORP	6,107.70
Automatic Checks				
06-23-2021	240113	00110	A & K PRINTING & POOLS	596.25
06-23-2021	240114	00275	A B'S GLOVE & ABRASIVES INC	158.10
06-23-2021	240115	00066	ACTION QUICK PRINT PLUS	106.99
06-23-2021	240116	00332	ALEXANDER CHEMICAL CORP	2,884.53
06-23-2021	240117	00002	ALL-PHASE ELECTRIC SUPPLY	16.89
06-23-2021	240118	02334	ALLMAKE BROADCOM	553.00
06-23-2021	240119	06119	AMAZON.COM SALES INC	1,691.55
06-23-2021	240120	00296	AMY S VANDRKOLK	83.27
06-23-2021	240121	06152	APEX SOFTWARE	235.00
06-23-2021	240122	00624	AQUA BLAST CARWASH SYSTEMS INC	712.00
06-23-2021	240123	00296	ARTHUR D AND MARSHA L EAGY	14.63
06-23-2021	240124	02292	ASPLUNDH TREE EXPERT CO	17,904.36
06-23-2021	240125	05192	AVENTRIC TECHNOLOGIES LLC	1,635.00
06-23-2021	240126	00130	BANDHOLTZ PAINT MFG CO	65.21
06-23-2021	240127	06117	BENITA ANN LEWIS	45.00
06-23-2021	240128	00072	BIRD, SCHESKE, REED & BEEMER,	1,656.21
06-23-2021	240129	02749	HARLAN BLOOD	15.00
06-23-2021	240130	00511	BOALS SEWER & DRAIN CLEANING	110.00
06-23-2021	240131	05080	BOBILYA CHRYSLER DODGE JEEP	1,540.19
06-23-2021	240132	05991	BORGESS MEDICAL GROUP	95.00
06-23-2021	240133	06153	C&I GROUP LLC	1,000.00
06-23-2021	240134	05634	CATHERINE LETTS	25.00
06-23-2021	240135	05929	FACTUAL DATA	50.00
06-23-2021	240136	00315	CENTURYLINK	30.52
06-23-2021	240137	00354	DALE W. HUBBARD INC	108,629.01
06-23-2021	240138	06065	COOPER'S TRENCHING INC	800.00
06-23-2021	240139	04658	CORTEX IT LABS PTY LTD	1,853.79
06-23-2021	240140	05863	COTTINS DO IT BEST HARDWARE	122.81
06-23-2021	240141	00296	COURTNEY A CARR	64.79
06-23-2021	240142	05925	CREATIVE DINING SERVICES	9,259.27
06-23-2021	240143	00152	CULLIGAN WATER CONDITIONING	93.00
06-23-2021	240144	05694	CUMMINS INC	403.15
06-23-2021	240145	05402	CUSTOM BRICK SOLUTIONS LLC	1,785.00
06-23-2021	240146	05909	TONY D'HAESE	192.00
06-23-2021	240147	01119	DAVID W LUDDERS	73.60
06-23-2021	240148	02005	DELL MARKETING LP	3,551.93
06-23-2021	240149	03842	DESIGNS BY VOGT'S LLC	527.67
06-23-2021	240150	04638	DRIESENGA & ASSOCIATES INC	178.75
06-23-2021	240151	00364	CAROL DUSTIN	280.00
06-23-2021	240152	06154	ELEUTERIO LOPEZ	200.00
06-23-2021	240153	00769	EMERGENCY VEHICLE PRODUCTS INC	4,435.17
06-23-2021	240154	04955	ENVIRO-CLEAN	3,553.00
06-23-2021	240155	06123	EVE FITNESS LLC	160.00
06-23-2021	240156	04863	EVOQUA WATER TECHNOLOGIES LLC	7,392.44
06-23-2021	240157	00169	FASTENAL COMPANY	299.59

06-23-2021	240158	05151	FAWN RIVER MECHANICAL LLC	8,053.61
06-23-2021	240159	05490	FERGUSON WATERWORKS #3386	306.60
06-23-2021	240160	01182	FIEBIG JEWELERS INC	200.00
06-23-2021	240161	05544	FIRST ADVANTAGE OCCUPATIONAL	47.66
06-23-2021	240162	00460	FITNESS THINGS INC	690.00
06-23-2021	240163	00776	FLEIS & VANDENBRINK	3,974.73
06-23-2021	240164	02082	GECKO SECURITY LLC	6,239.00
06-23-2021	240165	00183	W W GRAINGER INC	421.74
06-23-2021	240166	06104	GRANTSMANSHIP CONSULTING LLC	2,925.00
06-23-2021	240167	05634	GREEN PROJECTS GROUP	900.00
06-23-2021	240168	01155	HACH COMPANY	221.00
06-23-2021	240169	00578	HAVEL	2,600.00
06-23-2021	240170	00579	HEIMAN INC	188.15
06-23-2021	240171	05522	INTERSTATE BATTERIES-GREAT LKS	133.95
06-23-2021	240172	05842	JOHN DEERE FINANCIAL	448.49
06-23-2021	240173	00296	JOSH J CHANDLER	33.07
06-23-2021	240174	00473	KAL-BLUE REPROGRAPHICS INC	329.10
06-23-2021	240175	06140	KEITH NUNN	300.00
06-23-2021	240176	00020	KENDRICK STATIONERS INC	360.80
06-23-2021	240177	01615	KENNEDY INDUSTRIES INC.	1,158.87
06-23-2021	240178	04707	KENT POWER INC	21,860.00
06-23-2021	240179	01101	JANENE KOSMAN	60.00
06-23-2021	240180	04666	PAUL KRICK	100.00
06-23-2021	240181	00296	KRISTINA TROPPE	63.26
06-23-2021	240182	00212	KSS ENTERPRISES	1,336.30
06-23-2021	240183	00216	LAWSON PRODUCTS INC	159.76
06-23-2021	240184	03684	LEXISNEXIS RISK SOLUTIONS	100.00
06-23-2021	240185	00220	LITHO PRINTERS INC	144.30
06-23-2021	240186	00296	LORI J COBURN	71.07
06-23-2021	240187	06114	MACNLOW ASSOCIATES	375.00
06-23-2021	240188	00296	MANUEL S CHOC CAAL	81.69
06-23-2021	240189	06148	MARK COBURN	48.00
06-23-2021	240190	05945	MED SAFETY PLUS LLC	25.35
06-23-2021	240191	00585	MI ASSOC OF CHIEFS OF POLICE	280.00
06-23-2021	240192	03774	STATE OF MICHIGAN	180.00
06-23-2021	240193	01641	MICHIGAN RURAL WATER ASSOC	755.00
06-23-2021	240194	00505	STATE OF MICHIGAN	95.00
06-23-2021	240195	00505	STATE OF MICHIGAN	95.00
06-23-2021	240196	05428	MICHIGAN UNDERGROUND LLC	26,299.00
06-23-2021	240197	05121	MICKEY'S LINEN	134.34
06-23-2021	240198	06026	MID-CITY SUPPLY CO INC	1,295.63
06-23-2021	240199	04014	MILLERS SALES & SERVICE	135.00
06-23-2021	240200	00245	MOSTROM & ASSOC INC	1,700.00
06-23-2021	240201	00992	MUNICIPAL CODE CORPORATION	350.00
06-23-2021	240202	05102	McLEAN ENGINEERING CO	1,812.50
06-23-2021	240203	06069	NAPA AUTO PARTS	553.14
06-23-2021	240204	00253	NEHIL*SIVAK CONSULTING	3,524.01
06-23-2021	240205	05781	OH-MAN ENTERPRISES LLC	6,334.78
06-23-2021	240206	05671	PACE ANALYTICAL SERVICES LLC	165.00
06-23-2021	240207	03935	PARAGON LABORATORIES INC	324.00
06-23-2021	240208	05527	MARGARET M PERECH	120.00
06-23-2021	240209	05042	PLANT GROWTH MANAGEMENT SYSTEM	4,043.20
06-23-2021	240210	02741	PLATEMATE	109.50
06-23-2021	240211	00033	POSTNET POSTAL & BUSINESS	171.28
06-23-2021	240212	00485	POWER LINE SUPPLY	1,027.41
06-23-2021	240213	00031	POWER SYSTEM ENGINEERING INC.	3,670.00
06-23-2021	240214	03091	PRIME QUALITY ELECTRIC LLC	5,950.84
06-23-2021	240215	01656	KOORSEN FIRE & SECURITY INC	5,054.66
06-23-2021	240216	00279	RATHCO SAFETY SUPPLY	1,765.28
06-23-2021	240217	05739	RENEWABLE WORLD ENERGIES LLC	7,535.22
06-23-2021	240218	00035	RESCO	23,749.07
06-23-2021	240219	00296	ROXANNE M REAPER	34.18
06-23-2021	240220	05765	SELKING INTL & IDEALEASE-LAGR	1,477.12
06-23-2021	240221	00296	SETH VANPELT	49.59
06-23-2021	240222	02179	SPRINT	1,288.97
06-23-2021	240223	04310	SSEO GROUP INC	1,550.25
06-23-2021	240224	02880	ST JOE CO TRANSPORTATION AUTH	500.00
06-23-2021	240225	05736	ST JOSEPH COUNTY EDGE	10,000.00
06-23-2021	240226	00488	STATE SYSTEMS RADIO INC	195.00
06-23-2021	240227	04274	STEENSMA LAWN & POWER EQUIP	304.44
06-23-2021	240228	01021	STURGIS COMMUNITY FOUNDATION	2,650.00
06-23-2021	240229	05918	THE STURGIS HISTORICAL SOCIETY	8,300.00
06-23-2021	240230	00291	STURGIS JOURNAL	150.00
06-23-2021	240231	00841	STURGIS TOWING & RECOVERY	60.00
06-23-2021	240232	04140	SWICK BROADCASTING COMPANY	200.00
06-23-2021	240233	06095	SWS SAFETY WARNING SPECIALISTS	397.40
06-23-2021	240234	05682	ROBERT TAYLOR	40.00
06-23-2021	240235	06151	THE NAKED SHIRT CUSTOM PRINTNG	1,184.00
06-23-2021	240236	05999	TRI-STATE LINE-X	775.00
06-23-2021	240237	06150	UNITED WHOLESALE GROCERY	1,497.88
06-23-2021	240238	04326	USA BLUEBOOK ACCT #665206	126.36
06-23-2021	240239	06029	VAN DOORN ROOFING INC	6,720.00
06-23-2021	240240	04453	VERIZON WIRELESS	3,317.70
06-23-2021	240241	05659	WARNER OIL COMPANY	158.40
06-23-2021	240242	00284	WASTECORP PUMPS LLC	819.22
06-23-2021	240243	06147	WAYNE DUCARME	96.00

06-23-2021	240244	01308	WEDEL'S INC	349.93
06-23-2021	240245	06107	YEOMAN, TALIA	270.00
06-23-2021	D01692	02983	CINTAS LOCATION #351	1,634.35
06-23-2021	D01693	03922	MARANA GROUP	3,536.62
06-23-2021	D01694	01080	NYE UNIFORM CO	209.00
Manual Total				\$1,052,865.90
Automatic Total				\$374,155.44
Grand Total				\$1,427,021.34

PAYROLL DISBURSEMENT
FOR PAYROLL ENDING 06/06/2021
PR0558M PAYROLL DATE 06/11/2021

GENERAL	\$140,119.92
MAJOR STREET	7,709.06
LOCAL STREET	21,562.23
CEMETERY	7,597.38
DDA	802.13
AIRPORT	892.70
BUILDING	2,676.41
STURGES-YOUNG CENTER FOR THE ARTS	5,385.53
RECREATION	3,710.48
DOYLE RECREATION CENTER	7,701.12
ELECTRIC	68,188.25
SEWER	16,074.49
WATER	9,647.97
MOTOR VEHICLE	2,738.21
Payroll Sub-Total	\$294,805.88

City of Sturgis City Commission Regular Meeting

Agenda Item 8C

EASEMENT

The CITY OF STURGIS, a Michigan municipal corporation, whose address is 130 North Nottawa, Sturgis, Michigan 49091, party of the first part, in consideration of Ten and 00/100 (\$10.00) Dollars to it in hand paid by NEWELL BRANDS, INC., a foreign corporation, whose address is 6655 Peachtree Dunwoody Road, Atlanta, GA 30328, party of the second part, hereby conveys and warrants to the party of the second part, its successors and assigns, the easement and right to construct, repair, substitute, remove, replace and maintain private utility pipes together with the usual services, connections and accessories, underground across Hatch Street, Sturgis, Michigan, more fully described on Exhibit "A" and shown on Exhibit "B" attached hereto and incorporated herein by reference; with full right and authority to the party of the second part, its successors and assigns, and its agents and employees, to, upon prior approval by the City of Sturgis, enter upon said premises for the purpose of constructing, repairing, substituting, removing, replacing and maintaining any or all of the said private utility pipes, services, connections and accessories "Easement".

The Easement is granted to the party of the second part in conjunction with its remediation system located at 308 N Prospect Street, Sturgis, Michigan. Upon termination of the remediation system the Easement shall terminate and the party of the second part shall grout the pipelines located within the Easement.

Party of the first part reserves the right to use the premises for purposes not inconsistent with

party of the second part's use of said property.

As a part of the consideration of this easement, party of the second part agrees to obtain all required permits from the City of Sturgis for the installation of the private utility pipes and to install and maintain it as approved by the City of Sturgis.

As a part of the consideration of this easement, party of the second part agrees to restore the ground surface to its original condition after improvements are installed and further agrees to indemnify, defend and hold party of the first part harmless from and against any and all claims, liabilities, causes of action, or damages whatsoever, arising out of or connected with party of the second part's exercise of the rights herein granted.

IN WITNESS WHEREOF, the parties have set their hands and seals as of the ____ day of June, 2021.

CITY OF STURGIS

NEWELL BRANDS, INC.

By: _____
Robert Hile
Its Mayor

By: _____
Raj Dave
Its Vice President, Chief
Securities Counsel & Assistant
Corporate Secretary

By: _____
Kenneth D. Rhodes
Its Clerk

Party of the Second Part

Party of the First Part

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

On this ____ day of June, 2021, before me, a Notary Public in and for said County, appeared Robert Hile and Kenneth D. Rhodes to me personally known, who, being by me duly sworn, did for themselves each say that they are the Mayor and Clerk, respectively, of the City of Sturgis, named in and which executed the within instrument, and that said instrument was signed and sealed on behalf of said City of Sturgis; and said Robert Hile and Kenneth D. Rhodes acknowledged said instrument to be the free act and deed of said City of Sturgis.

Notary Public
St. Joseph County, Michigan
Acting in St. Joseph County, MI
My commission expires: _____

STATE OF GEORGIA,)
) ss:
COUNTY OF _____.)

On this ____ day of June, 2021, before me, a Notary Public in and for said County, appeared Raj Dave, to me personally known, who, being by me duly sworn, did say that he is the Vice President, Chief Securities Counsel & Assistant Corporate Secretary of Newell Brands, Inc. named in and which executed the within instrument, and that said instrument was signed and sealed on behalf of said Newell Brands, Inc; and said Raj Dave acknowledged said instrument to be the free act and deed of said Newell Brands, Inc.

Notary Public
_____, Georgia
My commission expires: _____

Prepared in the offices of:
Bird, Svendsen, Brothers & Scheske, P.C.
227 West Chicago Road
Sturgis, MI 49091
By: Roger A. Bird
(269) 651-2445

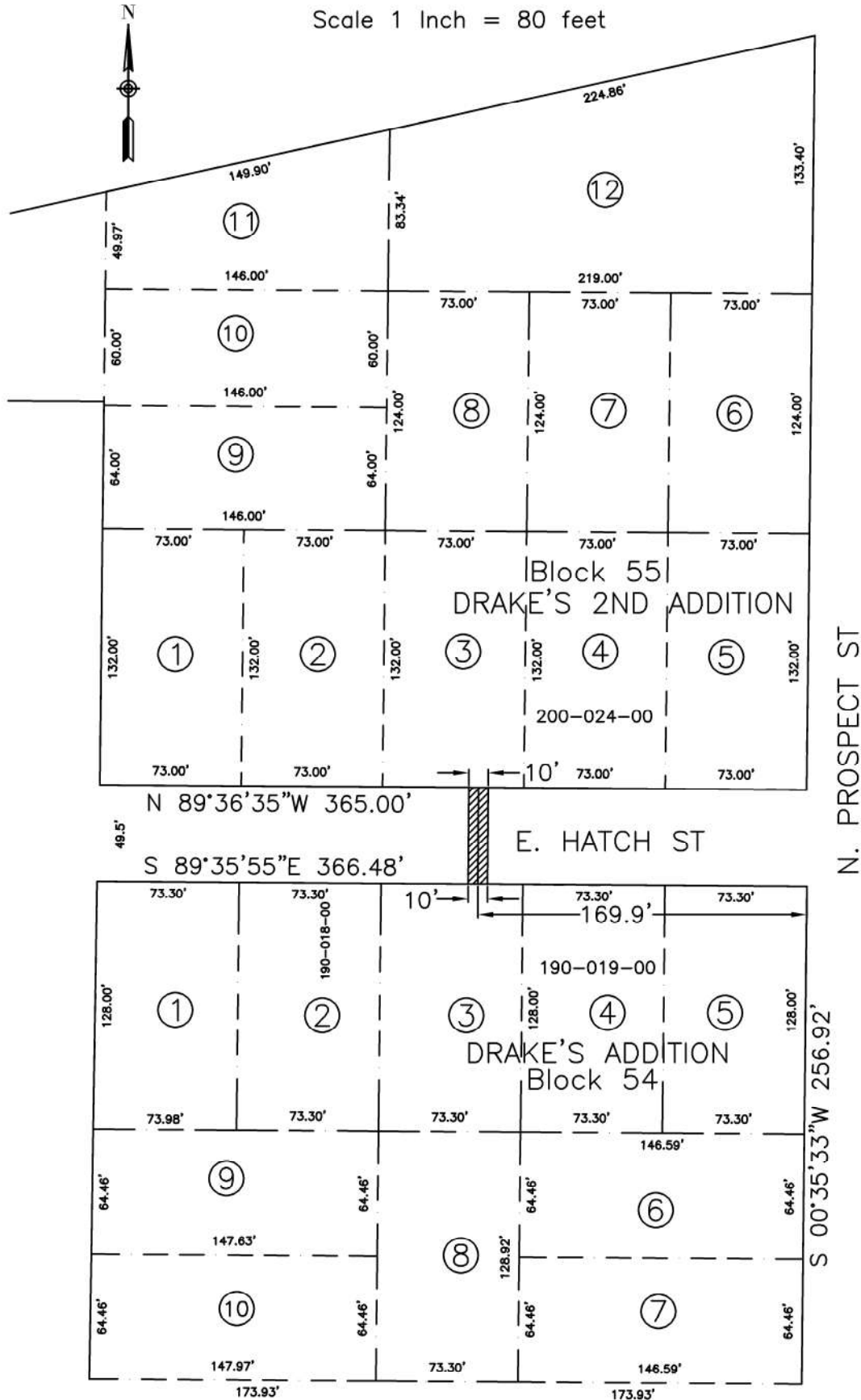
Exhibit A – Newell Brands Easement Description

A ten-foot wide private easement for five 6 inch, HDPE pipelines centered on the following described line.

Beginning at the Northeast corner of Lot 5, Block 54 of Drake's Addition to the Village (now City) of Sturgis, according to the Plat of record in the Office of the Register of Deeds for St. Joseph County, Michigan in Liber 45 of Deeds, on page 8, thence running along the north line of lots 5, 4, and 3 a distance of 169.9 ft to the Point of Beginning. Thence North 49.5 feet perpendicular to the E. Hatch Street right of way to the north right of way line of E. Hatch Street, which is the Point of Ending.

Exhibit B

Scale 1 Inch = 80 feet



**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10B

Drinking Water State Revolving Fund Project Plan

City of Sturgis

Project No. 210478

EGLE Project Plan No. 7619-01 and 7627-01

May 14, 2021

Drinking Water State Revolving Fund Project Plan EGLE Project Plan No. 7619 01 and 7627 01

**Prepared For:
City of Sturgis
Sturgis, Michigan**

**May 14, 2021
Project No. 210478**

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List of Abbreviations/Acronyms

City	City of Sturgis
DWI	Drinking Water Infrastructure
DWSRF	Drinking Water State Revolving Fund
EGLE	Michigan Department of Environment, Great Lakes, and Energy
GPM	gallons per minute
MG	million gallon
SDWA	Safe Drinking Water Act
WPP	Wellhead Protection Program
WSGP	Water System General Plan
WSRS	Water System Reliability Study

1.0 Introduction

In March 2021, the City of Sturgis (City) retained Fishbeck to complete a Drinking Water State Revolving Fund (DWSRF) Project Plan for improvements to the City's water system. The purpose of this document is to present the Project Plan and meet the project planning requirements of the Michigan Department of Environment, Great Lakes, and Energy (EGLE).

In preparing and submitting a Project Plan, the City is hoping to take advantage of a newly announced grant opportunity. Communities applying for a DWSRF loan may qualify for a Drinking Water Infrastructure (DWI) Grant for DWI upgrades included in a community asset management plan. A total of \$35 million is available, and communities may qualify for the lesser of 30% of project costs or \$2 million.

In addition to this new funding source, the state generally offers some form of principal forgiveness each year. When the state is awarded a federal capitalization grant, Congress and the Safe Drinking Water Act (SDWA) mandate a range of that grant be used as additional subsidization to eligible recipients. Michigan generally chooses to apply this additional subsidization as principal forgiveness to disadvantaged communities. It is possible for a loan that receives DWI Grant monies to also qualify for traditional principal forgiveness.

2.0 Project Background

2.1 Delineation of Study Area

The City is in St. Joseph County in southwestern Michigan, less than three miles from the Indiana border. Sturgis is about one hour south of both Kalamazoo and Battle Creek, and northeast of South Bend, Indiana. Geographically, the City sits almost equidistant between Detroit and Chicago.

The Study Area includes the developed areas of the City as shown in Figure 1. A map of the major surface waters is depicted in Map 1.

2.2 Land Use

The City's Master Plan was updated in 2020 and contains a detailed description of land use and zoning.

2.2.1 Existing Land Use

Land use categories in the City are typically divided into five major categories: residential, commercial, industrial, exempt, and agriculture. Map 2 depicts the existing land use within the City.

Residential

The primary purpose of residential land use is to provide housing to the City's population, although other complementary uses can also be permitted such as parks and churches. Following traditional land use patterns, historic homes built before the wide use of automobiles are located within walking distance to downtown. From this central node, newer residential development fans outwards toward the City limits. Most of the residential neighborhoods are located primarily east of M-66, closer to Sturgis' parks and public schools than industrial uses. Currently, 28.7% of land is committed to residential uses. This is a relatively low percentage dedicated to housing for a city, but Sturgis is in the rare position of having one parcel, the Kirsch Municipal Airport, cover a large swath of the City land. Just over 4% of residential parcels were categorized as vacant, which equates to 158 properties.

Commercial

The commercial land uses in Sturgis cluster along major vehicular corridors and near complementary industrial uses. Commercial land uses comprise almost 13% of the total land, with approximately 480 acres spread across 301 parcels.

Parcel size has an impact of a visitor's overall experience in a commercial district. In the central business district, smaller parcels laid out in contiguous storefronts contribute to a walkable "downtown experience." The difference in parcel size alone indicates which parts of the City have embedded hardware for "placemaking" and which commercial parcels are convenience-oriented. This distinction becomes important when a City strategizes over where and how to direct resources to get the "biggest bang for your buck" with economic development.

Industrial

Sturgis has a proud history of manufacturing that is still apparent today in the amount of land consumed by industrial uses. Almost 17% of land is used for industry, which cover 140 more acres than commercial properties. On average, the parcel size is about five times larger than parcels used for commercial enterprise and due to their size, appearance, and noise levels are clustered around the Kirsch Municipal airport and extend southward between M-66 and the Michigan Southern Railroad. Interestingly, both industrial and commercial land categories have 34 vacant parcels, although this represents a greater proportion for commercial uses. The largest concentration of vacant industry is situated on the east side of M-66 on a grassy patch near Auto Park Ford, Oak Press Solutions, and Sturgis Molded Products.

Exempt

Public and quasi-public land is defined as properties owned by governmental, non-profit, or religious institutions. Combined, 208 parcels, or 34% of land in Sturgis is publicly owned. As mentioned before, this is exceptionally high in Sturgis due to the Kirsch Municipal Airport. Although public land does not collect revenue for the City's general fund, it enables the City to provide essential services to its residents such as education, wastewater treatment, cemeteries, and rights-of-way.

Agriculture

There is no active agriculture taking place within the City limits. However, there is still about 225 acres of vacant agricultural land. Logically, most of these parcels remain on the edges of the City where Sturgis continues to be surrounded by open land. The one exception is the large parcel that sits between Sturgis Middle School and the Doyle Community Center. Denser development pattern, both residential and commercial in the City center help to preserve agricultural land in the long run.

2.2.2 *Planned Land Use*

The vision of the Sturgis community is one that supports jobs, retail, and infrastructure. Increasing employment opportunities, increasing retail and restaurants in the downtown, and improving City streets. Continuing to maintain the quality of schools, low crime rate, and affordable housing will keep residents, families, and seniors within the City. The regulatory tools for implementation are driven by the understanding of community needs vocalized by citizens, stakeholders, and elected leaders.

The planned land use, depicted in Map 3, identifies generalized preferred future land uses in the City. It is a general framework intended to guide land use and policy decisions within the City over the next 15-20 years, driving changes to the Zoning Ordinance and informing development review decisions. The preferred locations for future development types are shown, allowing the community to identify where certain land uses should expand or contract without committing it to law.

Only minimal growth is planned in the area. The residential, commercial, and industrial base has been stable. The south area and the fringes of the City are available for growth, although no significant expansion is planned at this time.

2.3 Population Projections

Table 1 below provides the population projects for the City.

Table 1 – Sturgis Population Projections

Year	Population	Projected Population Change for St. Joseph County ²
Current ¹	10,861	NA
2025	10,988	1.17%
2030	11,206	1.98%
2040	11,457	2.24%

¹ Based on the Census Bureau's Population Estimates Program for 2019.

² Taken from the *Michigan Population Projections by County through 2045*, published in September of 2019.

2.4 Water Demand

The entire water demand for the City and its surrounding service area are supplied by water from four wells located in three well fields. It is a limited treatment type water system. The 2016 Water System Reliability Study (WSRS) was updated in 2021 to show that the historical water use has remained largely the same since the 1990s. The population was projected to grow by 0.1% over the next 20 years. Demand for 2020 and 2035 can be found in Table 2 below.

Table 2 – Water Demand

	2020 Demands (MGD)	2035 Future System Demands (MGD)
Average Day	1.162	1.4
Max Day	2.196	2.7
Max Hour	3.294	4.0
Fire Flow	4.287	4.0

The projects in this project plan have been developed based on the results of the hydraulic modeling in the 2016 WSRS and the Safe Drinking Water Act. The recommendations were based on the 2035 water demands and to provide reliability of the overall system. Replacement of the undersized water mains will also provide additional fire flow capacity to the adjacent and surrounding areas.

2.5 Existing Facilities

The City water system serves customers residing in the City and the surrounding area. The method of distribution employed in the City is the pump-storage method. In pump-storage systems, a combination of well pumps and elevated storage are used to meet user's demands. The water system includes over 76 miles of watermain, a 1.5 million gallon (MG) elevated water storage tank, and four groundwater wells.

Both the WSRS and Water System General Plan (WSGP) were updated in 2021 and contain additional information on the existing facilities, including a full asset inventory and criticality assessment.

2.5.1 Water Supply

Water for the City's domestic and fire needs is pumped from wells that extend into the groundwater aquifer. The City is supplied water from four wells at three separate locations. Table 3 below provides a summary of the general well characteristics. The pumps at each of the four wells are rated at between 1,400 and 1,800 gallons per minute (GPM) capacity.

Table 3 – General Well Characteristics

Well ID	Location	Rated Capacity (Water System Reliability Study)	Operating Capacity (GPM)	Head (ft)	Depth (ft)	Casing Depth (ft)	Casing Dia. (in)	Horsepower	Status
3	Lakeview	1,500	1,200	240	169	128	30	100	Active
5	Oaklawn	1,800	1,850	267	141	116	16	150	Active
6	Thurston	1,500	1,500	280	180	160	30	150	Active
7	Thurston	1,400	1,400	250	188	148	24	125	Active

The City uses all the wells in its system on a daily rotation since one well generally provides for water needs. The operation of the well pumps follows procedures for meeting customer water demands and maintaining minimum water tank levels. The control system monitors tank water levels. It then starts and stops pumps based on present level parameters. The typical goal is to operate the well pump in service until the water storage tank is full and then to turn it off until the tank level gets back down to its minimum service level, thus minimizing pumping usage, reducing electricity demand, and circulating the water in the system.

Variable frequency drives were recently added to address pressure fluctuations in the distribution system. It is good practice to utilize variable frequency drives in these situations to reduce water hammer, etc.; however, it is important to “turnover” the water in the elevated tank as part of the well pump rotation.

The Thurston Well #7 has a permanent electric generator that runs off natural gas for standby power. The generator allows the City to provide a continuous supply of finished water during an electrical service interruption. The City-owned electric generator plant serves all four wells.

The City has a Wellhead Protection Program (WPP) in place. The WPP was last updated in October 2018.

2.5.2 Water Storage

The City owns one 1.5 MG elevated storage tank that is in good condition and is well maintained. The interior was painted in 2010 and the exterior in 2009. The water tank is critical to the overall system as it provides fire protection, as well as surge reduction. The tank level also controls water production. Well pumps turn on when the tank level reaches a specified storage elevation. These are normal operating conditions for most communities that operate with a pump-storage based distribution system.

The City has a single pressure zone for the entire distribution system. There is a fairly significant elevation differential throughout the City with approximately 90 feet of change from the northeast to the southwest town limits causing a nearly 40 psi pressure differential. The water tank is located in the northeast part of the City allowing for the tank height to be minimized. As the ground elevations increase to the north, the pressure in the water distribution system decreases.

2.5.3 Water Treatment

The City provides a limited treatment type water system for the community. The quality of the water drawn from its four wells is very good. It is routinely sampled, tested, and monitored for compliance with State and Federal regulations and standards. Source water has several chemicals added to it before entering the water system. At each well, the following chemicals are added: chlorine for disinfection, fluoride for dental health, and polyphosphates for iron sequestration. Chlorine gas is used at the Lakeview, Oaklawn, and one of the Thurston wells. The other Thurston well uses liquid hypochlorite for chemical disinfection.

2.5.4 Distribution Mains, Hydrants, and Valves

The water distribution network consists of approximately 403,092 feet (76.3 miles) of piping ranging from 2-16 inches as detailed in Table 4. A summary of the varying water line materials is provided in Table 5.

Table 4 – Water Distribution System Piping Summary

Pipe Size (in.)	Length (ft)	Percentage in System
2	2,281	0.57%
4	81,475	20.21%
6	130,132	32.28%
8	94,916	23.55%
10	11,315	2.81%
12	82,615	20.50%
16	358	0.09%
Total	403,092	100.00%

Table 5 – Water Distribution System Piping Material Summary

Water Line Material	Length (ft)	Percentage in System
Cast Iron	248,640	61.68%
Ductile Iron	152,171	37.75%
Galvanized	1,911	0.47%
Plastic	370	0.09%
Total	403,092	100.00%

There are approximately 600 fire hydrants on the distribution system. About 1% of the hydrants do not have an auxiliary shut-off valve. All hydrants are known to be operable. Hydrants are individually inspected by the public services department twice a year during the spring and fall hydrant flushing. Hydrant flushing is done to remove settled particulates and clear turbidity from water mains.

There are also approximately 1,400 valves spread across the City's distribution system for isolating water mains for service or repair. This total does not include valves on fire hydrant branches.

2.6 Summary of Project Need

The proposed projects to the distribution system recommend action due to the presence of aged and/or under sized water main and lead services. To avoid redundancy, the concerns of each of these items are described below.

Aged Water Main

Failure of cast iron water mains and valves built before 1940 in the older parts of Sturgis are common, particularly during the winter months. This lessens the distribution system reliability and increases operation and maintenance efforts. These aged water mains generally include lead service lines; it is best practice and most cost effective to replace both the water main and lead services concurrently.

Lead Services

Lead water services are a known potential public health hazard. Many lead services still existing within older portions of the distribution system. These lead services need to be eliminated withing the next 20 years to meet the requirements of the SDWA.

2.6.1 St. Joseph Street Water Main

Approximately 2,350 feet of 4-inch, 6-inch and 8-inch water main, built prior to 1923, exist in St. Joseph Street from N. Centerville to Nottawa Streets. At the St. Joseph/N. Park Street intersection, the 4-inch main does not connect to a 12-inch water main built pre-1932. The 12-inch water main in Park Street runs to the north/south of the St. Joseph Street intersection and goes underneath a building and railroad tracks to the north of the intersection. At the St. Joseph/Jacob intersection, the 4-inch main connects to an 6-inch water main built pre-1924. The rest of the side streets have 4-inch water main built in the 1920s. Approximately 20 residential properties, three businesses, and one school administration building are currently served by the 4-inch main. The mains are made of cast iron and all residential services are likely made of lead.

2.6.2 N. Clay Street and N. Park Street Lead Service Replacement

Throughout older portions of the City lead water services were installed from the water main in the street to the curb box and then galvanized steel from the curb box to inside of individual homes. On N. Clay Street, there is a 4-inch water main that was installed pre-1932 and an 8-inch water main that was installed in 1984. There are seven lead water services from the 4-inch water main to the individual homes.

For two blocks of N. Park Street, there is a 4-inch water main installed pre-1924 and a 12-inch water main installed pre-1932. There are 15 lead water services from the 4-inch water main to the individual homes.

2.6.3 E. Hatch Street Water Main

Approximately 1,350 feet of 4-inch and 6-inch water main, built in pre-1924, exist in Hatch Street from N. Prospect Street to N. Lakeview Avenue. At each cross street in the project area, the 4 and 6 inch water main connects to a 2, 4, or 6-inch water main. Approximately 21 residential properties are currently served by the 4-inch main. The mains are made of cast iron and all services are likely made of lead.

2.6.4 Compliance with Drinking Water Standards

EGLE issued a Sanitary Survey for the City water system in 2020. The document listed numerous recommendations for the water system. The City has addressed several of the recommendations. The 2016 WSGP Revised in January 2021 makes 5-year capital improvements recommendations. The projects in this project plan are included in these recommendations.

2.6.5 Orders or Enforcement Actions

No court or enforcement orders, or written enforcement actions have been issued to the City regarding the water system.

2.6.6 Drinking Water Quality Problems

The aesthetic quality of the water produced by the City's wells is generally good. There are no known drinking water problems in the overall distribution system. Polyphosphate polymer is added to the water prior to entering the distribution system for aesthetics to minimize "red water", helping to control corrosion and scale in the water.

2.6.7 Projected Need for the Next 20 Years

The 2016 WSGP revised in January 2021 outlines projected needs for the 20 year period from 2019-2038. Necessary water supply improvements were identified that would add to the reliability of the overall system. These improvements are not needed immediately, but are being planned for over time. The City will continue to replace 4-inch water mains and older cast iron water mains subject to breaks as part of its street reconstruction program. The City will also continue to replace lead water services to comply with the SDWA.

One reliability issue identified in the WSGP is static pressures under 50 psi in the northern area of the City resulting from ground elevation differences. The City should plan for oversized water lines in the northern area of the City when expanding in that direction.

The WSGP also identifies a potential expansion of providing emergency water service to northern Indiana. If that were to occur, higher pressure in the southern portion of the City would need to be addressed with pressure reducing valved connections.

3.0 Analysis of Alternatives

3.1 St. Joseph Street

3.1.1 No Action

Approximately 2,650 feet of 4-inch, 6-inch and 8-inch water main have exceeded their design life. In the No Action alternative, the water main would remain in service. The 20 lead water services would need to be replaced within 20 years to comply with the SDWA.

3.1.2 Optimum Performance of Existing Facilities

The existing 4-inch, 6-inch and 8-inch water main and water services have exceeded their design lives and no longer function optimally, nor does the 4-inch meet the 10 States Recommended Standards for Water Works Design Standards and operational expectations.

3.1.3 Construction Alternatives

3.1.3.1 New 12-inch and 8-inch Water Main and Services

- Replace approximately 650 feet of 4-inch water main with new 12-inch water main in St. Joseph Street between N. Centerville and N. Park Streets. This installation will replace an existing 12-inch distribution main which currently runs under a building and a railroad track north of St. Joseph. This will replace that distribution loop.
- Replace approximately 1,700 feet of 4-inch, 6-inch, and 8-inch water main with new 8-inch water main in St. Joseph Street between N. Park and N. Nottawa Streets.
- Install approximately 300 feet of 8-inch water main between Jefferson and Clay Streets where no water main currently exists.
- Replace approximately 20 lead water services (including the required water services on private property) with copper services.

3.1.3.2 New Services

- Replace approximately 20 lead water services (including the required water services on private property) with copper services.

3.1.4 Regional Alternatives

A regional alternative is not available.

3.2 N. Clay Street and N. Park Street

3.2.1 No Action

The 22 lead water services would need to be replaced within 20 years to comply with the SDWA. The services are also served off an undersized 4-inch main that has exceeded its design life.

3.2.2 Optimum Performance of Existing Facilities

Lead is no longer an acceptable material for potable water services. Each section of N. Clay Street and N. Park Street has an existing newer section of 12-inch water main. The existing 4-inch water main no longer functions optimally nor does it meet the 10 States Recommended Standards for Water Works Design Standards and operational expectations.

3.2.3 Construction Alternatives

3.2.3.1 Lead Water Service Replacement

Replace approximately 22 public and private side lead services with copper services. The new water services would be tapped off the newer existing 12-inch water main in each street. The old 4-inch water main would be abandoned after the construction of the new services.

3.2.4 Regional Alternatives

A regional alternative is not available.

3.3 E. Hatch Street

3.3.1 No Action

Approximately 745 feet of 4-inch and 605 feet of 6-inch water main have exceeded their design life. In the No Action alternative, the water main would remain in service. The 21 lead water services would need to be replaced within 20 years to comply with the SDWA.

3.3.2 Optimum Performance of Existing Facilities

The existing 4-inch and 6-inch water main and water services have exceeded their design lives and no longer function optimally. The 4-inch water main does not meet the 10 States Recommended Standards for Water Works Design Standards and operational expectations.

3.3.3 Construction Alternatives

3.3.3.1 New 8-inch Water Main and Services

- Replace approximately 605 feet of 6-inch water main with new 8-inch water main in E. Hatch Street from N. Prospect to Center Streets.
- Replace approximately 745 feet of 4-inch water main with new 8-inch water main in E. Hatch Street from Center to N. Lakeview Avenues.
- Replace approximately 21 lead service lines (including the portions on private property) and two copper services with new copper services.

3.3.3.2 New Services

- Replace approximately 21 lead water services (including the portions on private property) with copper services.

3.3.4 Regional Alternatives

A regional alternative is not available.

4.0 Principal Alternatives

4.1 St. Joseph Street

4.1.1 Monetary Evaluation

A cost-effective analysis was completed for the two construction alternatives and for the No-Action alternative. The project budgetary cost summary for the two construction alternatives is presented in Table 6 and Table 7 below. The cost estimates include some of the restoration of curb, pavement, sidewalk, grass, and other items required to complete the improvements.

Table 6 – Estimated Project Cost Summary for New 12-inch and 8-inch Water Main and Services

Item	Initial Capital Cost	Design Life (years)	Salvage Value
New 12-inch Water Main	\$65,000	50	\$39,000
New 8-inch Water Main	\$160,000	50	\$96,000
New Valves/Fittings	\$40,000	50	\$23,640
New Copper Services	\$124,000	50	\$74,400
City Street Reconstruction	\$204,000	50	\$47,100
Subtotal: Estimated Construction Cost	\$593,000		
Project Contingency	\$88,950		
Engineering, Administration, Legal	\$148,250		
Total: Estimated Project Budget	\$830,200		

Table 7 – Estimated Project Cost Summary for New Services

Item	Initial Capital Cost	Design Life (years)	Salvage Value
New Copper Services	\$124,000	50	\$74,400
City Sidewalk Reconstruction	\$29,000	50	\$2,100
Subtotal: Estimated Construction Cost	\$153,000		
Project Contingency	\$22,950		
Engineering, Administration, Legal	\$38,250		
Total: Estimated Project Budget	\$214,200		

A present worth analysis was completed for the two construction alternatives and for the No-Action alternative, as summarized in Table 8. The No-Action alternative has no associated capital costs. Sunk costs are not included in the analysis.

Table 8 – 20-Year Present Worth Analysis: St. Joseph Street

Alternatives	New 12-inch and 8-inch Water Main and Services		New Services		No-Action	
	Cost/Value	20-Year Present Worth	Cost/Value	20-Year Present Worth	Cost/Value	20-Year Present Worth
Capital Cost	\$830,200	\$830,200	\$214,200	\$214,200	\$0	\$0
O&M Cost/Year	\$5,000	\$94,900	\$5,000	\$94,900	\$0	\$0
Salvage Value	\$280,140	(\$253,500)	\$76,500	(\$69,200)	\$0	\$0
Total Worth		\$671,600		\$239,900		\$0

4.1.2 Environmental Evaluation

4.1.2.1 Cultural Resources

The St. Joseph Street project is in a previous construction area. The Michigan Historical Marker website lists a historical marker for the Sturges-Young Auditorium, which is located to the southeast of the proposed project limits. No direct historical or archeological impact is expected.

4.1.2.2 The Natural Environment

The effects on the natural environment do not differ between construction alternatives. As summarized in Table 9 below the only anticipated impact to the natural environment is a temporary decrease in air quality due to construction. There are no wetlands or floodplains within the vicinity of the proposed project.

Table 9 – Potential Environmental Impacts Near St. Joseph Street

Environmental Considerations	Effect
Climate ¹	
Air Quality ²	X
Wetlands (Map 5)	
Coastal Zones	
Floodplains (Map 6)	
Natural or Wild and Scenic Rivers	
Major Surface Waters (Map 1)	
Agricultural Resources (Map 7)	
Existing Plant/Animal Communities and Environmentally Sensitive Habitats	

X = Effect

O = In vicinity of the project, but no anticipated impact

¹Where applicable, construction will occur during the typical construction season for underground work.

²Air quality will be temporarily impacted due to the exhaust of the heavy machinery required for demolition and construction dust.

4.1.3 Mitigation

Mitigation of environmental impacts will include best construction practices such as soil erosion prevention techniques, maintenance of construction equipment, and limiting construction to regular working hours during the week.

4.1.4 Implementability and Public Participation

Both construction alternatives would occur within the existing City public right-of-way dedicated for public utilities and roadways, except for the required replacement of lead services from the right-of-way limits to the houses. The City follows EGLE requirements for the public notification of property owners and renters when it is determined that a home is connected or “likely” connected to a lead service line and prior to a construction project in which lead service lines will be removed. The City will cover the cost of the work on private property. No expense to the homeowner is anticipated for lead service replacement.

4.1.5 Technical Considerations

4.1.5.1 No Action

Water main age is not addressed. Within 20 years, the lead services would need to be replaced to meet compliance requirements.

4.1.5.2 New 8-inch and 12-inch Water Main and Services

- Water main age addressed.
- Lead service compliance requirements are met.

4.1.5.3 New Services

- Lead service compliance requirements are met.
- Roadway patched for lead service replacements.

4.1.6 Residuals

This project will have no impact on residuals.

4.1.7 Industrial/Commercial/Institutional

The project area is relatively residential, but there also is some Industrial/Commercial parcels along this corridor. There is some potential for development and redevelopment along St. Joseph Street. This potential for Industrial/commercial/institutional usage has been considered in the development of the 12-inch and 8-inch Water Main and Services alternative.

4.1.8 Growth Capacity

The upsizing of the water main recommended in the new 12-inch and 8-inch Water Main and Services alternative is based on recommendations in the Water System City of Sturgis General Plan as part of the 5-year Water Capital Improvement Plan revised in July 2020. It also identified the 4-inch water main segments as being undersized from N. Centerville to N. Nottawa Streets. The 12-inch water main will improve the City’s distribution system loop by eliminating a reliability concern and a liability concern of having an old, large diameter water main under a building and railroad tracks.

4.1.9 Contamination

The areas of contamination documented on the EGLE Environmental Mapper have been depicted on Map 4. Several Part 213 Closed Leaking Underground Storage Tanks and Part 201 Environmental Contamination Sites are in the vicinity of the project limits.

4.2 N. Clay Street and N. Park Street

4.2.1 Monetary Evaluation

A cost-effective analysis was completed for the construction alternative and for the No-Action alternative. The project budgetary cost summary for the construction alternative is presented in Table 10 below. The cost estimates include the restoration of curb, pavement, sidewalk, grass, and other items required to complete the improvements.

Table 10 – Estimated Project Cost Summary for N. Clay Street and N. Park Street

Item	Initial Capital Cost	Design Life (years)	Salvage Value
New Copper Services	\$256,000	50	\$146,190
Abandon Water Main	\$9,000	NA	NA
City Street Reconstruction	\$42,000	50	\$24,720
Subtotal: Estimated Construction Cost	\$307,000		
Project Contingency	\$46,050		
Engineering, Administration, Legal	\$76,750		
Total: Estimated Project Budget	\$429,800		

A present worth analysis was completed for the construction alternative and for the No-Action alternative, as summarized in Table 11. The No-Action alternative has no associated capital costs. Sunk costs are not included in the analysis.

Table 11 – 20-Year Present Worth Analysis: N. Clay Street and N. Park Street

Alternatives	Lead Water Service Replacement		No-Action	
	Cost/Value	20-Year Present Worth	Cost/Value	20-Year Present Worth
Capital Cost	\$429,800	\$429,800	\$0	\$0
O&M Cost/Year	\$0	\$0	\$0	\$0
Salvage Value	\$170,910	(\$154,700)	\$0	\$0
Total Worth		\$275,100		\$0

4.2.2 Environmental Evaluation

4.2.2.1 Cultural Resources

The N. Clay Street and N. Park Street project is in a previous construction area and no direct historical or archeological impact is expected. There are no historical sites in the vicinity of the project.

4.2.2.2 **The Natural Environment**

The effects on the natural environment do not differ between construction alternatives. As summarized in Table 12 below the only anticipated impact to the natural environment is a temporary decrease in air quality due to construction. There are no wetlands or floodplains within the vicinity of the proposed project.

Table 12 – Potential Environmental Impacts Near N. Clay Street and N. Park Street

Environmental Considerations	Effect
Climate ¹	
Air Quality ²	X
Wetlands (Map 5)	
Coastal Zones	
Floodplains (Map 6)	
Natural or Wild and Scenic Rivers	
Major Surface Waters (Map 1)	
Agricultural Resources (Map 7)	
Existing Plant/Animal Communities and Environmentally Sensitive Habitats	

X = Effect

O = In vicinity of the project, but no anticipated impact

¹Where applicable, construction will occur during the typical construction season for underground work.

²Air quality will be temporarily impacted due to the exhaust of the heavy machinery required for demolition and construction dust.

4.2.3 **Mitigation**

Mitigation of environmental impacts will include best construction practices such as soil erosion prevention techniques, maintenance of construction equipment, and limiting construction to regular working hours during the week.

4.2.4 **Implementability and Public Participation**

The City follows EGLE requirements for the public notification of property owners and renters when it is determined that a home is connected or “likely” connected to a lead service line and prior to a construction project in which lead service lines will be removed. The City will cover the cost of the work on private property. No expense to the home-owner is anticipated for lead service replacement.

4.2.5 **Technical Considerations**

4.2.5.1 **No Action**

Within 20 years, the lead services would need to be replaced to meet compliance requirements.

4.2.5.2 **New Private Side Services**

Lead service compliance requirements are met.

4.2.6 **Residuals**

This project will have no impact on residuals.

4.2.7 Industrial/Commercial/Institutional

Not applicable.

4.2.8 Growth Capacity

Locations are fully developed and built out.

4.2.9 Contamination

The areas of contamination documented on the EGLE Environmental Mapper have been depicted on Map 4. No contamination sites occur within the proposed limits of the N. Park Street portion of the project, but three Part 213 Closed Leaking Underground Storage Tanks and one Part 213 Active Leaking Underground Storage tank are located to the south and one Part 201 Environmental Contamination Site is located to the east. No contamination sites occur within the N. Clay Street limits, but several Part 201 Environmental Contamination Sites occur within approximately one block.

4.3 E. Hatch Street

4.3.1 Monetary Evaluation

A cost-effective analysis was completed for the two construction alternatives and for the No-Action alternative. The project budgetary cost summary for the two construction alternatives is presented in Table 13 and Table 14 below. The cost estimates include the restoration of curb, pavement, sidewalk, grass, and other items required to complete the improvements.

Table 13 – Estimated Project Cost Summary for 8-inch Water Main and Services

Item	Initial Capital Cost	Design Life (years)	Salvage Value
8-inch Water Main	\$119,000	50	\$71,400
New Valve/Fittings	\$74,000	50	\$44,580
New Copper Services	\$150,000	50	\$69,600
City Street Reconstruction	\$92,000	50	\$55,200
Contamination Allowance	\$20,000	NA	NA
Subtotal: Estimated Construction Cost	\$455,000		
Project Contingency	\$68,250		
Engineering, Administration, Legal	\$113,750		
Total: Estimated Project Budget	\$637,000		

Table 14 – Estimated Project Cost Summary for New Services

Item	Initial Capital Cost	Design Life (years)	Salvage Value
New Copper Services	\$144,000	50	\$69,600
City Street Reconstruction	\$40,000	50	\$24,000
Subtotal: Estimated Construction Cost	\$184,000		
Project Contingency	\$27,600		
Engineering, Administration, Legal	\$46,000		
Total: Estimated Project Budget	\$257,600		

A present worth analysis was completed for the two construction alternatives and for the No-Action alternative, as summarized in Table 15. The No-Action alternative has no associated capital costs. Sunk costs are not included in the analysis.

Table 15 – 20-Year Present Worth Analysis: Hatch Street

Alternatives	8-inch Water Main and Services		New Services		No-Action	
	Cost/Value	20-Year Present Worth	Cost/Value	20-Year Present Worth	Cost/Value	20-Year Present Worth
Capital Cost	\$637,000	\$637,000	\$257,600	\$257,600	\$0	\$0
O&M Cost/Year	\$5,000	\$94,900	\$5,000	\$94,900	\$0	\$0
Salvage Value	\$240,780	(\$217,600)	\$93,600	(\$84,700)	\$0	\$0
Total Worth		\$514,300		\$267,800		\$0

4.3.2 Environmental Evaluation

4.3.2.1 Cultural Resources

The E. Hatch Street project is in a previous construction area and no direct historical or archeological impact is expected. There are no historical sites in the vicinity of the project.

4.3.2.2 The Natural Environment

The effects on the natural environment do not differ between construction alternatives. As summarized in Table 16 below the only anticipated impact to the natural environment is a temporary decrease in air quality due to construction. There are no wetlands or floodplains within the vicinity of the proposed project.

Table 16 – Potential Environmental Impacts Near E. Hatch Street

Environmental Considerations	Effect
Climate ¹	
Air Quality ²	X
Wetlands (Map 5)	
Coastal Zones	
Floodplains (Map 6)	
Natural or Wild and Scenic Rivers	
Major Surface Waters (Map 1)	
Agricultural Resources (Map 7)	
Existing Plant/Animal Communities and Environmentally Sensitive Habitats	

X = Effect

O = In vicinity of the project, but no anticipated impact

¹Where applicable, construction will occur during the typical construction season for underground work.

²Air quality will be temporarily impacted due to the exhaust of the heavy machinery required for demolition and construction dust.

4.3.3 Mitigation

Mitigation of environmental impacts will include best construction practices such as soil erosion prevention techniques, maintenance of construction equipment, and limiting construction to regular working hours during the week.

4.3.4 Implementability and Public Participation

Both construction alternatives would occur within the existing City public right-of-way dedicated for public utilities and roadways, except for the required replacement of lead services from the right-of-way limits to the houses. The City follows EGLE requirements for the public notification of property owners and renters when it is determined that a home is connected or “likely” connected to a lead service line and prior to a construction project in which lead service lines will be removed. The City will cover the cost of the work on private property. No expense to the home-owner is anticipated for lead service replacement.

4.3.5 Technical Considerations

4.3.5.1 No Action

Water main age is not addressed. Within 20 years, the lead services would need to be replaced to meet compliance requirements.

4.3.5.2 New 8-inch Water Main and Services

- Water main age addressed.
- Lead service compliance requirements are met.

4.3.5.3 New Services

- Lead service compliance requirements are met.
- Roadway patched for lead service replacements.

4.3.6 Residuals

This project will have no impact on residuals.

4.3.7 Industrial/Commercial/Institutional

The project area is relatively residential, but there also is some Industrial/Commercial parcels along this corridor. There is some potential for development and redevelopment along Hatch Street. This potential for Industrial/Commercial/Institutional usage has been considered in the development of the 8-inch Water Main and Services alternative.

4.3.8 Growth Capacity

The upsizing of the water main recommended in the New 8-inch Water Main and Services alternative is based on recommendations in the Water System City of Sturgis General Plan as part of the 5-year Water Capital Improvement Plan revised in July 2020. It is also identified the 4-inch water main segments as being undersized from Center to N. Lakeview Avenues. The alternative also improves the City’s distribution system loop.

4.3.9 Contamination

The areas of contamination documented on the EGLE Environmental Mapper have been depicted on Map 4. A Part 201 site, known as the Former Kirsch Plant No. 1 Source Area Sturgis Municipal Well Field Superfund Site, exists to the northwest of the project street. The source area of the Site consists of Properties located 308 and 309 N. Prospect Street and 305 E Hatch Street. The site had historical releases of TCE and PCE. Groundwater at the site is approximately 60 feet below ground surface and impacted with TCE and PCE. Site soils on private

property are ongoing remediation activities; shallow soils to depth up to 6 feet below ground surface have been remediated by excavation activities in 2018 and 2019 on all three parcels. The 308 N. Prospect Parcel has an AS/SVE currently operating for remediation of vadose zone soils. An SVE system is currently being installed on the 305 E Hatch Street. Shallow soils in the right-of-way do not show concentrations above Michigan criteria for cleanup and should not pose an issue.

Appendix 1 contains a figure that shows historical soil impacts across the site. Although concentrations are below lab reporting limits at depths where the water main would be installed, the City has included a contamination allowance and will use nitrile rubber gaskets.

5.0 Selected Alternative

5.1 Selected Alternatives

5.1.1 *St. Joseph Street*

The selected alternative for the St. Joseph Street Water Main project is the installation of the New 12-inch and 8-inch Water Main and Services. This alternative addresses the concern of water main age, lead service compliance, and the undersized water main concern. The selected alternative is detailed in Figure 4.

5.1.2 *N. Clay Street and N. Park Street*

The selected alternative for the N. Clay Street and N. Park Street project is the installation of Lead Water Service Replacement. This alternative addresses lead service compliance. The selected alternative is detailed in Figure 5.

5.1.3 *E. Hatch Street*

The selected alternative for the Hatch Street Water Main project is the installation of the 8-inch Water Main and Services. This alternative addresses the concern of water main age, lead service compliance, and the undersized water main concern. The selected alternative is detailed in Figure 6.

5.2 Design Parameters

5.2.1 *St. Joseph Street*

Table 17 – Design Parameters: St. Joseph Street

Replace aged water main	650 feet of 12-inch water main 2,000 feet of 8-inch water main
Lead service replacements	20 properties

5.2.2 *N. Clay Street and N. Park Street*

Table 18 – Design Parameters: N. Clay Street and N. Park Street

Lead service replacements	22 properties
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5.2.3 *E. Hatch Street*

Table 19 – Design Parameters: E. Hatch Street

Replace aged water main	1,350 feet of 8-inch water main
Lead service replacements	21 properties

5.3 Maps

A list of figures associated with the selected alternatives is summarized below.

Water Distribution System	Figure 2
Water System Recommended Improvements	Figure 3
St. Joseph Street	Figure 4
N. Clay Street and N. Park Street	Figure 5
E. Hatch Street	Figure 6

5.4 Schedule for Design and Construction

Projects looking to take advantage of the proposed DWI grant funds must have a loan closing within EGLE's FY 2022, which begins October 1, 2021 and ends September 30, 2022. The City plans to bid the proposed work as one project with three phases. The tentative schedule for the proposed projects presented in **Error! Reference source not found.** below reflects dates for Quarter 3 of the EGLE FY 2022 Financing Schedule.

Table 20 - Proposed Project Schedule

Activity	N. Clay Street and N. Park Street (Phase 1)	St. Joseph Street (Phase 2)	E. Hatch Street (Phase 3)
Final Plans and Specs	By February 15, 2022	By February 15, 2022	By February 15, 2022
Bidding	By March 9, 2022	By March 9, 2022	By March 9, 2022
Loan Closing	June 6, 2022	June 6, 2022	June 6, 2022
Construction Start	June 2022	June 2022	Spring 2023
Construction End	July 2022	October 2022	Summer 2023

5.5 Cost Estimate

This section summarizes the proposed projects and their estimated project costs including engineering, design, administrative and legal costs, and construction. Engineering costs include preparation of the project plan, design, and construction and inspection services. The cost estimates presented in this report reflect January 2021 costs. These cost estimates were prepared to determine approximate project costs to aid the City in its planning and budgeting process. There are a number of factors that could cause the actual project costs to deviate from these estimates. These include the competitive bidding climate at the time that the construction bids are received, inflation, and additions to or changes in the scope of the project that may occur during the design process. The total estimated costs for the proposed projects is summarized in Table 21 below.

Table 21 – Summary of Estimated Project Costs

	St. Joseph Street	N. Clay Street and N. Park Street	E. Hatch Street	Total
Estimated Capital Cost	\$593,000	\$307,000	\$455,000	\$1,355,000
Project Contingency	\$88,950	\$46,050	\$68,250	\$203,250
Engineering, Administration, Legal	\$148,250	\$76,750	\$113,750	\$338,750
Project Total	\$830,200	\$429,800	\$637,000	\$1,897,000

5.6 User Costs

As discussed in section 1.0, The City hopes to take advantage of the DWI Grant Program. Communities may qualify for the lesser of 30% of project costs or \$2 million. Because eligibility is not a guarantee of award, the following tables will review user costs under two scenarios, namely if all funding is awarded and if no funding is awarded.

The cost per 100 cubic feet of water to finance the projects over a 20-year period at an interest rate of 1.875% (obtained from EGLE as the DWSRF interest rate) was calculated for each community and is summarized in Table 22. The monthly cost for a family of four consuming 100 gallons per day per person (400 gpd total) to finance the projects is presented in column two and four.

Table 22 – Estimated User Cost to Finance the Projects

Cost with Funding Award		Cost without Funding Award	
Cost per 100 cubic feet	Estimated Monthly Cost @ 400 gpd	Cost per 100 cubic feet	Estimated Monthly Cost @ 400 gpd
\$0.07	\$1.18	\$0.10	\$1.69

The current average monthly cost for a family of four is presented in Table 23 below along with the adjusted monthly cost once all of the proposed projects have been financed.

Table 23 – Current and Adjusted Typical Monthly Cost for Family of Four

Typical Monthly Cost for Family of Four with Funding Award		Typical Monthly Cost for Family of Four without Funding Award	
Current Monthly Cost	Adjusted Monthly Cost	Current Monthly Cost	Adjusted Monthly Cost
\$44.48	\$45.66	\$44.48	\$46.17

5.7 Disadvantaged Community

A Disadvantaged Community Status Determination Worksheet was submitted to EGLE with the required Intent to Apply submission. The City was informed that they do not meet the Disadvantaged Community criteria for the proposed projects.

5.8 Ability to Implement the Selected Alternative

The water distribution system is owned and operated by the City. The City has water service agreements with all customers, and no amendments to the agreements will be necessary for the DWSRF Loan. All financial and loan-related work will be handled by the City.

6.0 Environmental Evaluation

6.1 Historical/Archeological/Tribal Resources

To identify sites of historical and cultural significance, the National Register of Historic Places, Michigan Historical Markers, and the list of Michigan State Historic Sites by County were reviewed. The only listing of reference is the historical marker for the Sturges-Young Auditorium. No direct historical or archeological impacts are expected as a result of the proposed projects.

Because this has been deemed a non-equivalency project, correspondence with the State Historical Preservation Office and the Tribal Historic Preservation Offices was not required.

6.2 Water Quality

The proposed construction projects will provide continued high-quality water. The water main projects will replace aging infrastructure and remove lead services in accordance with the requirements of the SDWA.

The proposed projects will not affect surface or groundwater quality or quantity.

6.3 Land/Water Interface

Map 5 depicts the location of wetlands with respect to the proposed project. As a highly developed city with few natural water features, there are few wetlands and minimal flood hazards. The two types of wetlands within the city limits are scattered along the fringes where population density is low. Almost eight acres are freshwater forested wetlands that flood for only a portion of the year, typically during the growing season. More common in Sturgis, but still a rare find in the landscape, are freshwater emergent wetlands. Taking up 14 acres, these wetlands are characterized by perennial plants and vegetation that are present for most of the growing season. None of the proposed projects occur within a wetland, and no negative impacts to the wetlands are expected as a result of the proposed projects.

According to the Flood Insurance Rate Maps created by the Federal Emergency Management Agency, almost no land in Sturgis is at risk of a 1% annual chance flood hazard. As depicted on Map 6, none of the proposed projects occur within a floodplain and no negative impacts to the floodplains are expected as a result of the proposed project.

The proposed projects will not have any effect on rivers or streams.

6.4 Endangered Species

Endangered or threatened species are defined as those species that are or could become endangered or threatened and, therefore, are protected under the Endangered Species Act. The objective of the act is to preserve and restore species threatened with extinction. The federally listed endangered and threatened species are detailed in Table 24. Appendix 1 contains a list of the state listed endangered, threatened, rare, and special concern species for St. Joseph county.

Table 24 – Federally Threatened and Endangered Species

Name	Status
Copperbelly water snake	Threatened
Indiana bat	Endangered
Mitchell's satyr Butterfly	Endangered
Eastern Massasauga	Threatened
Eastern prairie fringed orchid	Threatened
Northern Long-Eared Bat	Threatened

The proposed projects will occur in urban areas where no suitable wildlife habitat is present. A USFW S7 Consultation resulted in a determination of no effect. This determination and a list of the IPaC resources for the project area can be found in Appendix 1.

The Michigan Natural Features Inventory was not contacted, as this has been deemed a non-equivalency project.

6.5 Agricultural Land

As discussed in the section discussing existing land use, no active agriculture is taking place within the city limits. There are, however, about 225 acres of vacant agricultural land. The location of prime farmland with respect to the proposed projects is depicted in Map 7. The proposed projects are not located in areas of prime farmland and no negative impacts to farmland are expected as a result of the proposed projects.

6.6 Social/Economic Impact

The proposed projects will result in direct cultural and social benefits. Public health and safety will benefit from the increased quality and reliability the proposed projects will create. The construction phase of the projects will create jobs and contribute favorably to the local economy.

6.7 Construction/Operational Impact

Water main construction of this nature is routine for existing residential streets in the City. All proposed construction would occur within the existing City public right-of-way dedicated for public utilities and roadways, except for the required replacement of lead services from the right-of-way limits to the houses. The City will cover the cost of the work on private property. No expense to the homeowner is anticipated for lead service replacement.

6.7.1 *St. Joseph Street*

Water main construction of this nature is routine for existing residential street in the City. For St. Joseph Street, the new water main would be installed primarily in the north terrace. The water main will be in St. Joseph Street from Jacob to Jefferson Street to be jack and bored under the railroad tracks. In general, the northerly sidewalk and the trees in the terrace are required to be removed for installation of the water main. Approximately 10 feet of pavement will be required between Joseph and Jefferson Streets for the installation of the water main. For the installations of the water services to the south side of the street, approximately a 10 feet removal of pavement will be required.

Roads to be closed, including St. Joseph Street, are used predominately for local traffic. No adverse impacts to major street patterns are anticipated. Construction for projects of this type are generally limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 7 a.m. to 1 p.m. of Saturday. Vehicular and pedestrian access to all properties will be maintained throughout construction.

6.7.2 *N. Clay Street and N. Park Street*

Water service construction of this kind will require approximately 10 feet of pavement, curb and gutter and sidewalk removal and restoration for every water service. It is anticipated that there will not be any tree removal with this project. There will also be work on private property behind the sidewalk. All grass areas will be restored in kind.

Roads to be closed, including Clay and Park Street, are used predominately for local traffic. No adverse impacts to major street patterns are anticipated. Construction for projects of this type are generally limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 7 a.m. to 1 p.m. of Saturday. Vehicular and pedestrian access to all properties will be maintained throughout construction.

6.7.3 *E. Hatch Street*

Water main construction of this nature is routine for existing residential street in the City. For Hatch Street, the new water main would be installed primarily in the north terrace. In general, the northerly sidewalk and the trees in the terrace are required to be removed for installation of the water main. For the installations of the water services to the south side of the street, approximately 10 feet removal of pavement will be required.

Roads to be closed, including Hatch Street, are used predominately for local traffic. No adverse impacts to major street patterns are anticipated. Construction for projects of this type are generally limited to the hours of 7 a.m. to 7 p.m., Monday through Friday, and 7 a.m. to 1 p.m. of Saturday. Vehicular and pedestrian access to all properties will be maintained throughout construction.

6.8 Indirect Impacts

Indirect impacts are those caused or facilitated by the proposed project but will be removed in time and/or distance. The following indirect impacts must be evaluated for the DWSRF Project Plan:

- Changes in the rate, density, or type of development (residential/commercial/industrial).
- Changes in land use (e.g., open space, floodplains, prime agricultural land, and coastal zones).
- Changes in air or water quality stemming from development including impacts from increased traffic.
- Changes to the natural areas and sensitive species or ecosystems due to secondary growth.
- Changes to aesthetic aspects of the community.
- Resource consumption over the useful life of the project.

The proposed projects are not anticipated to result in any negative indirect impacts.

7.0 Mitigation Measures

Measures that will be taken to avoid, eliminate, or mitigate potential short-term environmental impacts include the following:

- Traffic: use of designated traffic routes for construction traffic, as well as flagmen, warning signs, barricades, and cones.
- Air emissions: use of calcium chloride or water for dust control and proper maintenance on heavy equipment to reduce exhaust emissions.
- Noise control: use designated daytime work hours, use mufflers on all equipment, and minimize work on weekends and/or holidays.
- Soil erosion and sedimentation control: use riprap, hay bales, erosion control fence, silt fence, etc.
- Restoration: use topsoil, seed, sod, mulch, gravel, and pavement.

Measures that will be taken to avoid, eliminate, or mitigate potential long-term environmental impacts include the following:

- Soils disposal and contaminated soils: Each contract will include an allowance to landfill any contaminated soils that are discovered.
- A Soil Erosion Plan for the construction of the selected alternative will be filed with the St. Joseph County Drain Commission Office. The plan will also be reviewed by the EGLE Land and Water Management Division. The plan will summarize the quantity of soils that will be excavated, locations where soil will be stored, the destination of soils (onsite or offsite) and measures that will be taken (silt fence, sod, etc.) to minimize erosion.

8.0 Public Participation

8.1 Public Hearing Advertisement

The public hearing was advertised in the Sturgis Journal on May 21, 2021. The advertisement listed the public hearing date, described the availability of the report for viewing, and briefly described the proposed projects and estimated costs. The advertisement is included in Appendix 2.

8.2 Formal Public Hearing

A formal public hearing will be held during the regularly scheduled Commission meeting on June 23, 2021 at 6 p.m. The following items will be discussed during the public hearing, followed by a question and comment period.

- A description of the drinking water quality needs and problems to be addressed by the proposed project and the principal alternatives that were considered.
- A description of the recommended alternative, including its capital costs and a cost breakdown by project components.
- A discussion of project financing and costs to users, including the proposed method of project financing and estimated monthly debt retirement; the proposed annual, quarterly, or monthly charge to the typical residential customer; and any special fees that will be assessed.
- A description of the anticipated social and environmental impacts associated with the recommended alternative and the measures that will be taken to mitigate adverse impacts.

8.3 Public Hearing Transcript or Recording

The public hearing will be recorded in accordance with EGLE guidelines. A verbatim transcript of the public hearing recorded by a court reporter or transcribed by a stenographer from a recording of the proceedings will accompany the final submittal of the Project Plan.

8.4 Comments Received and Answered

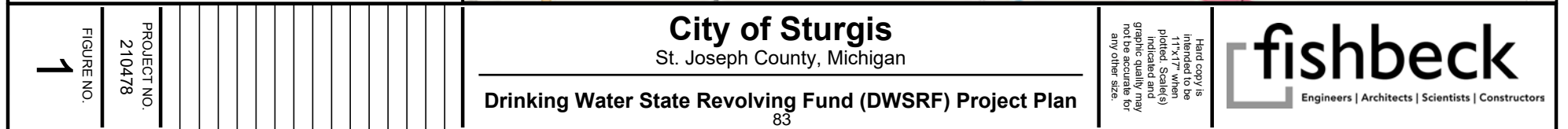
Following the formal public hearing, Appendix 2 will contain the following information:

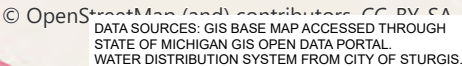
- A typed list with the names and addresses of the people who attend the public hearing.
- A copy of any written comments that were received during the public comment period for the proposed project.
- The applicant's responses to the comments received.
- A description of any changes that were made to the project as a result of the public participation process.

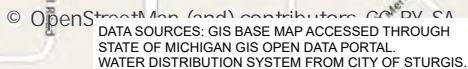
8.5 Adoption of the Project Plan

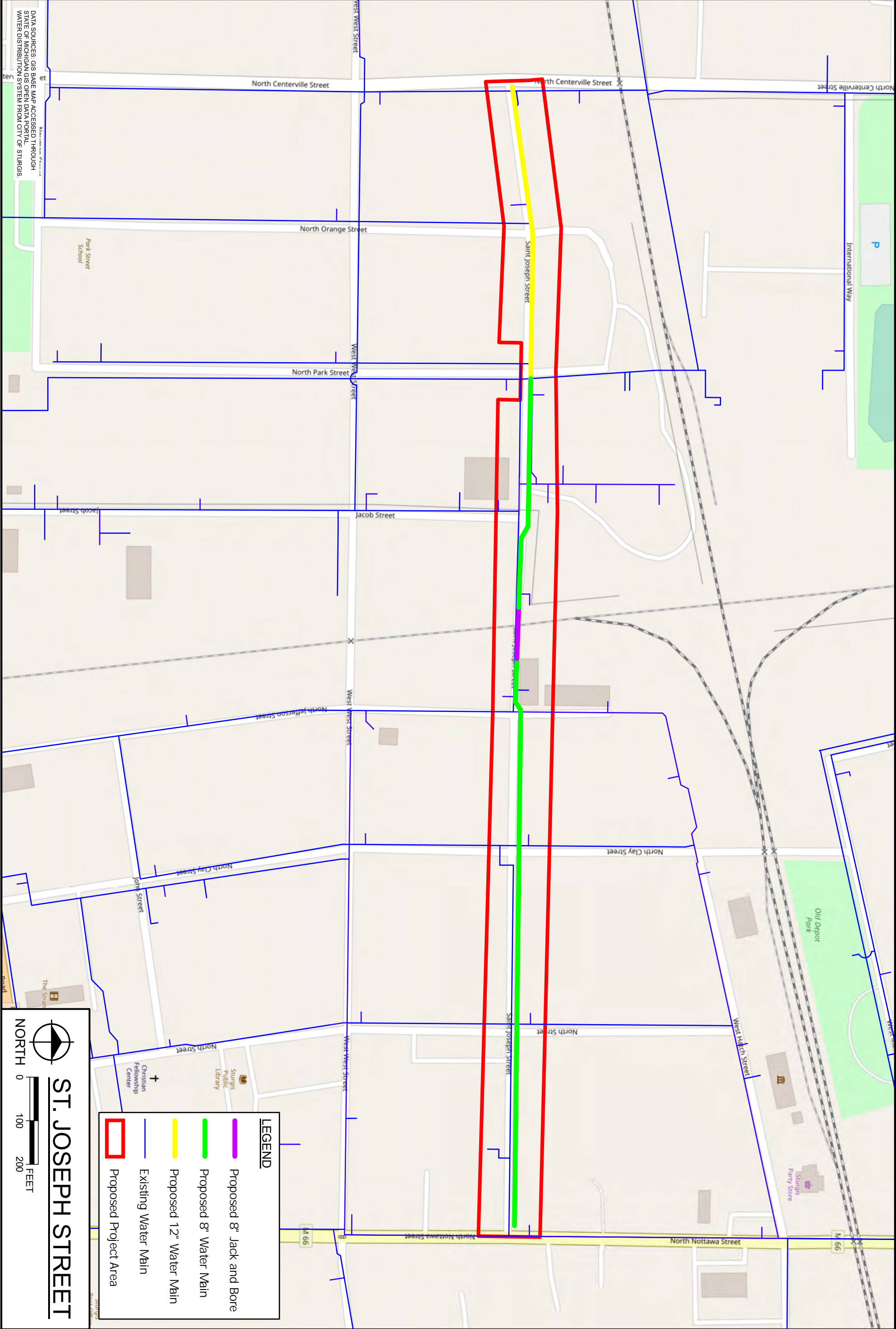
Following the formal public hearing on June 23, 2021, the City Commission will be asked to pass a resolution formally adopting the project plan. Following this meeting, Appendix 3 will include the Resolution Adopting the Final Project Plan.


Figures
















NORTH

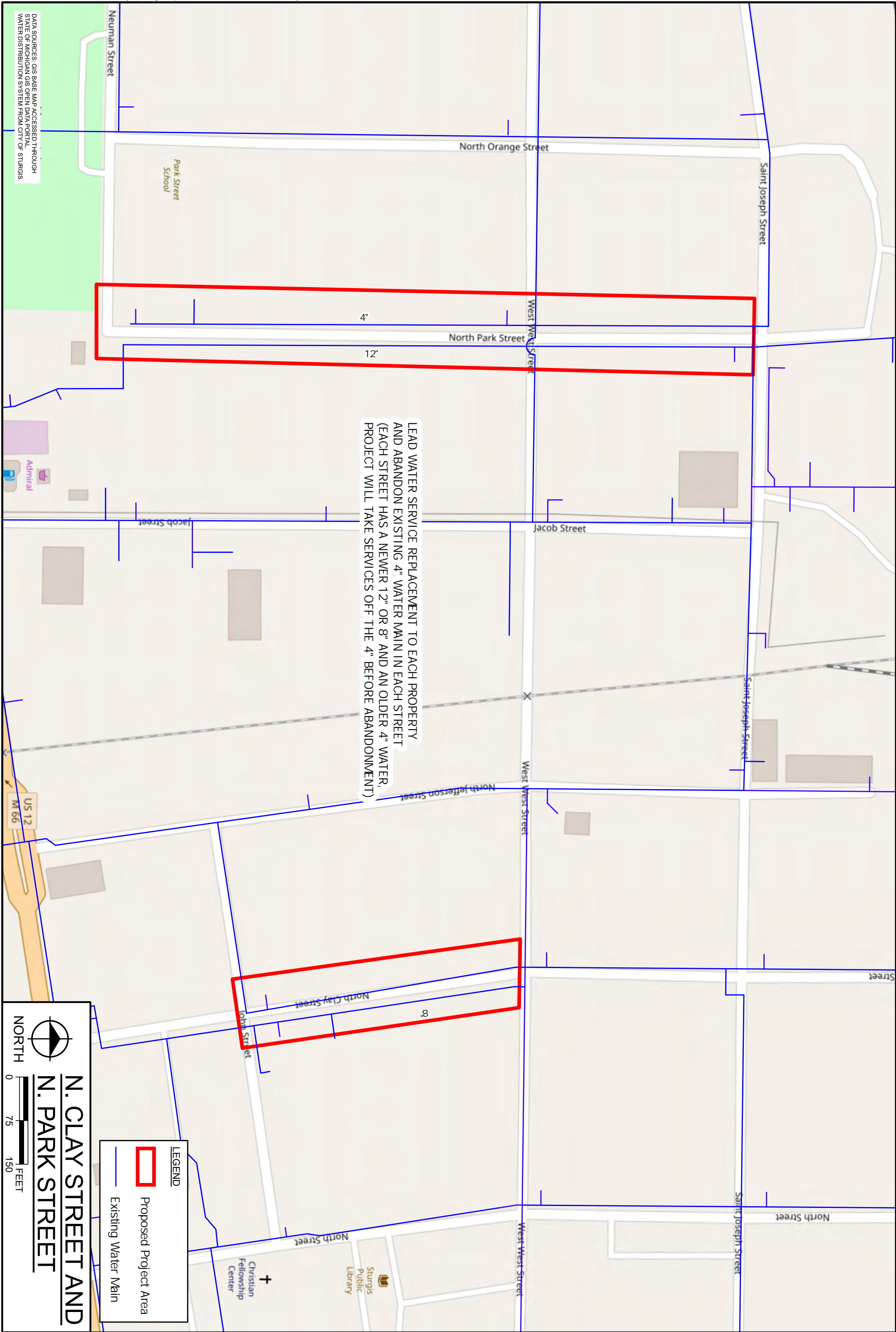
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FEET

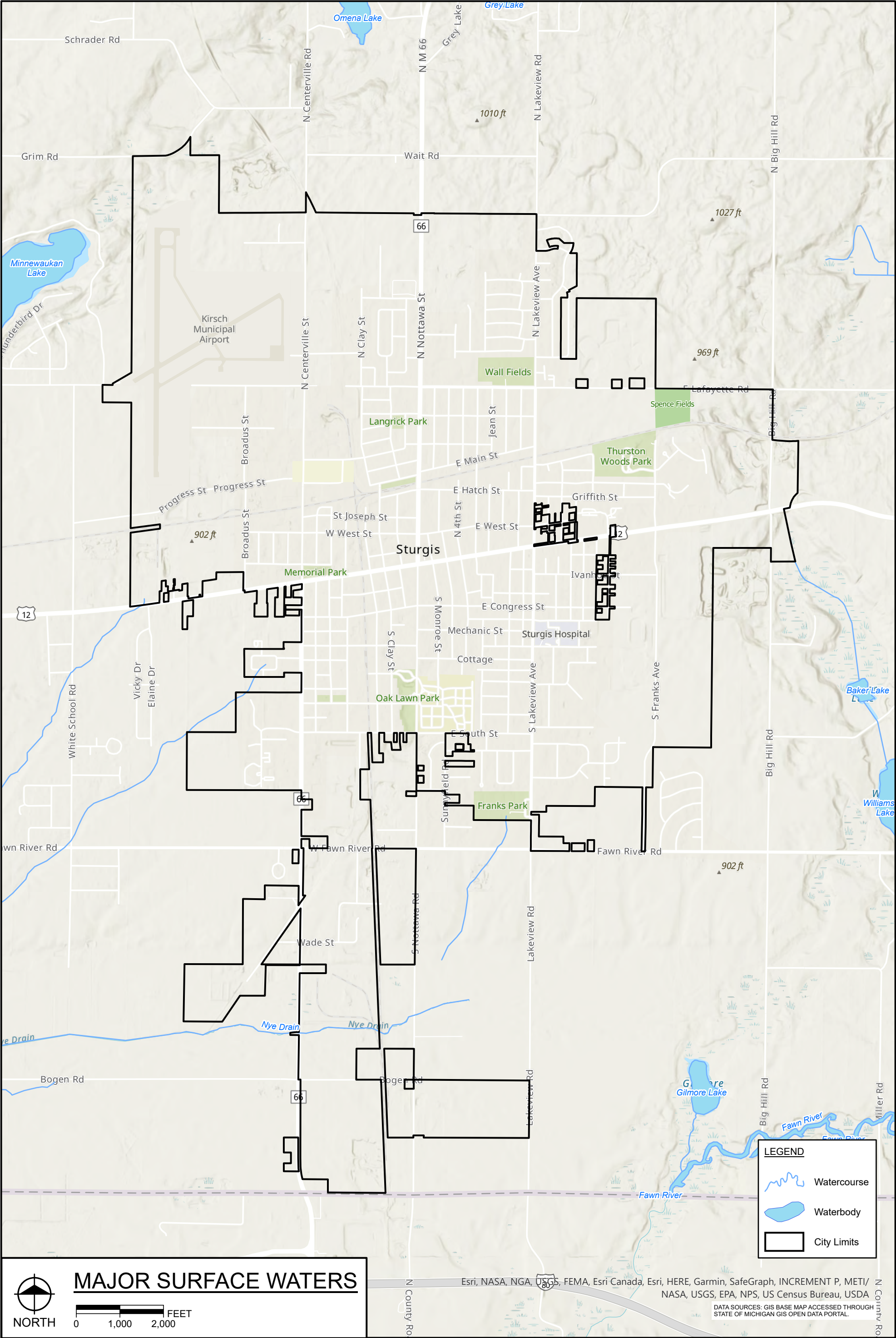
ST. JOSEPH STREET


LEGEND

-  Proposed 8" Jack and Bore
-  Proposed 8" Water Main
-  Proposed 12" Water Main
-  Existing Water Main
-  Proposed Project Area



Maps





NORTH

MAJOR SURFACE WATERS

0

1,000

2,000

FEET

MAP NO. 210478	PROJECT NO. 210478										

City of Sturgis

St. Joseph County, Michigan

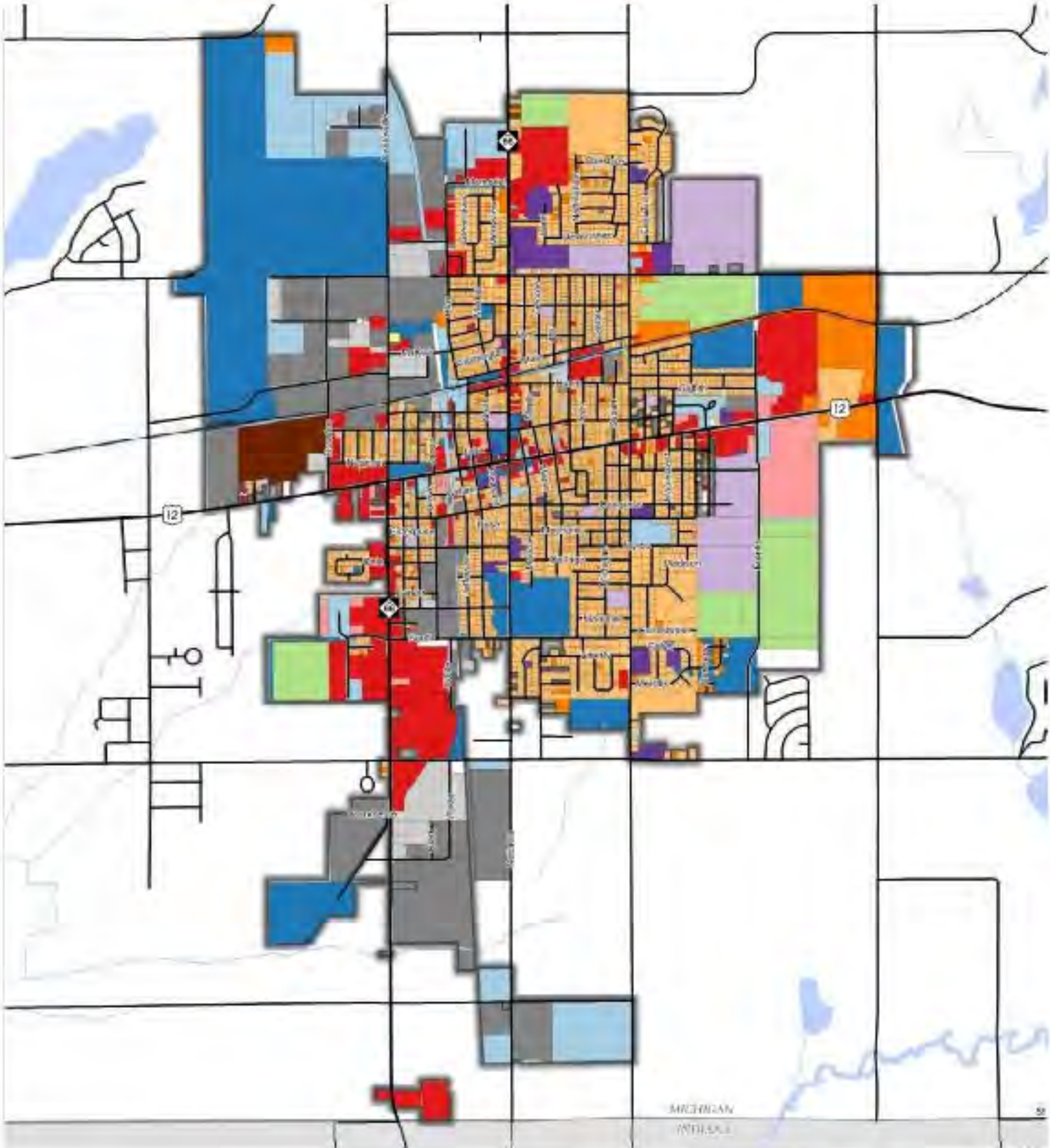
Drinking Water State Revolving Fund (DWSRF) Project Plan

Hard copy is intended to be printed at 11x17 when plotted. Scale(s) created and any not be accurate for any other size.



Engineers | Architects | Scientists | Constructors

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Data Sources: State of Michigan Geographic Data Library, City of Sturgis, GIS Institute, Inc.

- | | | | |
|------------------|-------------------------|----------------------|--------------------------|
| City Boundary | Commercial Improved | Industrial Improved | Retired Split / Combined |
| State Roads | Commercial Vacant | Industrial Vacant | |
| All Roads | Agriculture Vacant | Exempt County / City | |
| Railroads | Residential Improved | Exempt Other | |
| Rivers / Streams | Residential Vacant | Exempt Schools | |
| Lakes / Ponds | Industrial Condominiums | Exempt Religious | |

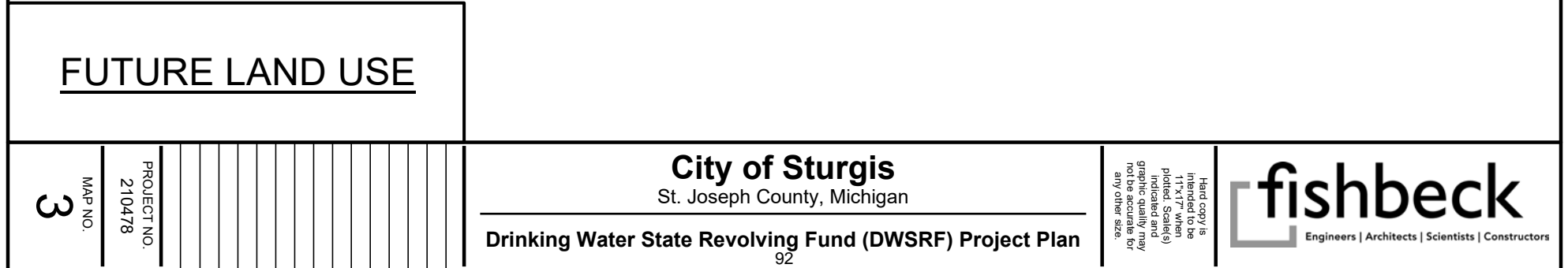
EXISTING LAND USE

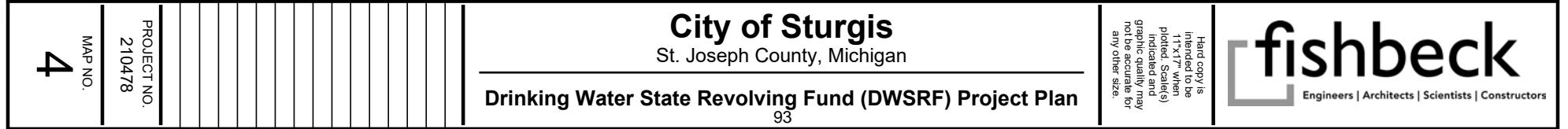
City of Sturgis
St. Joseph County, Michigan

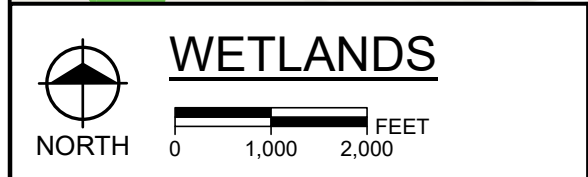
Drinking Water State Revolving Fund (DWSRF) Project Plan

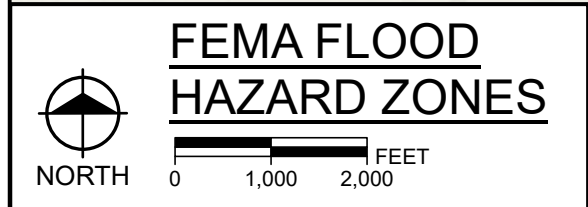
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Engineers | Architects | Scientists | Constructors

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and graphics
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accurate for
any other size.





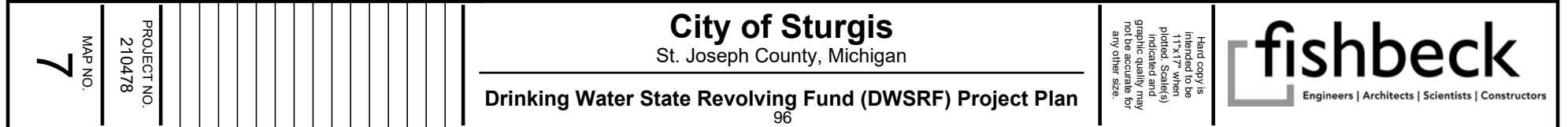


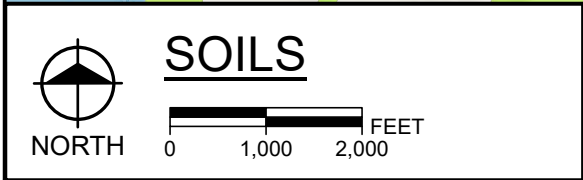


City of Sturgis
St. Joseph County, Michigan

Drinking Water State Revolving Fund (DWSRF) Project Plan

95





PROJECT NO.
210478

 MAP NO.
8

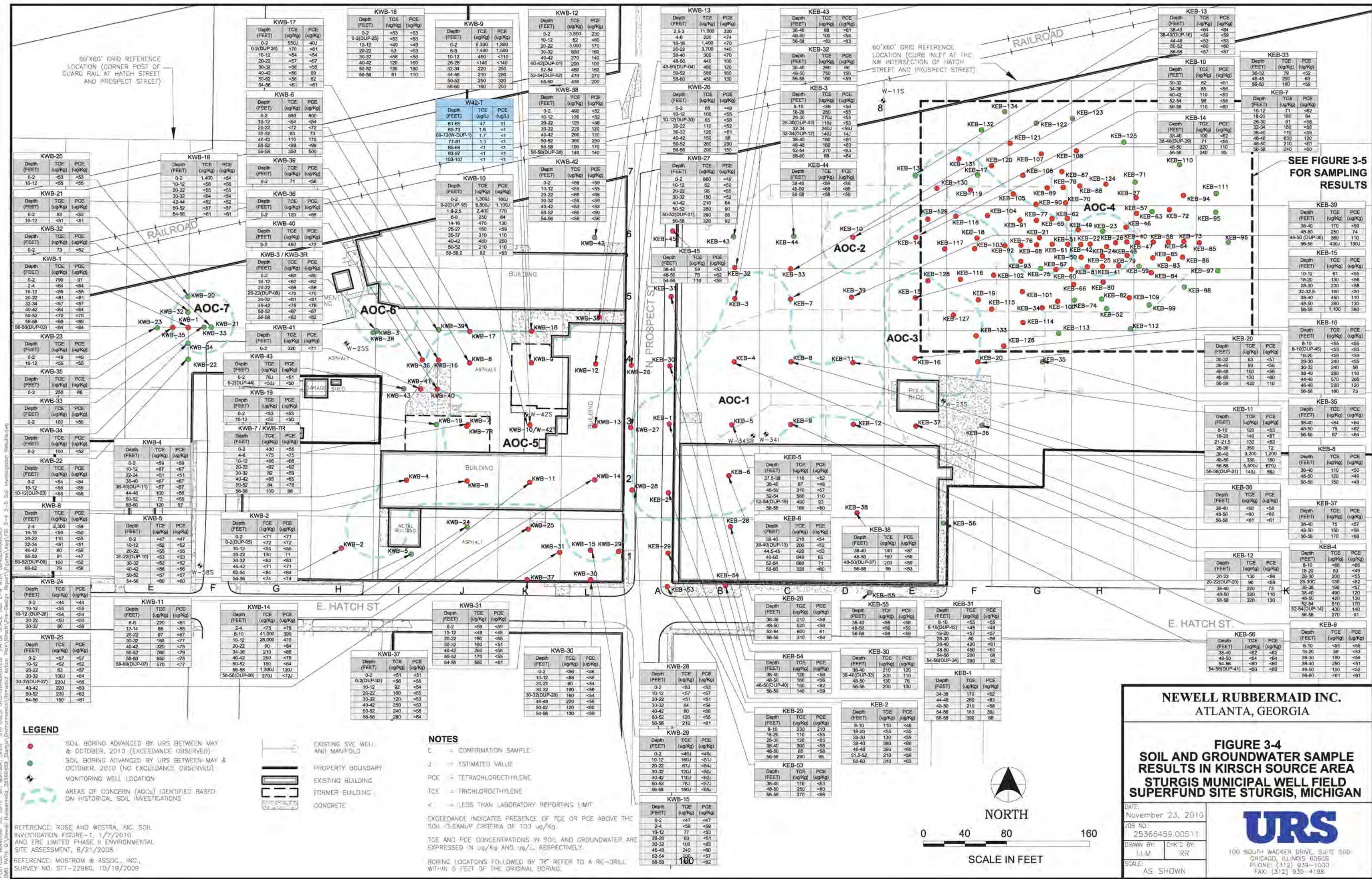
St. Joseph County, Michigan

Drinking Water State Revolving Fund (DWSRF) Project Plan

Hard copy is intended to be 11"x17" when plotted. Scale(s) indicated and graphic quality may not be accurate for any other size.



Appendix 1



SEE FIGURE 3-5
FOR SAMPLING
RESULTS

NEWELL RUBBERMAID INC.
ATLANTA, GEORGIA

FIGURE 3-4
SOIL AND GROUNDWATER SAMPLE
RESULTS IN KIRSCH SOURCE AREA
STURGIS MUNICIPAL WELL FIELD
SUPERFUND SITE STURGIS, MICHIGAN

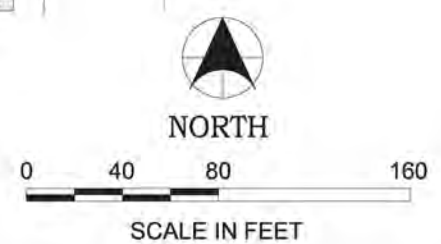
DATE:
November 23, 2010
JOB NO.:
25366459.00511
DRAWN BY:
LLM
CHECKED BY:
RRR
SCALE:
AS SHOWN

URS
100 SOUTH WACKER DRIVE, SUITE 500
CHICAGO, ILLINOIS 60606
PHONE: (312) 939-1000
FAX: (312) 939-4198

LEGEND
• SOIL BORING ADVANCED BY URS BETWEEN MAY & OCTOBER, 2010 (EXCEEDANCE OBSERVED)
• SOIL BORING ADVANCED BY URS BETWEEN MAY & OCTOBER, 2010 (NO EXCEEDANCE OBSERVED)
• MONITORING WELL LOCATION
--- AREAS OF CONCERN (AOCs) IDENTIFIED BASED ON HISTORICAL SOIL INVESTIGATIONS
--- EXISTING SVE WELL AND MANIFOLD
--- PROPERTY BOUNDARY
--- EXISTING BUILDING
--- FORMER BUILDING
--- CONCRETE

REFERENCE: ROSE AND WESTRA, INC. SOIL INVESTIGATION FIGURE-1, 1/7/2010 AND ERE LIMITED PHASE II ENVIRONMENTAL SITE ASSESSMENT, 8/21/2008
REFERENCE: MOSTROM & ASSOC., INC., SURVEY NO. ST11-22960, 10/19/2009

NOTES
C = CONFIRMATION SAMPLE
J = ESTIMATED VALUE
PCE = TETRACHLOROETHYLENE
TCE = TRICHLOROETHYLENE
< = LESS THAN LABORATORY REPORTING LIMIT
EXCEEDANCE INDICATES PRESENCE OF TCE OR PCE ABOVE THE SOIL CLEANUP CRITERIA OF 100 ug/Kg.
TCE AND PCE CONCENTRATIONS IN SOIL AND GROUNDWATER ARE EXPRESSED IN ug/Kg AND ug/L, RESPECTIVELY.
BORING LOCATIONS FOLLOWED BY "R" REFER TO A RE-DRILL WITHIN 5 FEET OF THE ORIGINAL BORING.





MICHIGAN STATE UNIVERSITY

Michigan Natural Features Inventory

MSU Extension

County Element Data

The lists include all elements (species and natural communities) for which locations have been recorded in MNFI's database for each county. Information from the database cannot provide a definitive statement on the presence, absence, or condition of the natural features in any given locality, since much of the state has not been specifically or thoroughly surveyed for their occurrence and the conditions at previously surveyed sites are constantly changing. The County Elements Lists should be used as a reference of which natural features currently or historically were recorded in the county and should be considered when developing land use plans. Included in the list is scientific name, common name, element type, federal status, and state status for each element.

Choose a county

St. Joseph County

[Code Definitions](#)

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank	Occurrences in County	Last Observed in County
<i>Acris blanchardi</i>	Blanchard's cricket frog		I.	G5	S2S3	1	1909
<i>Agalinis auriculata</i>	Eared foxglove		X	G3	SX	1	1837
<i>Alasmidonta marginata</i>	Elktoe		SC	G4	S3?	9	2016
<i>Alasmidonta viridis</i>	Slippershell		I.	G4G5	S2S3	5	2016
<i>Ammodramus savannarum</i>	Grasshopper sparrow		SC	G5	S4	1	2006
<i>Amorpha canescens</i>	Leadplant		SC	G5	S3	20	2017
<i>Arnoglossum plantagineum</i>	Prairie indian-plantain		SC	G4G5	S3	1	2012
<i>Asclepias hirtella</i>	Tall green milkweed		I.	G5	S2	2	2006
<i>Asclepias purpurascens</i>	Purple milkweed		I.	G5?	S2	3	2010
<i>Astragalus canadensis</i>	Canadian milk vetch		I.	G5	S1S2	2	1954
<i>Baptisia lactea</i>	White or prairie false indigo		SC	G4Q	S3	21	2017
<i>Battus philenor</i>	Pipevine swallowtail		SC	G5	S2S3	2	1987
<i>Berula erecta</i>	Cut-leaved water parsnip		I.	G4G5	S2	6	2012
<i>Besseyia bullii</i>	Kitten-tails		E	G3	S1	3	1985
<i>Boechera missouriensis</i>	Missouri rock-cress		SC	G5	S2	3	1950
<i>Bombus affinis</i>	Rusty-patched bumble bee	LE	SC	G2	SH	3	1981
<i>Bombus auricomus</i>	Black and gold bumble bee		SC	G5	S2	3	2020

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank	Occurrences in County	Last Observed in County
<i>Bombus pensylvanicus</i>	American bumble bee		SC	G3G4	S1	2	1959
<i>Bombus terricola</i>	Yellow banded bumble bee		SC	G3G4	S2S3	1	1941
<i>Bouteloua curtipendula</i>	Side-oats grama grass		E	G5	S1	2	1961
<i>Brickellia eupatorioides</i>	False boneset		SC	G5	S2	9	2018
<i>Calamagrostis stricta</i> ssp. <i>stricta</i>	Narrow-leaved reedgrass		I	G5T5	S1	1	1986
<i>Calephelis mutica</i>	Swamp metalmark		SC	G3	S1	1	1956
<i>Carex albolutescens</i>	Sedge		I	G5	S2	1	1939
<i>Carex lupuliformis</i>	False hop sedge		I	G4	S2	1	1915
<i>Carex trichocarpa</i>	Hairy-fruited sedge		SC	G4	S2	1	1902
<i>Catocala dulciola</i>	Quiet underwing		SC	G3	S2S3	2	1996
<i>Cistothorus palustris</i>	Marsh wren		SC	G5	S3	1	2000
<i>Clemmys guttata</i>	Spotted turtle		I	G5	S2	5	2017
<i>Coregonus artedii</i>	Lake herring or Cisco		I	GNR	S3	2	2011
<i>Coreopsis palmata</i>	Prairie coreopsis		I	G5	S2	5	2015
<i>Cuscuta campestris</i>	Field dodder		SC	G5	S1	1	1937
<i>Cyclonaias tuberculata</i>	Purple wartyback		I	G5	S2	4	2006
<i>Cypripedium candidum</i>	White lady slipper		I	G4	S2	1	2007
<i>Dichanthelium microcarpon</i>	Small-fruited panic-grass		SC	GNR	SX	1	1985
<i>Echinacea purpurea</i>	Purple coneflower		X	G4	SX	1	1838
<i>Echinodorus tenellus</i>	Dwarf burhead		E	G5?	S1	1	1837
<i>Eleocharis equisetoides</i>	Horsetail spike rush		SC	G4	S3	1	1954
<i>Eleocharis melanocarpa</i>	Black-fruited spike-rush		SC	G4	S3	1	1986
<i>Emydoidea blandingii</i>	Blanding's turtle		SC	G4	S2S3	3	2009
<i>Endodeca serpentaria</i>	Virginia snakeroot		I	G4	S2	2	1981
<i>Epioblasma triquetra</i>	Snuffbox	LE	E	G3	S1S2	4	2001
<i>Erimyzon claviformis</i>	Creek chubsucker		E	G5	S1	3	1940
<i>Eryngium yuccifolium</i>	Rattlesnake-master or button snakeroot		I	G5	S2	6	2013
<i>Erynnis persius persius</i>	Persius dusky wing		I	G5T1T3	S3	1	1987

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank	Occurrences in County	Last Observed in County
<i>Euonymus atropurpureus</i>	Wahoo		SC	G5	S3	1	2009
<i>Fontigens nickliniana</i>	Watercress snail		SC	G5	S2S3	2	2009
<i>Fuirena pumila</i>	Umbrella-grass	I.	G4	S2		1	1985
<i>Gentiana alba</i>	White gentian	E	G4	S1		1	1838
<i>Geum virginianum</i>	Pale avens		SC	G5	S1S2	1	1963
<i>Haliaeetus leucocephalus</i>	Bald eagle		SC	G5	S4	2	2017
<i>Helianthus hirsutus</i>	Whiskered sunflower		SC	G5	S3	1	1978
<i>Helianthus mollis</i>	Downy sunflower	I.	G4G5	S2		2	2009
<i>Hesperia ottoe</i>	Ottoe skipper	I.	G3	S1		1	1981
<i>Hydrastis canadensis</i>	Goldenseal	I.	G3G4	S2		1	1899
<i>Justicia americana</i>	Water willow	I.	G5	S2		1	2006
<i>Lasmigona compressa</i>	Creek heelsplitter		SC	G5	S3	1	1909
<i>Lasmigona costata</i>	Flutedshell		SC	G5	SNR	5	2016
<i>Lepisosteus oculatus</i>	Spotted gar		SC	G5	S2S3	11	2017
<i>Ligumia nasuta</i>	Eastern pondmussel	E	G4	S2		1	
<i>Lipocarpha micrantha</i>	Dwarf-bulrush		SC	G5	S3	2	1961
<i>Lithobates palustris</i>	Pickerel frog		SC	G5	S3S4	2	2017
<i>Morus rubra</i>	Red mulberry	I.	G5	S2		1	1981
<i>Moxostoma carinatum</i>	River redhorse	I.	G4	S2		3	2010
<i>Myotis lucifugus</i>	Little brown bat		SC	G3	S1	1	1979
<i>Myotis sodalis</i>	Indiana bat	LE	E	G2	S1	3	2005
<i>Neonympha mitchellii mitchellii</i>	Mitchell's satyr	LE	E	G2T2	S1	2	2008
<i>Nerodia erythrogaster neglecta</i>	Copperbelly water snake	I.T.	E	G5T3	S1	1	1997
<i>Notropis anogenus</i>	Pugnose shiner		E	G3	S1S2	1	2011
<i>Notropis chalybaeus</i>	Ironcolor shiner		X	G4	S1	2	1940
<i>Oecanthus laricis</i>	Tamarack tree cricket		SC	G3?	S3	1	2000
<i>Panax quinquefolius</i>	Ginseng	I.	G3G4	S2S3		1	1967
<i>Pantherophis spiloides</i>	Gray ratsnake		SC	G4G5	S2S3	1	2020
<i>Papaipema cerina</i>	Golden borer		SC	G2G4	S2	1	2009
<i>Papaipema maritima</i>	Maritime sunflower borer		SC	G3	S2	2	2009
<i>Papaipema silphii</i>	Silphium borer moth	I.	G3G4	S1		2	1989
<i>Phlox bifida</i>	Cleft phlox		X	G5?	SX	2	1988

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank	Occurrences in County	Last Observed in County
<i>Phlox maculata</i>	Wild sweet William		I.	G5	S1	1	1950
<i>Platanthera ciliaris</i>	Orange- or yellow-fringed orchid		E	G5	S1S2	2	1936
<i>Platanthera leucophaea</i>	Prairie white-fringed orchid	I.I.	E	G2G3	S1	1	2017
<i>Pleurobema sintoxia</i>	Round pigtoe		SC	G4G5	S3	9	2016
<i>Poa paludigena</i>	Bog bluegrass		I.	G3G4	S2	3	1947
<i>Polytaenia nuttallii</i>	Prairie parsley		X	G5	SX	1	1837
<i>Protonotaria citrea</i>	Prothonotary warbler		SC	G5	S3	2	1997
<i>Rhynchospora macrostachya</i>	Tall beakrush		SC	G4	S3S4	1	1985
<i>Rhynchospora recognita</i>	Globe beak-rush		E	G5?	S1	1	1898
<i>Ruellia humilis</i>	Hairy wild petunia		I.	G5	S1	7	2015
<i>Sabatia angularis</i>	Rosepink		I.	G5	S2	6	2009
<i>Schinia lucens</i>	Leadplant moth		E	G4	S1	1	1999
<i>Scleria triglomerata</i>	Tall nut rush		SC	G5	S3	2	1950
<i>Scutellaria elliptica</i>	Hairy skullcap		SC	G5	S3	8	2018
<i>Setophaga cerulea</i>	Cerulean warbler		I.	G4	S3	2	2009
<i>Setophaga citrina</i>	Hooded warbler		SC	G5	S3	1	2009
<i>Setophaga discolor</i>	Prairie warbler		E	G5	S3	1	1997
<i>Setophaga dominica</i>	Yellow-throated warbler		I.	G5	S3	2	1997
<i>Silene stellata</i>	Starry campion		I.	G5	S2	6	2018
<i>Silphium integrifolium</i>	Rosinweed		I.	G5	S2	2	1986
<i>Sistrurus catenatus</i>	Eastern massasauga	I.I.	SC	G3	S3	3	2015
<i>Smilax herbacea</i>	Smooth carrion-flower		SC	G5	S3	1	1979
<i>Speyeria idalia</i>	Regal fritillary		E	G3?	SH	3	1984
<i>Spiza americana</i>	Dickcissel		SC	G5	S3	1	2006
<i>Stellaria crassifolia</i>	Fleshy stitchwort		E	G5	S1	1	1890
<i>Stenelmis douglasensis</i>	Douglas stenelmis riffle beetle		SC	G1G3	S1S2	1	1933
<i>Symphyotrichum sericeum</i>	Western silvery aster		I.	G5	S2	2	1936
<i>Terrapene carolina carolina</i>	Eastern box turtle		SC	G5T5	S2S3	6	2009
<i>Trillium sessile</i>	Toadshade		I.	G5	S2S3	1	1947
<i>Utterbackia imbecillis</i>	Paper pondshell		SC	G5	S2S3	2	2016

Scientific Name	Common Name	Federal Status	State Status	Global Rank	State Rank	Occurrences in County	Last Observed in County
Venustaconcha ellipsiformis	Ellipse		SC	G4	S3	8	2016
Viburnum prunifolium	Black haw		SC	G5	S3	1	2018
Villosa iris	Rainbow		SC	G5	S3	10	2016
Viola pedatifida	Prairie birdfoot violet		I	G5	S1	1	1980
Vitis vulpina	Frost grape		I	G5	S1S2	1	1976
Zizania aquatica	Wild rice		I	G5	S2S3	3	2014

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[Conserving the nature of America](#)

USFWS Midwest

Midwest Ecological Services

Contact Us

S7 Consultation Technical Assistance Decision Process for "No Effect" Determinations

Pipeline or Buried Utilities Projects - Step 6

Step 6. "No Effect" Determination and Documentation

A "No Effect" determination is appropriate for your project. As it is located entirely within existing, fenced, graveled/mowed, and maintained facility yards and the Karner blue butterfly is not on the county list, your project will not affect suitable habitat for any listed species. Therefore, no listed species or designated critical habitat is anticipated to be directly or indirectly affected by this action.

To document your section 7 review and "no effect" determination, we recommend that you print this page (go to File<Print Preview), fill-in the project name and date, attach your [species list](#), and file in your administrative record.

Pipeline Project Name: City of Sturgis DWSRF Project Plan

Date: 5/12/2021

[Back](#)

[Home - "No Effect" Determination Process](#)

In the Midwest

[USFWS Midwest Home](#)

[Midwest Ecological Services Home](#)

[Contact Us](#)

Section 7 Consultation

[Section 7 Home](#)

[Section 7: A Brief Explanation](#)

[Section 7: Technical Assistance](#)

[Biological Assessment Guidance](#)

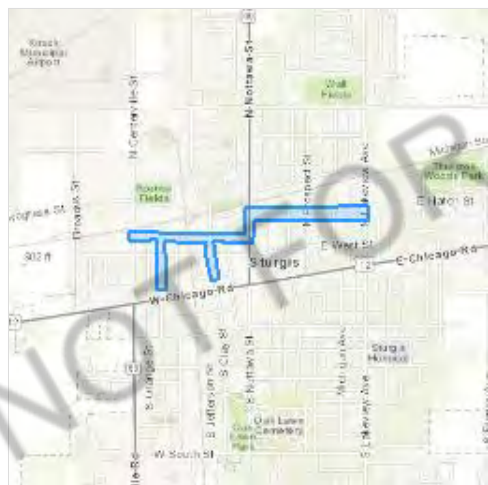
[Section 7 Consultation Handbook](#)

[Contact Us](#)

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

St. Joseph County, Michigan



Michigan Ecological Services Field Office

☎ (517) 351-2555

 (517) 351-1443

2651 Coolidge Road Suite 101
East Lansing, MI 48823-6360

<http://www.fws.gov/midwest/EastLansing/>

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

- 1. Draw the project location and click CONTINUE.
- 2. Click DEFINE PROJECT.
- 3. Log in (if directed to do so).
- 4. Provide a name and description for your project.
- 5. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

- 1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
- 2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Mammals

NAME	STATUS
------	--------

Indiana Bat *Myotis sodalis* **Endangered**
 Wherever found
 There is **final** critical habitat for this species. The location of the critical habitat is not available.
<https://ecos.fws.gov/ecp/species/5949>

Northern Long-eared Bat *Myotis septentrionalis* **Threatened**
 Wherever found
 No critical habitat has been designated for this species.
<https://ecos.fws.gov/ecp/species/9045>

Reptiles

NAME	STATUS
Copperbelly Water Snake <i>Nerodia erythrogaster neglecta</i> No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/7253	Threatened
Eastern Massasauga (=rattlesnake) <i>Sistrurus catenatus</i> Wherever found This species only needs to be considered if the following condition applies: <ul style="list-style-type: none"> For all Projects: Project is within EMR Range No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/2202	Threatened

Insects

NAME	STATUS
Mitchell's Satyr Butterfly <i>Neonympha mitchellii mitchellii</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/8062	Endangered

Flowering Plants

NAME	STATUS
Eastern Prairie Fringed Orchid <i>Platanthera leucophaea</i> Wherever found No critical habitat has been designated for this species. https://ecos.fws.gov/ecp/species/601	Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

THERE ARE NO CRITICAL HABITATS AT THIS LOCATION.

Migratory birds

Certain birds are protected under the Migratory Bird Treaty Act¹ and the Bald and Golden Eagle Protection Act².

Any person or organization who plans or conducts activities that may result in impacts to migratory birds, eagles, and their habitats should follow appropriate regulations and consider implementing appropriate conservation measures, as described [below](#).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Birds of Conservation Concern <http://www.fws.gov/birds/management/managed-species/birds-of-conservation-concern.php>
- Measures for avoiding and minimizing impacts to birds <http://www.fws.gov/birds/management/project-assessment-tools-and-guidance/conservation-measures.php>
- Nationwide conservation measures for birds <http://www.fws.gov/migratorybirds/pdf/management/nationwidestandardconservationmeasures.pdf>

The birds listed below are birds of particular concern either because they occur on the [USFWS Birds of Conservation Concern](#) (BCC) list or warrant special attention in your project location. To learn more about the levels of concern for birds on your list and how this list is generated, see the FAQ [below](#). This is not a list of every bird you may find in this location, nor a guarantee that every bird on this list will be found in your project area. To see exact locations of where birders and the general public have sighted birds in and around your project area, visit the [E-bird data mapping tool](#) (Tip: enter your location, desired date range and a species on your list). For projects that occur off the Atlantic Coast, additional maps and models detailing the relative occurrence and abundance of bird species on your list are available. Links to additional information about Atlantic Coast birds, and other important information about your migratory bird list, including how to properly interpret and use your migratory bird report, can be found [below](#).

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, click on the PROBABILITY OF PRESENCE SUMMARY at the top of your list to see when these birds are most likely to be present and breeding in your project area.

NAME

BREEDING SEASON (IF A
BREEDING SEASON IS INDICATED
FOR A BIRD ON YOUR LIST, THE

BIRD MAY BREED IN YOUR PROJECT AREA SOMETIME WITHIN THE TIMEFRAME SPECIFIED, WHICH IS A VERY LIBERAL ESTIMATE OF THE DATES INSIDE WHICH THE BIRD BREEDS ACROSS ITS ENTIRE RANGE. "BREEDS ELSEWHERE" INDICATES THAT THE BIRD DOES NOT LIKELY BREED IN YOUR PROJECT AREA.)

Bald Eagle *Haliaeetus leucocephalus*

Breeds Dec 1 to Aug 31

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1626>

Willow Flycatcher *Empidonax traillii*

Breeds May 20 to Aug 31

This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA

<https://ecos.fws.gov/ecp/species/3482>

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read and understand the FAQ "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any

week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

- 3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (|)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Tell me more about conservation measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Conservation Measures](#) describes measures that can help avoid and minimize impacts to all birds at any location year round. Implementation of these measures is particularly important when birds are most likely to occur in the project area. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is a very helpful impact minimization measure. To see when birds are most likely to occur and be breeding in your project area, view the Probability of Presence Summary. [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the migratory birds potentially occurring in my specified location?

The Migratory Bird Resource List is comprised of USFWS [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are a BCC species in that area, an eagle ([Eagle Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, please visit the [AKN Phenology Tool](#).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, migrating or present year-round in my project area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating or year-round), you may refer to the following resources: [The Cornell Lab of Ornithology All About Birds Bird Guide](#), or (if you are unsuccessful in locating the bird of interest there), the [Cornell Lab of Ornithology Neotropical Birds guide](#). If a bird on your migratory bird species list has a breeding season associated with it, if that bird does occur in your project area, there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and
3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Eagle Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to try to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially eagles and BCC species of rangewide concern. For more information on conservation measures you can implement to help avoid and minimize migratory bird impacts and requirements for eagles, please see the FAQs for these topics.

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Bird tracking data can also provide additional details about occurrence and habitat use throughout the year, including migration. Models relying on survey data may not include this information. For additional information on marine bird tracking data, see the [Diving Bird Study](#) and the [nanotag studies](#) or contact [Caleb Spiegel](#) or [Pam Loring](#).

What if I have eagles on my list?

If your project has the potential to disturb or kill eagles, you may need to [obtain a permit](#) to avoid violating the Eagle Act should such impacts occur.

Proper Interpretation and Use of Your Migratory Bird Report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated, and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please also look carefully at the survey effort (indicated by the black vertical bar) and for the existence of the "no data" indicator (a red horizontal bar). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list helps you know what to look for to confirm presence, and helps guide you in knowing when to implement conservation measures to avoid or minimize potential impacts from your project activities, should presence be confirmed. To learn more about conservation measures, visit the FAQ "Tell me about conservation measures I can implement to avoid or minimize impacts to migratory birds" at the bottom of your migratory bird trust resources page.

Facilities

National Wildlife Refuge lands

Any activity proposed on lands managed by the [National Wildlife Refuge](#) system must undergo a 'Compatibility Determination' conducted by the Refuge. Please contact the individual Refuges to discuss any questions or concerns.

THERE ARE NO REFUGE LANDS AT THIS LOCATION.

Fish hatcheries

THERE ARE NO FISH HATCHERIES AT THIS LOCATION.

Wetlands in the National Wetlands Inventory

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

THERE ARE NO KNOWN WETLANDS AT THIS LOCATION.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

Appendix 2

Appendix 3

**A RESOLUTION ADOPTING A DWSRF PROJECT PLAN
FOR WATER SYSTEM IMPROVEMENTS AND DESIGNATING AN AUTHORIZED PROJECT
REPRESENTATIVE**

WHEREAS, the City of Sturgis recognizes the need to make improvements to the water distribution system; and

WHEREAS, the City of Sturgis authorized Fishbeck, Inc. to prepare a Drinking Water State Revolving Loan (DWSRF) Project Plan, which recommends the water distribution system improvements; and

WHEREAS, said Project Plan was presented at a public hearing meeting held on June 23, 2021, and all public comments have been considered and addressed;

NOW, THEREFORE BE IT RESOLVED, that the City of Sturgis formally adopts said Project Plan and agrees to implement the selected alternatives (for the new water main and services);

BE IT FURTHER RESOLVED, that the City Manager, a position currently held by Michael Hughes, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative.

Yeas:

Nays:

Abstain:

Absent:

I, Kenneth Rhodes, City Clerk in and for the City of Sturgis, St. Joseph County and State aforesaid, certify that the above Resolution was adopted by the Sturgis City Commission at a regular meeting held on June 23, 2021. Public notice was given and the meeting was conducted in compliance with the Michigan Open Meetings Act (PA 267 of 1976) as amended by PA 254 of 2020.

Kenneth Rhodes, City Clerk

Robert Hile, Mayor

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10C

Will Prichard

From: David Helman <djh799@gmail.com>
Sent: Wednesday, June 16, 2021 12:06 PM
To: Will Prichard
Subject: Sturgis Wellness Center Extension Request
Attachments: STURGIS DISPENSARY II DATE REVISION.pdf

Sturgis City Council,

On behalf of the Sturgis Wellness Center, I would like to request a 6 month extension to our May 21st deadline. Due to circumstances beyond our control, an extension is necessary for the completion of our project. The 6 months will allow us to complete the necessary negotiations with neighboring properties to acquire easements and meet the needs of MDOT at our entry way. In our extension proposal, we have noted the completion date of construction to be July 30. However, we anticipate the delays with MDOT, Contractors and Easements to significantly impact the completion date of our driveway and parking lot. We will submit a formal request for extension from the City Council on June 23rd in order to meet the needs of MDOT and complete all construction. Thank you for your consideration.

Regards,

David Helman

David Helman | Wellness Centers of Michigan

Mobile: 310 200 4229
Email: djh799@gmail.com <<mailto:djh799@gmail.com>>
Web: WellnessCentersMI.com <<http://WellnessCentersMI.com>>
Address: 140 S. Washington St. Constantine, MI 49042

PROPERTY: STURGIS MI
DATE SUBMITTED 06/01/21

CUSTOMER # 2020-4
PHONE 310 200 4229



DESIGN  CONSTRUCTION

BLUEPRINT BUILDOUT
ADA COMPLIANT

574-340-6083 | Full Service Residential & Commercial
Improvements

NEW DATE SPECIFIED 07/30/21

**THIS CONTRACT INCLUDES ALL REVISIONS ON MAIN STRUCTURE SITED OPTION A
NOTEWORTHY ITEMS LISTED BUT NOT LIMITED TO:**

REPLACE NON TREATED STUDS W/TREATED LUMBER
SECURE WINDOW OPENINGS AND DOOR OPENINGS
INSULATION ON EXTERIOR WALLS

EXTERIOR:

SIDING ON MAIN STRUCTURE
STRUCTURE MUST BE ADA COMPLIANT
WINDOWS (WHITE) WELDED VINYL LIFETIME GLASS BREAKAGE (2)
LIGHTING OUTLINED IN DRAWING (PER DMDC) N/A
WINDOWS QUANTITIES AS DESCRIBED
EXTERIOR DOOR(S) AS DESCRIBED W/ EMERGENCY EXIT

INTERIOR ADDITION SPECS:

1/2 DRYWALL
ALL BASE TRIM AND CASING 3/4
INTERIOR DOOR(S) MUST HAVE LEVER HANDLES
ALL COLORS AND FINISHES TO MATCH (CONST. WELLNESS CENTER)
COMERCIAL GRADE FLOORING

ADA BATHROOM:

SIZE COMPLIANCE APPROVED AND VERIFIED
INSTALL ADA COMPLIANT WALL MOUNTED VANITY
COVER PLUMBING ACCORDING TO ADA GUIDELINES
ALL ELECTRICAL TO MICHIGAN CODES
ALL CLEAN UP

574-340-6083 | michealholt22@att.net



UNSPECIFIED:

NO POS DESKTOPS OR FURNISHINGS
TRUSS SUPPORTS IDENTIFIED AND NEEDED
FLOOR LEVEL AS NEEDED
PROPER DOOR OPENINGS AND HEADERS
PERMITS

ADDITIONALS:

WARRANTY PAPERWORK ON ALL LABOR AND MATERIAL
ALL INSPECTIONS REQUIRED BY STATE AND/OR LOCAL INSPECTORS
FINAL FINISH WALK THRU WITH CUSTOMER FOR FINAL APPROVAL
INSULATED CEILING
CONCRETE REPLACEMENT
ROOF FRAMING ADDITION
INSULATED WALLS
ALL TO CODE AS REQUESTED
ROOF REPAIR/RE INSPECTION
BLACKTOP AND PARKING DESIGNATIONS
COMPLETION DATE ON OR BEFORE JULY 30 2021

APPROVED BY DMDC INC
MICHEAL HOLT, OWNER

CONCRETE EXTERIOR ADDITION WILL BE BILLED AT A LATER DATE
DEPOSIT HAS BEEN RECVD.

574-340-6083 | michealholt22@att.net



Thank you for considering Dyllan Micheal Design/Construction for all your Contracting and remodeling needs. We look forward to serving you. A signature is required by both parties for change orders to be processed. There is a three-day cancelation period in effect from CONTRACT date. Communication is priority one in the overall satisfaction of your project. A representative from Dyllan Micheal Design/Construction is available from 8am-10pm Mon-Sat, please feel free to contact us as needed. We appreciate the opportunity to serve you today and in future projects.

MICHEAL L HOLT
President/CEO

ADDITIONS

Remove / replace roof @13sq
Customer chosen color _____ @3600.00

574-340-6083 | michealholt22@att.net





To: Will Prichard, Director, Community Development – City of Sturgis
Re: 6-Month Extension for build-out; Bloom City Club Cannabis Permit Approval
Date: June 18, 2021

DAP Synergy LLC dba Bloom City Club, would like to formally request a six-month extension on our Cannabis Permit Approval for the City of Sturgis for the completion of build out on our approved site at 2773 S. Centerville Rd.

The Property owners (Landlords) are within 1-2 weeks of obtaining a final Certificate of Occupancy. There was a period of delay in working with the State Road Commission on the road widening as well as construction delays due to COVID. We believe we will be open for business by late July – early August following all MRA inspections and approvals which take about 6 weeks from the date the COO is received.

As we stated previously, we are eager to bring more living-wage jobs to Sturgis during this restarting of the economy and look forward to working with you in the following 2-3 months to complete construction and open successfully.

Should you have any questions, please feel free to contact me at the number below or the property owner, Chuck Senatore at 517-204-1750. Thank you for your assistance in this matter and have a good day.

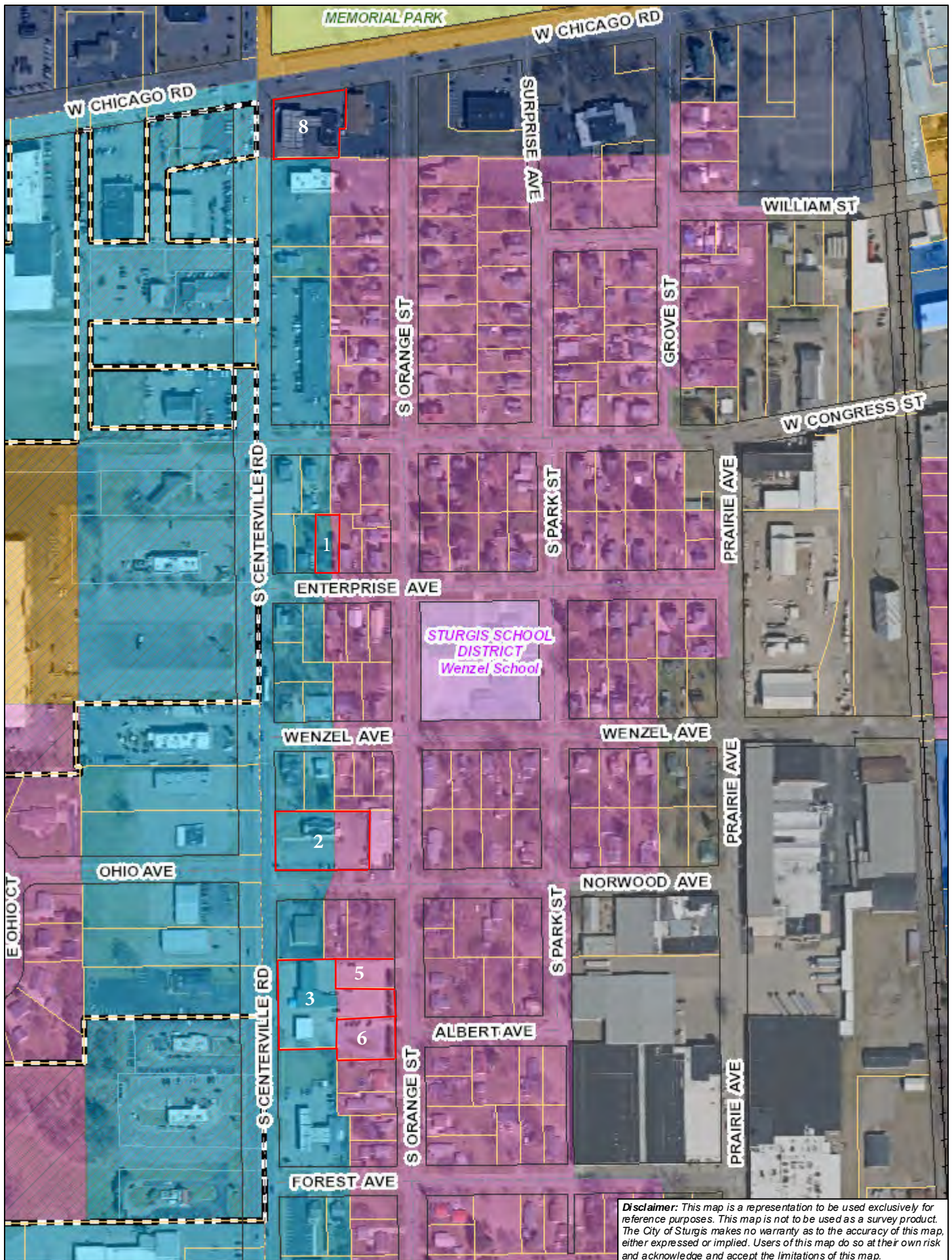
Sincerely,

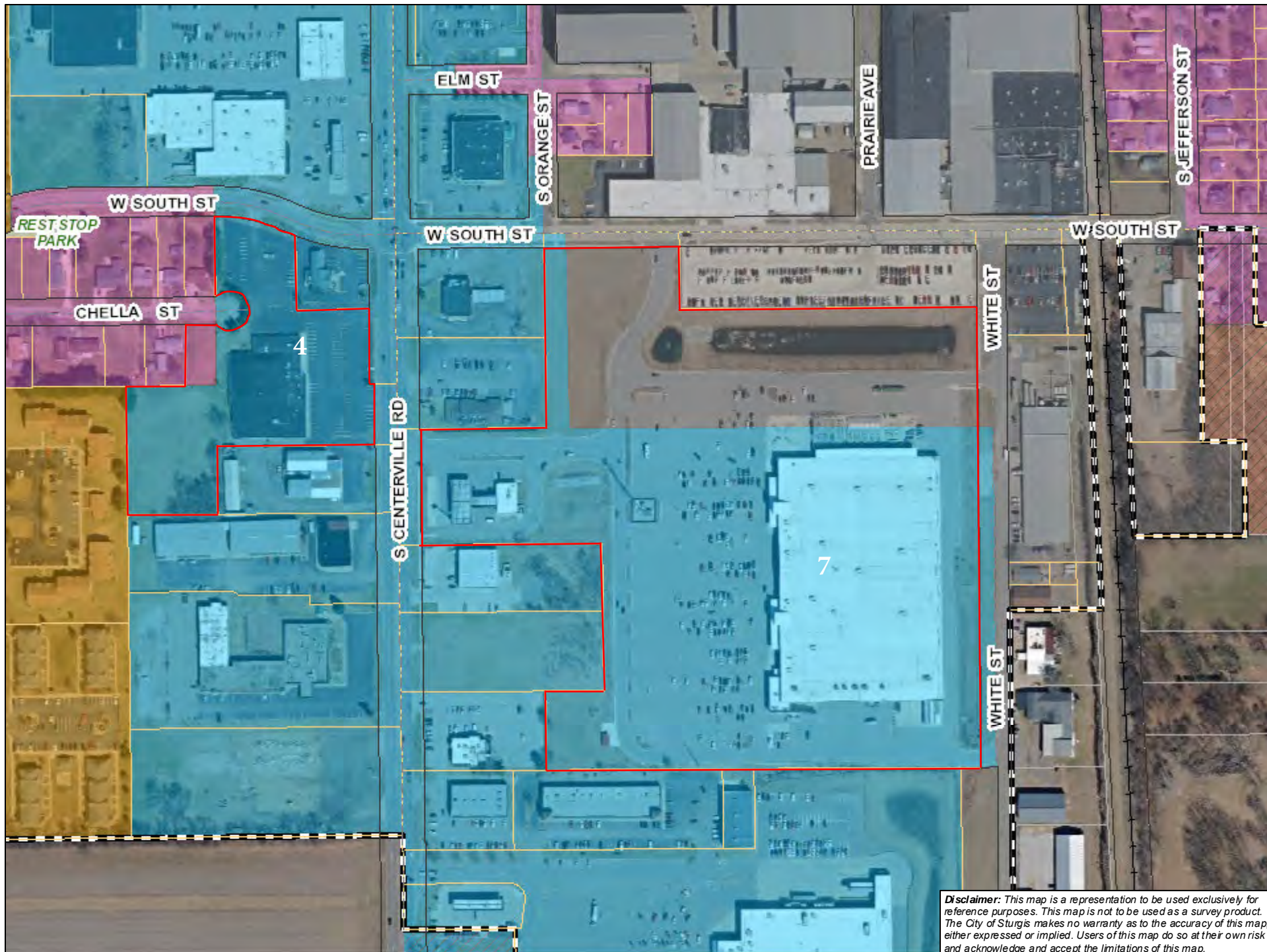
A handwritten signature in blue ink that reads 'Allison B. Ireton'.

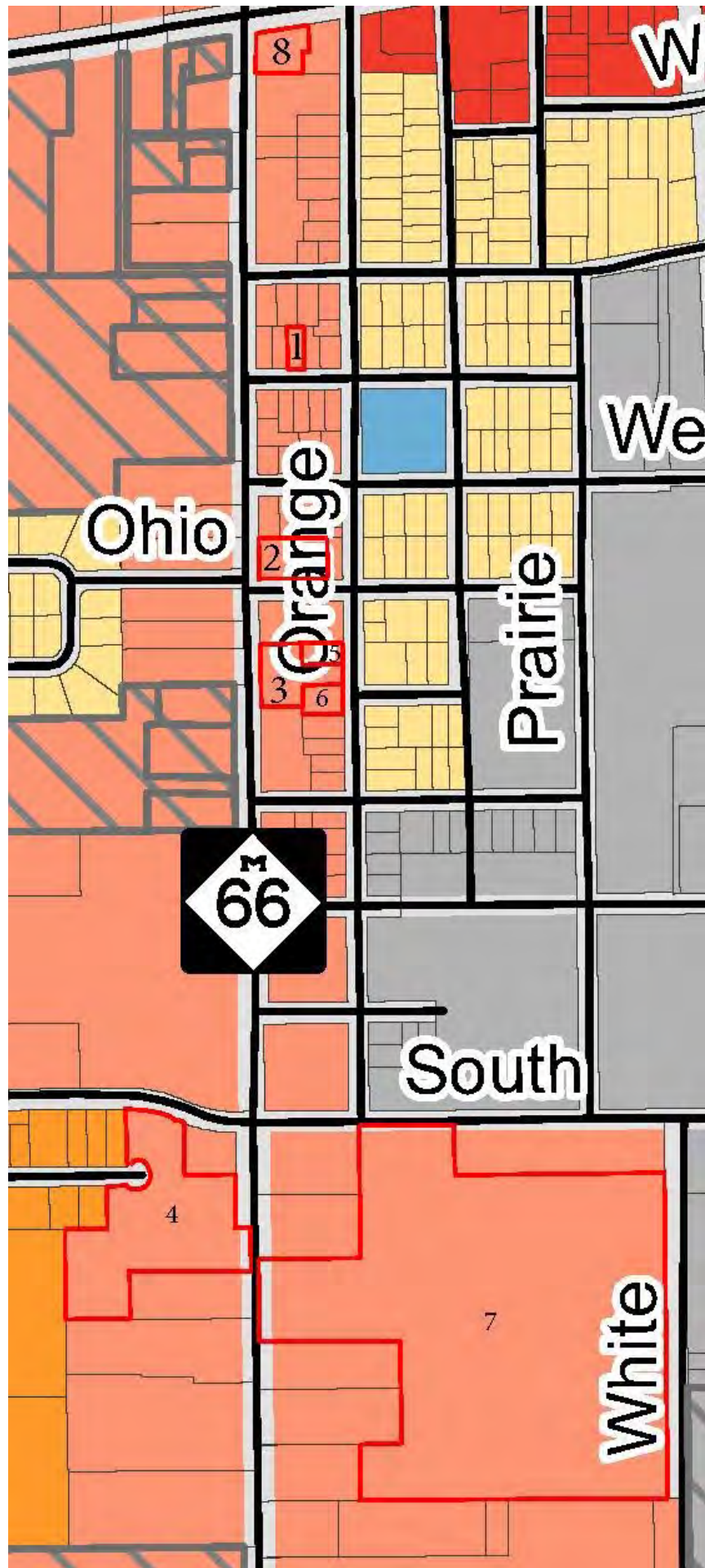
Allison B. Ireton
HURON VALLEY LAW ASSOCIATES, PC

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10D







**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10E

Proposed B-C Central Business District-REDLINE

1.0407. - B-C central business district.

(A) *Intent.* The B-C central business district is established to create and preserve a central business district convenient and attractive for a wide range of retail uses and business, government and professional offices, and places of amusement in a setting conducive to and safe for pedestrian traffic.

~~(B) *Restricted zone.* The regulations listed in 1.0407(B)(1)(a)-(d) are restricted to p~~Properties on Chicago Road between Jefferson Street on the West and Monroe Street on the East are considered the ("Restricted Zone"); for the purposes of this section. Uses may be limited or amended in this area if specified below, and will not affect the rest of the central business district.

~~(B)(C)~~ *Permitted uses.* The following uses are permitted in the B-C district.

(1) The following uses are permitted in the Restricted Zone provided they are located either above the first floor, or below the first floor. They are permitted without restriction outside of the Restricted Zone.

(a) Banks, credit unions, or similar uses.

(b) Business schools.

(c) Clinic, Dental or Medical.

(d) Private Schools.

~~(a) Professional service offices, including: executive, administrative, legal, accounting, writing, clerical, drafting, engineering, architectural.~~

~~(b) Medical and dental offices, including clinics.~~ Clinic, Dental or Medical.

~~(c) Business schools or private schools operated for profit.~~

~~(d)(e) (d) Bed and breakfast.~~

(2) Catering facility in combination with a full service eating and drinking establishment.

~~(2)(3)~~ Essential services.

~~(3)(4)~~ Existing Housing.

(5) Fast food restaurant.

(6) Full service eating and drinking establishment. ~~Drink and restaurant establishments.~~

~~(4)(7)~~ Hotels and motels.

~~(5)(8)~~ Institutional or public uses.

(9) Laundry and dry cleaning.

~~(6)(10)~~ Personal Services.

~~(7)(11)~~ Printing or publishing.

~~(8)(12)~~ Recreational facility. Uses similar to the above uses.

~~(9)(13)~~ Social clubs.

(14) Stores for retail sales and retail services.

~~(10)(15)~~ Studio.

~~(11)~~ —

(16) Theaters.

~~(17)~~ Train, bus, or taxi terminal or dispatching. Transportation services.

~~(12)(18)~~ Uses similar to the above uses.

(19) Accessory structures and used customarily incident to the above permitted uses, provided such buildings and uses are located on the same zoning lot with permitted use.

(DG) *Special land uses.* The following special land uses are permitted in the B-C district under the conditions of article VI [of this zoning ordinance].

(1) Apartments above stores.

(2) Bed and Breakfast operations. Allowed in the Restricted Zone provided it is located either above the first floor, or below the first floor. Allowed outside the Restricted Zone in accordance with Article VI.

~~(3)~~ Child care centers and day care centers in accord with section 1.0602 and section 1.0603(M).

~~(3)(4)~~ Condominiums.

~~(4)(5)~~ Drive-Through operations.

~~(5)(6)~~ Marquee Signs.

(a) ~~a)~~ Marquee signs are permitted only for use on theaters as defined in section 1.0202 of this ordinance.

(b) ~~b)~~ All marquee signs must be submitted to the design review committee regardless of what zone they are to be installed.

(c) ~~c)~~ Proper scale and architectural compatibility will be crucial elements when marquee signs are reviewed by the planning commission.

(d) ~~d)~~ Marquee signs are allowed to be internally lighted.

~~(6)(7)~~ Murals.

~~(7)(8)~~ Off-Street parking lots.

~~(8)(9)~~ Outdoor sale areas.

~~(9)(10)~~ Professional service offices and banks, credit unions or similar uses in the ~~restricted~~ Restricted zone Zone in accord with section 1.0602 and section 1.0603(KK).

~~(10)(11)~~ Sidewalks cafes.

~~(11)(12)~~ Tourist homes.

(ED) *Required conditions.* The following conditions are required in the B-C district.

(1) *Area and bulk requirements.* See article V, schedule of regulations, [of this zoning ordinance] limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements.

(2) *Demolition of buildings.* Before a demolition permit is issued for a building located in the B-C district, the building department shall refer the request to the downtown development authority which will review the request, hold a public-hearing, and make recommendations to the property owner for alternate potential uses of the property or to proceed with demolition. If the property owner does not withdraw the request for a demolition permit within 30 days after it is submitted, the building department shall proceed to analyze the request and issue appropriate permits based upon the building and zoning ordinance requirements.

(3) *[Design review.]* Design review as provided for in article XIII [of this zoning ordinance].

(4) Drive-through operations. All permitted uses with a drive-through operation must meet the off-street parking and stacking standards for a drive-through as stated under [section] 1.0902.

~~(4)~~(5) *Dwellings*. Existing dwellings, transient rooming houses and apartments shall meet the provision of the R-4 apartment district and special land uses within the R-4 apartment district, as set out in section 1.0404

~~(5)~~(6) *Screening dumpsters*. All areas of trash storage and disposal including dumpsters must be screened as provided under section 1.1106.

~~(6)~~ *Site plan review*. Site plan review and approval must be obtained for all new construction in accordance with the provisions of article XII [of this zoning ordinance].

~~(7)~~ .

~~(8)~~(7) _____

Proposed PDD-2 Planned Development District-Redline

1.0412.1. - PDD-2 planned development district.

(A) *Intent.* The PDD-2 planned development district is established to create a planned development district convenient and attractive for a wide range of retail uses, business, residential, government and professional offices, and places of amusement in a setting conducive to and safe for pedestrian traffic.

(B) *Permitted uses.* The following uses are permitted in the PDD-2 district.

- (1) Apartments above stores.
- (2) Banks, credit unions, or similar uses.
- (3) Bed and breakfast operations.
- (4) Business schools.
- (5) Clinic, Dental or Medical.
- (6) Condominiums.
- (7) Essential services.
- (8) Fast food restaurant.
- (9) Full service eating and drinking establishment.
- (10) Hotels and motels.
- (11) Institutional or public uses.
- (12) Laundry and dry cleaning.
- (13) Multifamily residential uses as found in the R-4 district.
- (14) Outdoor sale areas provided that they do not restrict pedestrian travel paths to less than 60 inches wide.
- (15) Personal services.
- (16) Printing or publishing.
- (17) Private schools.
- (18) Professional service offices.
- (19) Recreational facility.
- (20) Sidewalk cafes provided that they do not restrict pedestrian travel paths to less than 60 inches wide.
- (21) Social clubs.
- (22) Stores for retail sales and retail services.
- (23) Studio.
- (24) Theaters.
- (25) Transportation Services.
- (26) Uses similar to the above uses.
- (27) Accessory structures and uses customarily incident to the above permitted uses, provided such buildings and uses are located on the same zoning lot with a permitted use.

~~—Professional offices, including: executive, administrative, legal, accounting, writing, clerical, drafting, engineering, architectural.~~

~~(2) —Clinic, Dental or Medical. Medical and dental offices, including clinics.~~

~~(3) —Business schools or private schools operated for profit.~~

~~(4) —Bed and breakfast operations.~~

~~(5) —Stores for retail sales and retail services.~~

~~(6) —Theaters and social clubs.~~

~~(7) —Laundry and dry cleaning.~~

~~(8) —Printing or publishing.~~

~~(9) —Drink and restaurant establishments.~~

~~(10) —Train, bus, or taxi terminal or dispatching.~~

~~(11) —Institutional or public uses.~~

~~(12) —Essential services.~~

~~(13) —Hotels and motels.~~

~~(14) —Uses similar to the above uses.~~

~~(15) —Accessory structures and uses customarily incident to the above permitted uses, provided such buildings and uses are located on the same zoning lot with a permitted use.~~

~~(16) —Multifamily residential uses as found in the R-4 district.~~

~~(17) —Condominiums.~~

~~(18) —Apartments above stores.~~

~~(19) —Sidewalks and cafes provided that they do not restrict pedestrian travel paths to less than 60 inches wide.~~

~~(20) —Outdoor sale areas provided that they do not restrict pedestrian travel paths to less than 60 inches wide.~~

(C) ~~—~~ *Special land uses.* The following special land uses are permitted in the PDD-2 district under the conditions of article VI [of this zoning ordinance].

~~(1) (1) —Child care centers and day care centers in accord with section 1.0602 and section 1.0603CM1.~~

~~(1)(2) Murals.~~

~~(2) —Child care centers and day care centers in accord with section 1.0602 and section 1.0603CM1.~~

(3) ~~—~~ Outdoor video display boards greater than ~~greater than~~ 100 inches measured diagonally and 400 square feet overall and mounted on an assembly that when combined with the video display board results in a structure no higher than 40 feet above grade.

(D) ~~—~~ *Required conditions.* The following conditions are required in the PDD-2 planned development district.

~~(1) (1) —Area and bulk requirements. See article V, schedule of regulations, [of this zoning ordinance] limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements.~~

~~(2) —Dwellings. Existing dwellings, transient rooming houses and apartments shall meet the provision of the R-4 apartment district and special land uses within the R-4 apartment district, as set out in section 1.0404.~~

(3) Screening dumpsters. All areas of trash storage and disposal including dumpsters must be screened by a six-foot screen fence, but in no case less than six inches in height over the top of the trash or dumpster.

(4) Site plan review. Site plan review and approval must be obtained for all new construction in accordance with the provisions of article XII [of this zoning ordinance].

(4)(5) [Use parameters.] All permitted uses shall be conducted within the confines of a building or within an enclosure which screens any outdoor storage of materials from the view of adjoining residential streets or residential properties. A chain-link or decorative fence of sufficient density (1¼ inch by 1¼ inch) to keep discarded debris within the confines of a site for uses which are likely to have debris shall be provided.

~~(2) Dwellings. Existing dwellings, transient rooming houses and apartments shall meet the provision of the R-4 apartment district and special land uses within the R-4 apartment district, as set out in section 1.0404.~~

~~(3) Screening dumpsters. All areas of trash storage and disposal including dumpsters must be screened by a six-foot screen fence, but in no case less than six inches in height over the top of the trash or dumpster.~~

~~(4) Site plan review. Site plan review and approval must be obtained for all new construction in accordance with the provisions of article XII [of this zoning ordinance].~~

~~(5) Area and bulk requirements. See article V, schedule of regulations, [of this zoning ordinance] limiting the height and bulk of buildings, the minimum size of lot by permitted land use, and providing minimum yard setback requirements.~~

(Ord. of 11-13-2013; Ord. of 5-13-2015)

1.0202. – Specific Terms

Amendments to existing terms.

Recreational equipment. Includes travel trailers, pickup campers, ~~motor homes~~, ice fishing houses, tent trailers, tents, boats and boat trailers, ~~wave runners~~, ~~utility trailers~~ and similar equipment and cases or boxes used for transporting recreational equipment, whether occupied by the equipment or not.

Recreation facility. A commercial establishment ~~indoor or outdoor~~, which is designed to provide the user with the opportunity to relax, engage in athletic activities or engage in other leisure pursuits, including but not limited to driving ranges, ~~golf courses~~, swimming pools, water parks, ~~athletic tennis courts~~ (~~tennis, basketball, racquetball~~), personal fitness, ~~gym~~~~outdoor racquetball courts~~, ~~exercise and training facilities~~, motorized cart and motorcycle tracks, and batting cages.

Specific terms to be added.

Assembly Areas: A meeting place at which the public or membership groups are assembled regularly or occasionally, indoors or outdoors as a principal or accessory use, including but not limited to portions of schools, religious institutions, theaters, auditoriums, funeral homes, stadiums, lecture halls, private clubs and lodge rooms, conference rooms, convention centers, dining halls, and similar places of assembly.

Commercial Vehicle: Any vehicle serving purposes other than the transportation of persons or registered for the gross vehicle weight of more than nine thousand (9,000) pounds. This definition includes, but is not limited to, buses and semi-trucks and trailers.

Open Air Business: A business including the sales or display of retail merchandise or services outside of a permanent structure, such as a drive-in business.

Short Term Parking: Customer parking which has regular turnover and up to a 30 minute maximum duration.

Stacking Areas: Areas designated for the temporary queuing of motor vehicles, such as for a drive-thru restaurant or a bank.

Wholesale Activities: Activities primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

Proposed 1.0603 Special Land Use– (KK)–REDLINE

1.0603. – Special Land Use Designated.

(KK) Professional service offices and banks, credit unions or similar uses. Professional service offices and banks, credit unions or similar uses may be permitted in the restricted zone subject to the following provisions and conditions:

(1) The location at which the ~~professional office~~above use is to be located has been unoccupied for a minimum of six months; and

(2) The existence of one or both of the following conditions:

(a) At the time of application a minimum of five percent of the front footage of all properties within the restricted zone are unoccupied properties; or

(b) At the time of application the total front footage of all professional service offices and banks, credit unions or similar uses within the restricted zone is less than or equal to 35 percent of all front footage properties, including unoccupied properties

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10F

Existing Ordinance Article IX

ARTICLE IX. - OFF-STREET PARKING AND LOADING REQUIREMENTS^[5]

1.0901. - General parking requirements.

- (A) There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile, off-street parking space with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building use, shall be provided prior to the issuance of a certificate of occupancy as prescribed in this [zoning] ordinance.
- (B) Application for parking lot construction. Any person desiring to establish or change a parking area shall submit plans to the building department showing the locations, design, size, shape, landscaping, surfacing, marking, fighting, drainage, curb cuts, entrances, exits, and any other features of the parking lot. Any curb cuts, entrances, exits, drainage, and design shall have the written approval of the city engineer and chief of police and shall be presented for site plan approval by the planning board. The location, number and signage of physical handicapped parking space shall be under the jurisdiction of the building department.
- (C) Minimum required off-street parking areas shall not be replaced by any other use unless and until equal parking facilities are provided elsewhere.
- (D) Off-street parking existing at the effective date of the [zoning] ordinance in connection with the operation of an existing building or use, shall not be reduced to any amount less than that required in this [zoning] ordinance for a similar new building or new use.
- (E) Two or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.
- (F) In the instance of dual function of off-street parking spaces where operating hours of buildings do not overlap, the board of appeals may grant an exception.
- (G) The placement of materials, merchandise, motor vehicles, trucks, trailers, recreational vehicles or equipment in designated off-street parking area of a property for the purpose of sale, rental or repair is prohibited, except as may be provided in this [zoning] ordinance.
- (H) For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the planning board considers is similar in type.
- (I) When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.
- (J) For the purpose of computing the number of parking spaces required, the definition of [the term] "usable floor area" in section 1.0200 shall govern.
- (K) For all residential buildings and institutional, public, or essential services in a residential district, the required parking area shall be provided on the same lot with the buildings or on a lot immediately adjacent, under the same ownership.
- (L) Parking in residential districts shall not be permitted in any required front yard area or in the street side yard area of a corner lot except in a driveway or a defined parking area. The aggregate area of the driveway or defined parking area shall not exceed the lesser of 35 percent of the front yard or 26 feet in width. Within the required front yard setback, a minimum of 25 feet, the driveway or defined parking area shall be provided with a minimum four-inch asphaltic or concrete surfacing.

- (M) Required off-street parking for single-family dwellings may be provided in a stacking configuration in a driveway or garage or combination thereof. Lawn areas shall not be utilized for off-street parking.
- (N) Within a residential district all parking areas, except for single-family dwellings, shall be screened on all sides that abut upon (1) a single-family residence, (2) a residential district, or (3) a street, with an ornamental fence or compact hedge which shall not be less than four feet six inches high, of a type which will obscure vision at all seasons from adjoining premises, except where it may block clear vision for traffic movement it shall be 30 inches in height.
- (O) No commercial repair work, commercial servicing, or selling of any kind shall be conducted on parking areas in residential districts. A resident may repair vehicles of the resident on the property of the resident's dwelling unit; however, in no instance shall a resident repair the vehicles of other than a resident of the dwelling unit on said property, and such repair shall be conducted in not to exceed seven consecutive days in any 30-day period.
- (P) A resident of a dwelling unit may have not more than one motorized vehicle for sale on the site of such dwelling unit at any time and in no instance shall vacant residential lots or parcels be utilized for the sale of vehicles. In no instance shall a vehicle for sale be displayed in a front yard other than on the driveway portion of the yard.
- (Q) Within all residential districts parking shall be limited to passenger vehicles, recreational vehicles ("RV"), as provided below, recreation equipment and trucks with a load capacity of 2½ tons or less.
 - (1) The occupant of a residential property is allowed to park or store one recreational vehicle on his or her property if the following provisions are met.
 - (a) The RV must be owned by the occupant.
 - (b) The RV must be licensed (if applicable) and operable.
 - (c) The RV must be maintained and in good repair.
 - (d) The area around and under the RV must be kept free of any tall grass or weeds.
 - (e) The RV will not encroach on the required front yard setback, see table 1.0501, by more than 15 feet, and in no case nearer than ten feet to the front property line.
 - (f) The RV will not encroach on a required side yard that is the street side of a corner lot.
 - (2) One RV may be parked in developed driveways/parking spaces for a period of two days for purpose of loading and or unloading.

The occupant is allowed to have guests park and sleep in one RV for a period not to exceed two weeks in any 30-day period and not to exceed six weeks in any calendar year.

- (R) The building official shall require execution of a performance agreement in the amount of \$300.00/parking space, in the form, manner, and amount, as in his discretion may be required to compel compliance with and performance of all off-street parking requirements of this article.

1.0902. - Required off-street parking.

(A) *Residential.*

(1)	Use	Number of Minimum Parking Spaces Per Unit of Measure
	(a) Residential, one-family	2 for each dwelling unit.

	(b)	Residential, multiple-family	2 for each dwelling unit having 2 or less bedrooms and 2½ for each dwelling unit having 3 or more bedrooms.
	(c)	Elderly housing—dependent	0.75 for each dwelling unit.
	(d)	Elderly housing—-independent	1.25 for each dwelling unit.
	(e)	Mobile home park	2 for each mobile home site, 1 for each employee of the mobile home park and 1 for each 3 mobile homes for visitor parking.

(B) *Institutional.*

(1)	<i>Use</i>		<i>Number of Minimum Parking Spaces Per Unit of Measure</i>
	(a)	Churches temples	1 for each 3 seats or 6 feet of pews in the main unit of worship.
	(b)	Mosques	1 for each 30 sq. ft. of floor space in the main unit of worship.
	(c)	Hospitals	1.25 for each bed plus parking for related uses.
	(d)	Convalescent and/or nursing homes	1 for each 4 beds.
	(e)	Elementary and junior high schools	1 for each teacher, employee or administrator, in addition to the requirements of the auditorium or stadium.
	(f)	Senior high schools	1 for each teacher, employee or administrator, in addition to the requirements of the auditorium or stadium.
	(g)	Private clubs or lodge halls	1 for each 75 sq. ft. of usable floor area.

	(h)	Private golf clubs, swimming pool clubs, tennis clubs or other similar uses	1 for each 2 member individuals.
	(i)	Golf courses open to the general public, except miniature or par-3 courses	4 for each golf hole and 1 for each employee, plus spaces required for each accessory use, such as a restaurant or bar.
	(j)	Stadium, sports, arena or similar place of outdoor assembly	1 for each 3 seats or 5 feet of benches.
	(k)	Theaters and auditoriums	1 for each 3 seats plus 1 for each 2 employees.
	(l)	Nursery schools, day nurseries or child care centers	1 space for each caregiver or teacher and off-street dropoff and child pickup space.
	(m)	Library, museum, post office	1 for each 150 square feet of usable floor area.

(C) *Business and commercial.*

(1)	Use	Number of Minimum Parking Spaces Per Unit of Measure
	(a) Auto wash (automatic)	1 for each employee. In addition, reservoir parking spaces equal in number to 4 times the maximum capacity of the auto wash. Maximum capacity of the auto wash shall mean the greatest number of automobiles undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by 20.
	(b) Auto wash (self-service or coin-operated)	3 for each washing stall in addition to the stall itself.
	(c) Beauty parlor or barbershop	2 spaces for each of the first 2 beauty or barber chairs, and 1½ spaces for each additional chair.
	(d) Bowling alleys	5 for each bowling lane plus parking for accessory uses.
	(e) Dance halls, pool or billiard parlors, roller skating rinks,	1 for each 30 square feet of usable floor area.

		exhibition halls, and assembly halls without fixed seats	
	(f)	Drive-in restaurant	1 for each employee and 1 for each 25 square feet of usable floor area.
	(g)	Drive-through	1 for each employee and 4 stack-up spaces for each drive-through window or station.
	(h)	Carry-out (with no eating on premises)	1 for each employee and 1 for each 60 square feet of usable floor area with a minimum of 4 spaces.
	(i)	Establishment for sale and consumption on the premises of beverages, food or refreshments	1 for each 75 sq. ft. of usable floor area or 1 for each 2 persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, whichever is greater.
	(j)	Furniture and appliance, household equipment, repair shops, showroom of a plumber, decorator, electrician	1 for each 800 square feet of usable floor area. (For floor area used in processing, 1 additional space shall be provided for each 2 persons employed therein.)
	(k)	Gasoline service stations	1 parking space for each 50 sq. ft. of floor area in the cashier and office areas in addition to space provided at each fuel pump dispenser. In no instance shall such facility provide fewer than 3 spaces for cashiers and office use. Gasoline service stations providing carwash facilities, lubrication facilities, sale of food, beverages and other products shall provide additional off-street parking spaces based upon the requirements for such uses.
	(l)	Laundromats and coin-operated dry cleaners	1 for each 2 washing and dry cleaning machines.
	(m)	Miniature or par-3 golf courses	2 for each hole plus 1 for each employee.

	(n)	Ministorage rental	1 space for each employee and 1 space for each 50 storage rental units.
	(o)	Mortuary establishments	1 for each 50 square feet of each assembly room.
	(p)	Motel, hotel or other commercial lodging establishments	1 for each occupancy unit plus 1 for each employee.
	(q)	Motor vehicle sales and service establishments	1 for each 100 square feet of usable floor area of sales room or 3 for each auto service stall in the service areas, whichever is the greater.
	(r)	Oil change and lubrication station	1 for each employee plus reservoir parking spaces equal in number to 3 times the maximum capacity of service stalls provided at the facility.
	(s)	Retail stores, except as otherwise specified herein	1 for each 155 square feet of usable floor area.
	(t)	Public utility structures	1 for each employee on the maximum work shift.
	(u)	Indoor tennis facility	4 for each court plus spaces as required for each permitted accessory use.
	(v)	Amusement arcade	1 for each game table and 1 for each amusement device.
	(w)	Athletic clubs, exercise establishments, health clubs, sauna baths, judo clubs and other similar uses	1 parking space for each 3 persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes, plus 1 space per employee. In those instances where memberships are provided for, not less than 1 space per each 4 memberships shall be provided, plus 1 space per employee.

(D) Office.

(1)	Use	Number of Minimum Parking Spaces Per Unit of Measure
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	(a)	Banks	1 for each 100 sq. ft. of usable floor area.
	(b)	Banks (drive-in)	1 for each employee. In addition, reservoir waiting spaces at each service window or station shall be provided at the rate of 4 for each service window or station. Each waiting space shall measure not less than 20 feet in length.
	(c)	Business offices or professional offices, except as indicated in [subsection (D)(1)](d) [of this section]	1 for each 250 sq. ft. of usable floor area.
	(d)	Professional office of doctors, dentists and similar professions	1 for each 50 sq. ft. of usable floor area in waiting rooms, and 1 for each examining room, dental chair, office, laboratory, X-ray therapy room or similar use area.

(E) *Industrial.*

(1)	Use	Number of Minimum Parking Spaces Per Unit of Measure
	(a) Industrial or research establishments and related accessory offices	5 plus 1 for every 1½ employees in the largest working shift or 1 for each 450 sq. ft. of usable floor area whichever is greater. Space on site shall also be provided for all construction workers during periods of plant construction.
	(b) Warehouses and wholesale establishments and related accessory offices	5 plus 1 for every employee in the largest working shift, or 5 plus 1 for every 1,700 sq. ft. of usable floor space, whichever is the greater. Space on site shall also be provided for all construction workers during periods of construction.

(F) *Parking for handicapped—all districts.*

- (1) Off-street parking facilities required for physically handicapped-accessible buildings shall be based on the provisions of Public Act No. 230 of 1972 (MCL 125.1501 et seq.).

1.0903. - Required off-street loading.

- (A) Loading and unloading spaces shall be provided in all B business and M manufacturing districts in connection with all commercial and industrial uses, except in cases where adequate space, as

determined by the building department, is or can be provided on adjacent public property, as set forth below:

- (1) For 10,000 to 20,000 square feet of floor area, one space.
- (2) For 20,000 to 50,000 square feet of floor area, two spaces.
- (3) For 50,000 to 100,000 square feet of floor area, three spaces.
- (4) One additional space for each additional 100,000 square feet of floor area or part thereof. All loading and unloading space shall be subject to the following provisions:
 - (a) Each loading space shall be at least 12 feet in width, 88 feet in length, and have a height clearance of 14 feet above grade.
 - (b) The space may occupy all or any part of any required yard or court space, excluding front yard area.
 - (c) No space shall be located closer than 50 feet to any lot in any residential district, unless wholly within a completely-enclosed building or unless enclosed on all sides facing residential zones by a wall or uniformly painted solid board or masonry fence of uniform appearance which is not less than eight feet in height.

1.0904. - Design and construction.

- (A) Off-street parking lots shall be so arranged and marked with adequate drives and aisles for safe and convenient maneuvering giving access to parking spaces, and in no case shall a parking space be permitted which would necessitate the backing of a motor vehicle into a street or over a public walk.
- (B) Each nonresidential parking space shall be served by a drive or aisle. Design and construction of drives and aisles must be approved by the city engineer.
- (C) There shall be a curb or wheel stop or bumper rail provided wherever an off-street parking and loading area adjoins a public sidewalk right-of-way, or adjoining property line. The curb, wheel stop shall be designed to prevent any portion of a vehicle from encroaching upon the sidewalk, right-of-way, or adjoining property.
- (D) Any lighting used to illuminate any off-street parking and loading area shall be arranged to direct light away from adjoining premises.
- (E) Design and construction of access drives must be approved by the city engineer.
- (F) Any construction or rearrangement of existing drives which involve the ingress or egress of vehicular traffic to or from a public street, shall be arranged to ensure the maximum safety and the least interference of traffic upon the streets, and shall be approved by the city engineer and chief of police.

1.0905. - Parking space layout, standards, construction and maintenance.

- (A) Whenever the off-street parking requirements in this section require the building of an off-street parking facility, or where P vehicular parking districts are provided, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:
 - (1) No parking lot shall be constructed unless and until a permit therefore is issued. Applications for permit shall be submitted with two sets of site plans for the development and construction of the parking lot showing that the provisions of this section will be fully complied with.
 - (2) Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements (Table 1.0900B) except as modified by Act 230 (parking space width requirement of not less than 12 feet).
 - (3) All spaces shall be provided adequate access by means of maneuvering lanes. Backing directly onto a street is prohibited.

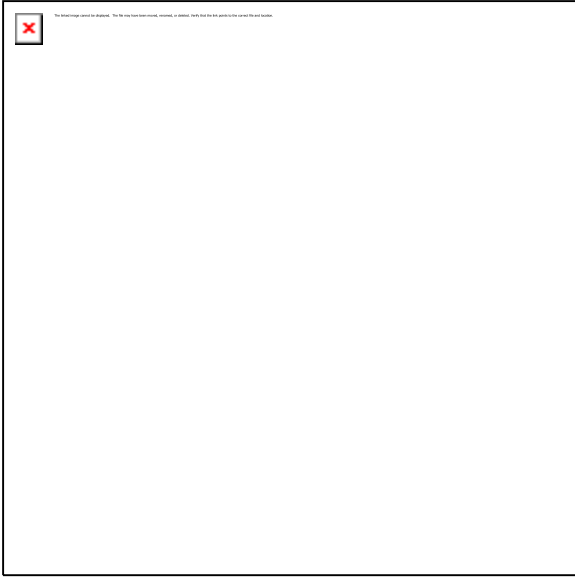
- (4) All maneuvering lane widths shall permit one-way traffic movement, except that the 90-degree pattern may permit two-way movement.
 - (5) All parking areas for commercial or industrial district uses shall be screened on all sides abutting or across a street or alley from a residential district. The screen shall be an ornamental fence or compact hedge not less than six feet high of a type which will obscure vision at all seasons from adjoining premises. If the use is on a corner lot, the requirements as stated in article V [of this zoning ordinance] shall apply.
 - (6) Each entrance to and exit from any off-street parking lot located in an area zoned for other than single-family residential use shall be at least 25 feet distant from adjacent property located in any single-family residential district.
 - (7) The entire parking and loading area, including parking spaces and maneuvering lanes required under this section, shall be provided with asphaltic or concrete surfacing in accordance with specifications approved by the city except as provided for residential areas (section 1.0901L). The parking area shall be surfaced within one year of the date the occupancy permit is issued.
 - (8) Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings.
 - (9) All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only.
- (B) Parking space layout standards shall be provided in accord with the specification in the following Table 1.0900B.

TABLE 1.0900B

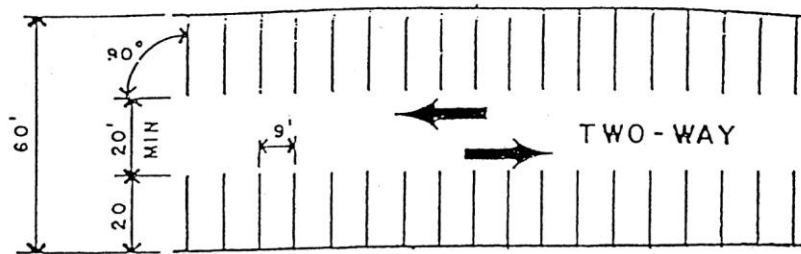
Parking Pattern (degrees)	Maneuvering Lane Width (feet)	Parking Space Width	Parking Space Length (feet)	Total Width of One Tier of Spaces plus Maneuvering Lane	Total Width of Two Tiers of Spaces plus Maneuvering Lane (feet)
Parallel parking	12	8 ft.	23	NA	NA
30° to 53°	12	8 ft. 6 in.	20	32 ft.	52
54° to 74°	15	8 ft. 6 in.	20	36 ft. 6 in.	58
75° to 90°	20	9 ft.	20	40 ft.	60

1.0906. - Variances and exceptions.

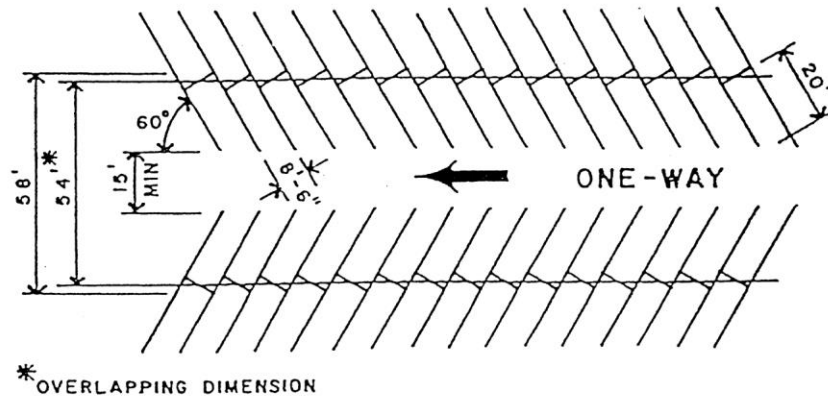
- (A) The parking provisions of this section may be met by participation in a municipal or joint community parking program designed to serve a large area, provided all plans for community parking have been approved by the planning board.
- (B) The zoning board of appeals shall have authority to interpret this section and may in specific cases and after public hearing and where justified grant variances and exceptions to these requirements.



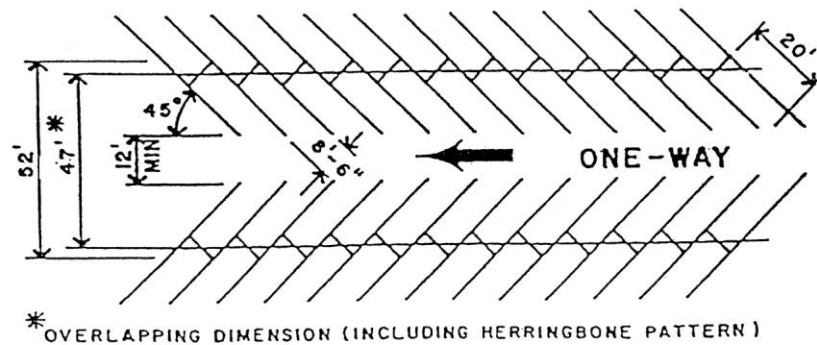
90 DEGREE



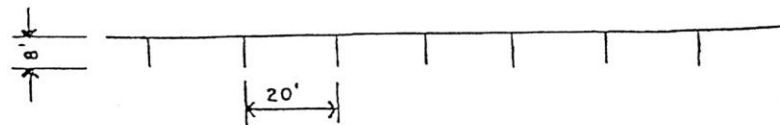
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45 DEGREE



PARALLEL



PARKING DEGREES

Degree Parking

Proposed Changes to Article IX

ARTICLE IX. – OFF-STREET PARKING AND LOADING REQUIREMENTS

1.0901 General Parking Requirements

- (A) Use. Off-street parking, loading, or stacking areas shall only be used for their intended purpose. All other uses, unless specifically permitted, are prohibited.
- (B) Placement.
 - (1) Defined Areas. Off-street parking areas and loading zones in nonresidential areas shall include painted lines, and may also include vehicle stops, to clearly define parking and loading spaces.
 - (2) Proximity. All off-street parking areas that are not within the Community Parking District or in the Business Neighborhood zoning district shall be on the same lot as the use they serve, or on an abutting lot under the same ownership.
- (C) Review and Approval.
 - (1) Permit Required. A permit must be obtained prior to any construction or rehabilitation of an off-street parking area.
 - (2) Application for Parking Lot Construction. Any person desiring to establish or change a parking area shall submit site plans showing the locations, design, size, shape, landscaping, surfacing, marking, lighting, drainage, curb cuts, entrances, exits, and any other features of the parking lot. Any curb cuts, entrances, exits, drainage, and design shall have City staff approval and shall be presented for site plan approval by the Planning Commission.
 - (3) Parking Lot Rehabilitation. Rehabilitation of an existing parking area, including parking striping, shall require an application and sketch plan submittal. The proposed rehabilitation shall be reviewed administratively for compliance with standards in this ordinance.
 - (4) Completion. The number of off-street parking spaces, in conjunction with all land or building use, shall be provided prior to the issuance of a certificate of occupancy as prescribed in this Ordinance, except as provided in section 1.0904(G)(1)(b) which allows six (6) months after the issuance of a certificate of occupancy, with a possible three (3)-month extension granted by the Building Official, to complete the surfacing of parking and loading areas.
 - (5) Performance Agreement. In the event that a certificate of occupancy is issued and the applicant has six (6) months to complete the parking lot, as identified in Section 1.0904(G)(1)(b), the building official may require execution of a performance

agreement, in the amount of the cost to develop that parking lot, in order to compel compliance with and performance of all off-street parking requirements of this Article.

(D) Maintenance. All parking areas shall be maintained and kept free of weeds and debris.

1.0902 Required parking

(A) Standards.

- (1) Usable floor area. Parking measurements based on building square footage shall be calculated by “usable floor area” as defined in section 1.0202 of this Ordinance.
- (2) Fractional spaces. When units or measurements determining the number of required parking spaces result in requirement of a fractional space, the fractional number shall be rounded down to the nearest whole number if ten (10) or more spaces are required and rounded up if fewer than ten (10) are required.
- (3) Use determinations.
 - (a) For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accordance with the use which the Zoning Administrator considers to be most similar in type.
 - (b) For multiple uses within the same development, the minimum parking requirements for each use shall be determined separately, and the cumulative total number of required parking spaces shall be calculated using Table B3A: Shared Parking Factors.
- (4) Unit of Measure
 - (a) Number of employees. The number of employees shall be based on the maximum number needed or the largest shift.
 - (b) Occupant load. The occupant load as determined by the Michigan Building Code or the International Fire Code.
 - (c) Floor area. That area of a nonresidential building used for or intended to be used for the sale of merchandise or services (also called usable floor area). Such floor area which is used for or intended to be used primarily for the storage or processing of merchandise which may include hallways, breezeways, stairways, and elevator shafts, or for utilities and sanitary facilities, shall be excluded from the computation of usable floor area.
- (5) Barrier-free parking. Off-street parking areas shall provide barrier-free spaces in compliance with the Michigan Building Code and the Americans with Disabilities Act (ADA), as applicable.
- (6) Garage Parking. Garage parking will be counted towards parking requirements where an approved surface and driveway connects the garage to the right of way.
- (7) Number of spaces required. The minimum number of off-street parking spaces shall be determined in accordance with the following table:

Residential Uses

(1)	<i>Use</i>		<i>Number of Minimum Parking Spaces Per Unit of Measure</i>
	(a)	Dwelling, one-family or two-family	2 per dwelling unit.
	(b)	Dwelling, multifamily	2 per dwelling unit with 2 or fewer bedrooms, and 2 ½ for each dwelling unit having 3 or more bedrooms.
	(c)	Dwelling, unit in mixed-use building	2 per dwelling unit with 2 or fewer bedrooms, and 2 ½ for each dwelling unit having 3 or more bedrooms.
	(d)	Elderly housing - dependent	0.75 per dwelling unit.
	(e)	Elderly housing - independent	1.25 per dwelling unit.
	(f)	Mobile home park	2 per dwelling unit, 1 for each employee of the mobile home park and 1 for each 3 mobile homes visitor parking.

Institutional Uses

(1)	<i>Use</i>		<i>Number of Minimum Parking Spaces Per Unit of Measure</i>
	(a)	Assembly areas, including private clubs, lodges, religious institutions, theaters, and auditoriums	1 per 5 total occupancy load.
	(b)	Convalescent and/or Nursing Homes	1 per 4 beds plus 1 per employee.
	(c)	Education, elementary / junior high	1 per classroom, plus 2 per 5 seats in largest assembly area.

	(d)	Education, Secondary, Parochial School, Business School, College, etc.	1 for each 0.75 total occupancy load.
	(e)	Hospitals	1 per bed.
	(f)	Nursery schools and childcare centers	1 per employee, plus 1 short term parking space per classroom. Drop off area to be included on site plan.
	(g)	Recreation facilities	1 per the number of participants of the active recreation space or 1 per 3 of the designed occupant load of the space plus 1 per 5 total occupancy of assembly areas.

Commercial Uses

(1)	<i>Use</i>		<i>Number of Minimum Parking Spaces Per Unit of Measure</i>
	(a)	Automobile major and minor repair	1 for each 100 square feet of usable floor area of sales room or 3 for each auto service stall in the service areas, whichever is greater.
	(b)	Automobile sale or rental establishment	1 per 500 sq. ft. usable floor area plus one for each automobile for sale or rent
	(c)	Automobile service station	1 parking space for each 50 square feet of floor area in the cashier and office areas in addition to space provided at each fuel pump dispenser. In no instance shall such facility provide fewer than 3 spaces for cashiers and office use.
	(d)	Bowling alleys	5 per lane., plus 1 per employee
	(e)	Full service eating and drinking establishment	1 for each 2 persons allowed within the maximum occupant load of the interior space, plus 1 for every 4 seats of outdoor dining if present.
	(f)	Drive-through establishment, eating and drinking	With multiple lanes, stacking for 4 vehicle spaces at each ordering station or machine, in addition to use requirement. With only one lane, stacking for 8 vehicle spaces, in addition to use requirement. A 12-foot-wide escape lane is required for all drive-through establishments.

	(g)	Drive-through establishment, other	Stacking for 4 vehicle spaces at each bay or machine, in addition to use requirement. A 12-foot-wide escape lane is required for all drive-through establishments.
	(h)	Funeral homes and mortuary establishments	1 per 250 sq. ft. usable floor area for office uses, plus 1 per 5 total occupant load of assembly space, plus stacking for 10 vehicle spaces.
	(i)	Golf courses	4 for each golf hole and 1 for each employee.
	(j)	Miniature Golf or par 3 Golf Course	2 for each hole and 1 for each employee.
	(k)	Greenhouse or nursery	1 per 400 sq. ft. usable floor area.
	(l)	Hotels, motels, bed and breakfast operations or boarding houses.	1.25 for each rooming unit plus 1 for each employee.
	(m)	Kennels	1 per 300 sq. ft. usable floor area.
	(n)	Laundromats and dry cleaners, self-service	1 per 3 washing and drying machines.
	(o)	Open air business	1 per 200 sq. ft. indoor usable floor area, plus 1 per 1,000 sq. ft. of outdoor display area.
	(p)	Personal service establishment	1 per 400 sq. ft. usable floor area and 1 per personal service booth, chair or room.
	(q)	Professional office of doctors, dentists, veterinarians and similar professions	1 for each 50 sq. ft. of floor area in waiting rooms, and 1 for each examining room, dental chair, office, laboratory, X-ray therapy room or similar use area.
	(r)	Retail: furniture and appliances	1 per 800 sq. ft. usable floor area.
	(s)	Retail: All other stores	1 per 250 sq. ft. usable floor area.

	(t)	Mini-Storage Facilities	1 per 75 storage units, parallel parking with a maneuvering lane shall be provided around all buildings.
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Office Uses

(1)	Use		Number of Minimum Parking Spaces Per Unit of Measure
	(a)	Banks, credit unions, or similar uses	1 per 250 sq. ft. usable floor area.
	(b)	Business and Professional services	1 per 400 sq. ft. usable floor area.

Industrial Uses

(1)	Use		Number of Minimum Parking Spaces Per Unit of Measure
	(a)	Manufacturing, assembling, processing	5 plus 1 for every 1 ½ employees in the largest working shift or 1 per 450 sq. ft. of usable floor area whichever is greater. Space on site shall also be provided for all construction workers during periods of plant construction.
	(b)	Research and development	5 plus 1 for every 1 ½ employees in the largest working shift or 1 per 750 sq. ft. of usable floor area whichever is greater. Space on site shall also be provided for all construction workers during periods of plant construction.
	(c)	Warehousing and distribution	5 plus 1 for every 1 ½ employees in the largest working shift or 1 per 2,000 sq. ft. of usable floor area whichever is greater. Space on site shall also be provided for all construction workers during periods of plant construction.
	(d)	Wholesale activities	5 plus 1 for every 1 ½ employees in the largest working shift or 1 per 1,000 sq. ft. of usable floor area whichever is greater. Space on site shall also be provided for all construction workers during periods of plant construction.

(B) Shared parking

- (1) Two or more buildings or uses may collectively provide the required off-street parking.
- (2) Where there is a mix of land uses that create staggered peak periods of parking demand, the minimum requirements may be reduced according to the provisions in this section.
- (3) To calculate the number of parking spaces required in a shared parking scenario, the sum of the minimum required spaces for all uses must be divided by the shared parking factor specified in Table B3A. The required number of shared parking spaces may be further reduced at the Planning Commission's discretion.

*Example: Use 1 is Residential and requires 12 parking spaces.
 Use 2 is Retail and requires 32 parking spaces.
 The sum of both requirements is 44 parking spaces.
 The shared parking factor for Residential and Retail uses is 1.2.
 Dividing 44 by 1.2 yields 36.7 required spaces.
 Fraction is rounded down because it there are 10 or greater spaces
 required to produce the shared parking requirement: 36.*

Table B3A: Shared Parking Factors

	Residential	Lodging	Office	Retail
Residential	1	1.1	1.4	1.2
Lodging	1.1	1	1.7	1.3
Office	1.4	1.7	1	1.2
Retail	1.2	1.3	1.2	1

Source: Smartcode

- (4) Shared parking facilities shall be among abutting parcels, or if within the B-N district, located within 500 feet of the use. Additionally, shared parking provisions apply for multiple uses within the same development.
 - (5) A copy of a shared parking agreement, recorded with the County register of deeds, between all parties concerned shall be provided to the City. The agreement shall include the owners and occupants of the premises which are served by the parking facility. If an owner or occupant that is part of a shared parking agreement ceases operation, the remaining parties of the shared parking agreement may continue using the shared parking facility. When there is a new occupancy, a change of use shall be the trigger to establish a new shared parking agreement, which shall be provided to the City and approved prior to a building permit be issued.
- (C) Deferred parking. For development in any zoning district, the Planning Commission may defer construction of the required number of parking spaces if, at the outset of

development, a parking demand less than that required for the use by this Ordinance can be demonstrated. The full parking area shall be reserved, but the unused area may be constructed as additional open space, which shall not be used to satisfy open space area requirements, until such time as it may be needed for parking. A site that contains any deferred parking spaces shall be graded for the full parking area and the deferred parking spaces shall be covered with appropriate groundcover. Adequate stormwater facilities shall also be provided as if the whole parking area were to be developed.

(D) Stacking spaces. The following standards shall apply to all required stacking spaces:

- (1) Each stacking space shall be measured at not less than 20 feet in length and ten feet in width.
- (2) In no instance shall stacking spaces interfere with required parking or maneuvering lanes.

(E) Community Parking District. The Community Parking District encompasses an area in the B-C and B-N districts as indicated in Figure Community Parking District Area. Properties within the Community Parking District, except for single and two family dwellings and multi-family apartment buildings less than 12 units, shall be subject to the following standards:

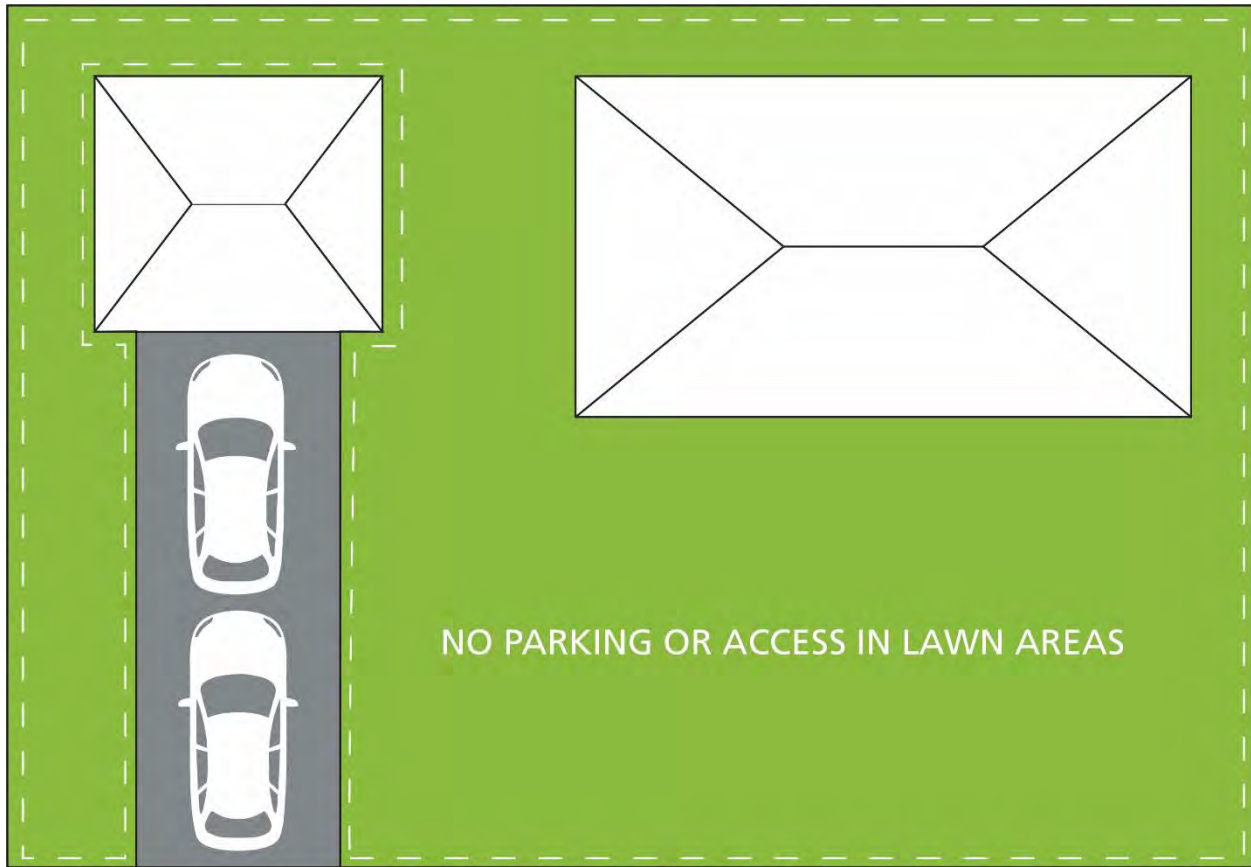
- (1) Parking Calculations. All developments in the Community Parking District shall calculate their required parking as outlined in this section via the following standards or via the tables in Section 1.0902 (A)(7), whichever is less:
 - (a) Residential use: 1 space per dwelling unit
 - (b) Commercial use: 1 space per 400 square feet
- (2) Changes of Use or Redevelopments. A lot with an existing building(s) that has a change of use or is otherwise redeveloped shall not require additional off-street motor vehicle parking or loading unless the change of use or redevelopment requires 10 or more additional spaces than the previous use.
 - (a) A redevelopment includes existing buildings that are renovated or expanded as well as a building that is completely demolished and replaced with new construction if construction on the replacement building commences within 12 months of demolition.
- (3) New Developments. New developments of vacant lots shall not require off-street motor vehicle parking or loading unless the development requires 10 or more parking spaces.
- (4) Alternative Parking Plan. If a developer is required to provide new parking spaces under this section, they may provide an alternative parking plan to the Planning Commission for their consideration. This may include a reduction or elimination of the parking requirement or some alternative for providing parking (i.e. a shared parking agreement). If the plan includes a reduction or elimination of required parking, the Planning Commission may require a parking study by an approved third-party be completed at the developer's cost to determine current public parking conditions and the impact of the proposal.

- (2) Properties may provide shared parking facilities, subject to the requirements outlined in this Article.
- (3) Any property that uses one of the reduced parking requirement provisions listed in this section shall enter into a recorded agreement with the City, using a form provided by the City, indicating City approval of the reduction of parking requirements. A change of use shall be the trigger to terminate any such agreement.

(G) Parking in Residential Districts and for Residential Uses.

- (1) Location. For all multifamily residential buildings, institutional uses, and public services in a residential district, the required parking area shall be provided on the same lot with the buildings or on an abutting lot under the same ownership.
- (2) Driveways. Parking in residential districts shall not be permitted in any required front yard or in the street side yard of a corner lot except in a driveway or a defined parking area. Driveways and defined parking areas are subject to the following standards:
 - (a) Front yard setback area. The following regulations pertain to the driveways and defined parking areas only in the front yard setback or in the street side yard of a corner lot:
 - i. The maximum width of the driveway or defined parking area shall not exceed the lesser of 35 percent of the lot width or 26 feet.
 - ii. If the lot width exceeds 100 feet, the property owner may request consideration from the Planning Commission for driveway widths greater than 26 feet and/or for two (2) driveways. For the purpose of this Section, lot width is calculated based on the road frontage of where the driveway is or will be located on the property. The request, review and fees by the Planning Commission shall follow the requirements of section 1.0602 of this Zoning Ordinance.
 - iii. The driveway opening where the parking area meets the right-of-way shall be a minimum of 10 feet in width and a maximum of 24 feet in width.
 - 1) Exception: Improvement of existing driveways, City Engineer can approve if minimum width can not be met based on site constraints.
 - (b) The driveway or defined parking area shall be constructed of a hard surface pavement with a minimum two-and-a-half (2.5) inches of asphalt or four (4) inches of concrete. Bricks or pavers may be approved if they are constructed according to the manufacturer's specifications for driveways but may not be used in the right-of-way or sidewalk area
 - (c) Driveways and parking areas shall be constructed in a way that prevents stormwater from flowing onto adjacent private properties. Draining into the public right of way is permitted.
- (3) Screening. Within residential areas, all nonresidential parking areas shall be screened according to 1.1106.
- (4) Type of Parking. Required off-street parking for single-family dwellings may be provided in a stacking configuration in a driveway, garage, or combination thereof.

- (5) **Lawn Parking.** Lawn areas shall not be used for off-street parking or regular access to a driveway, building, or accessory structure. Regular access is indicated by tire marks and/or excessive wear on the grass.



- (6) **Repair Work.** No commercial repair work, commercial servicing, or selling of any kind shall be conducted on parking areas in residential districts. A resident may repair vehicles which are registered to the address of the resident's dwelling unit on-site; however, in no instance shall a resident repair other vehicles on said property. Such personal repair shall not exceed seven consecutive days in any 30-day period.
- (7) **Sales.** A resident of a dwelling unit may have not more than one motorized vehicle for sale on the site of such dwelling unit at any time. The vehicle for sale must be titled to the resident of the dwelling. In no instance shall vacant residential lots or parcels be utilized for the sale of vehicles, and in no instance shall a vehicle for sale be displayed in a front yard other than on the driveway portion of the yard.
- (8) **Commercial Vehicles.** Commercial vehicles shall be prohibited in any residential district or on any residential property. However, this section shall not prevent the temporary location of such vehicle while engaged in a delivery, pick-up or service call to the property.

- (9) Recreational Equipment and Vehicles. Within all residential districts and residential use areas, Recreational Equipment and no more than one (1) Recreational Vehicle ("RV") per dwelling unit may be parked on a parcel. Parking of RVs and Recreational Equipment are subject to the conditions below.
- (a) Parking in a Developed Driveway or Parking Area. An RV and/or Recreational Equipment on a trailer may be parked in a developed driveway or defined parking area as long as the required off-street parking requirements are maintained and remain available in addition to the space(s) occupied. The RV and/or Recreational Equipment shall not encroach on the required front yard setback (see table 1.0501) by more than 15 feet, and can in no case be closer than ten (10) feet to the front lot line or right of way.
- (b) Parking in Areas Other than a Developed Driveway or Parking Area. An RV and/or Recreational Equipment may be parked on an occupied property in an area other than a developed driveway or defined parking area if the following provisions are met:
- i. The RV and/or Recreational Equipment must be owned by the occupant.
 - ii. The RV and/or Recreational Equipment must be licensed and operable (if applicable).
 - iii. The RV and/or Recreational Equipment must be maintained and in good repair.
 - iv. The RV and/or Recreational Equipment must be constructed on a wheel-base or stored on a trailer.
 - v. The area around and under the RV and/or Recreational Equipment must be kept free of any tall grass or weeds.
 - vi. The RV and/or Recreational Equipment shall not encroach on the required front yard setback (see table 1.0501) by more than 15 feet, and can in no case be closer than ten (10) feet to the front lot line or right of way.
 - vii. The RV and/or Recreational Equipment shall not encroach on a required side yard that is the street side of a corner lot.
- (c) Temporary Parking for RVs and/or Recreational Equipment. The occupant is allowed to temporarily park RVs or Recreational Equipment with the following restrictions:

- i. Guest RV. An occupant is allowed to have one guest RV in addition to the requirements of this section. The guest RV must either be parked in a developed driveway or defined parking area or parked according to the provisions of subsections (9)(b)(ii) through (vii). The guest RV may only be parked for a period not to exceed two (2) weeks in any 30-day period and not to exceed six (6) weeks in any calendar year.
- ii. Loading and Unloading of RVs and Recreational Equipment. One RV, trailer, or piece of Recreational Equipment on a trailer may be parked in a developed driveway or defined parking area irrespective of maintaining off-street parking requirements for a period of two days for purpose of loading and or unloading.

1.0903 Required loading

(A) Freight loading.

- (1) Application. Loading and unloading spaces shall be provided for all commercial and industrial uses, except in cases where adequate space, as determined by the Community Development Department, is or can be provided on adjacent public property.
- (2) Location.
 - (a) The off-street loading zone space shall be located in rear and side yards only. Front yard loading zone spaces are prohibited.
 - (b) Shared loading arrangements amongst establishments are permitted, provided the shared loading information is provided on the site plan.
 - (c) Each loading space shall be at least 12 feet in width, 88 feet in length, and have a height clearance of 14 feet above grade. The dimensions of the loading space(s) may be reduced at the Planning Commission's discretion.
 - (d) No off-street loading zone space shall be located closer than 50 feet to any residentially zoned property, unless wholly within a completely enclosed building or properly screened on all sides facing residential zones as per section 1.1106.
- (3) Pavement Types. All dedicated loading spaces shall be constructed of a hard surface pavement with a minimum two-and-a-half (2.5) inches of asphalt or four (4) inches of concrete. The use of gravel, crushed concrete, crushed asphalt, or similar materials shall be prohibited.
- (4) Loading Space Requirements. The minimum number of loading zone spaces shall be provided as described below. Loading space requirements shall not apply to properties within the Community Parking District.

<i>Size</i>	<i>Loading Space(s)</i>
Less than 10,000 sq. ft. gross floor area	None
10,000 – 20,000 sq. ft. gross floor area	1
20,001 – 50,000 sq. ft. gross floor area	2
50,001 – 100,000 sq. ft. gross floor area	3
100,001 sq. ft. gross floor area or more	5

(B) Passenger Loading and Curb Management

- (1) Properties within the B-C and B-N districts that do not provide immediately adjacent parking shall consider an onsite passenger drop-off and pick-up location for ease of patron access. If it is determined that a passenger loading and curb management space is needed, the Zoning Administrator may require that the space be permanently provided.

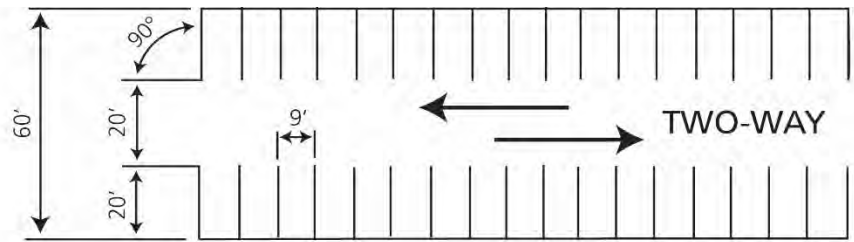
1.0904 Parking Lot Design

- (A) Parking Design. Off-street parking areas shall be designed to the following minimum standards:

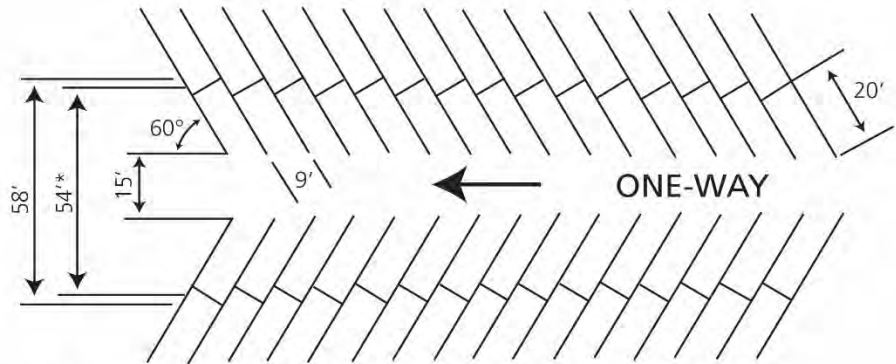
Table 1.900B

<i>Parking Pattern (degrees)</i>	<i>Maneuvering Lane Width (feet)</i>	<i>Parking Space Width (feet)</i>	<i>Parking Space Length (feet)</i>	<i>Total Width of One Tier of Spaces (feet)</i>	<i>Total Width of Two Tiers of Spaces (feet)</i>
Parallel parking	12	9	23	NA	NA
30° to 53°	12	9	20	32	52
54° to 74°	15	9	20	36.5	58
75° to 90°	20	9	20	40	60

90 DEGREE

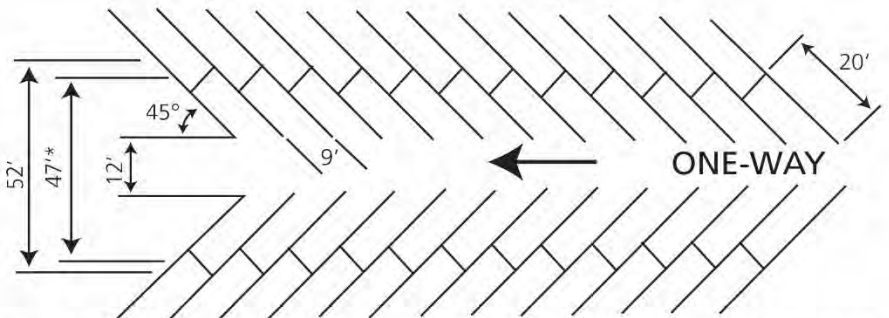


60 DEGREE



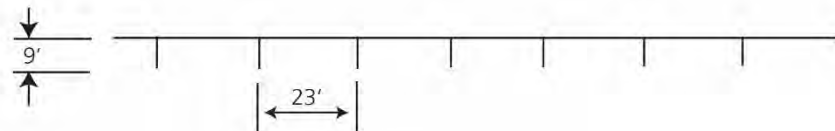
*OVERLAPPING DIMENSION

45 DEGREE



*OVERLAPPING DIMENSION (INCLUDING HERINGBONE PATTERN)

PARALLEL



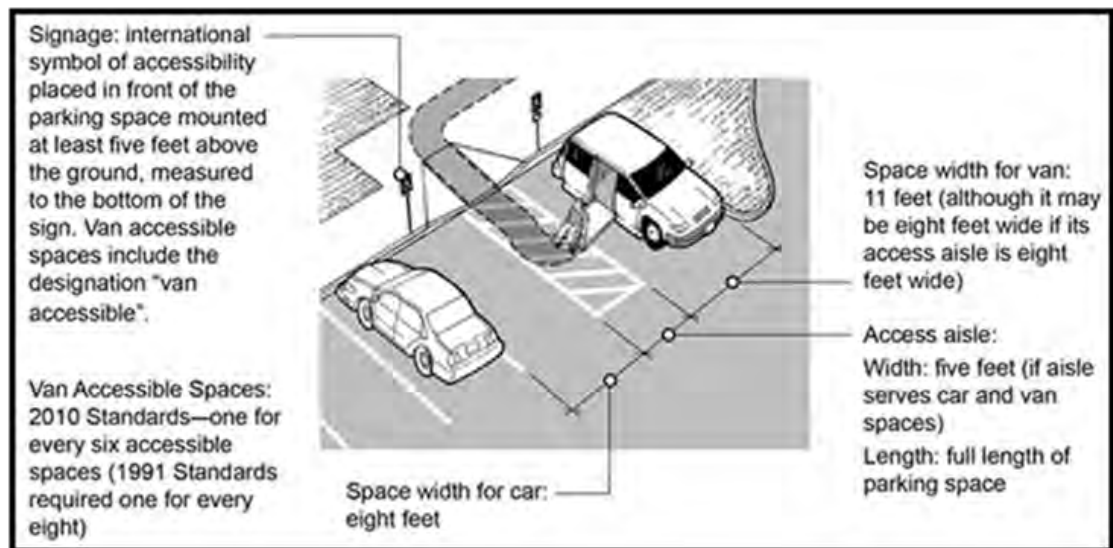
PARKING DEGREES

(1) Barrier-Free Parking.

- (a) Off-street parking facilities shall provide barrier-free spaces in accordance with the table below:

<i>Total Number of Parking Spaces Provided in Lot</i>	<i>Minimum Number of Barrier-Free Spaces Required</i>	<i>Minimum Number of Van-Accessible Barrier-Free Spaces Required</i>
Up to 25	1	1
26 to 50	2	1
51 to 75	3	1
76 to 100	4	1
101 to 150	5	1
151 to 200	6	1
201 to 300	7	2
301 to 400	8	2
401 to 500	9	2
501 to 1000	2% of total	
1001 and over	20, plus 1 for each 100, or fraction thereof, over 1000	

- (b) Barrier-free parking spaces shall comply with the following ADA design standards.
- (a) A minimum width of eight (8) feet for automobiles and eleven (11) feet for vans.
 - (b) A minimum five (5)-foot wide access aisle for all types of barrier-free parking spaces. Access aisles shall be marked with painted hatch marks.
 - (c) A van-accessible aisle may be a minimum of eight (8) feet wide if the adjoining access aisle is also eight (8) feet wide.
 - (d) Van-accessible spaces, their associated access aisles, and the vehicular routes serving them shall provide a vertical clearance of a minimum of 98 inches.



Source: <https://adata.org/factsheet/parking>

- (B) Curb and Vehicle Stops. All off-street parking areas shall include 6" curbs or vehicle stops to prevent vehicles from overhanging into or over public rights-of-way or on-site sidewalks. If curbs are integrated into the parking area, a seven (7) foot wide sidewalk is required where

they abut the curb. If vehicle stops are placed in the parking area, they shall be placed a minimum of three (3) feet from the edge of sidewalks.

(C) Circulation.

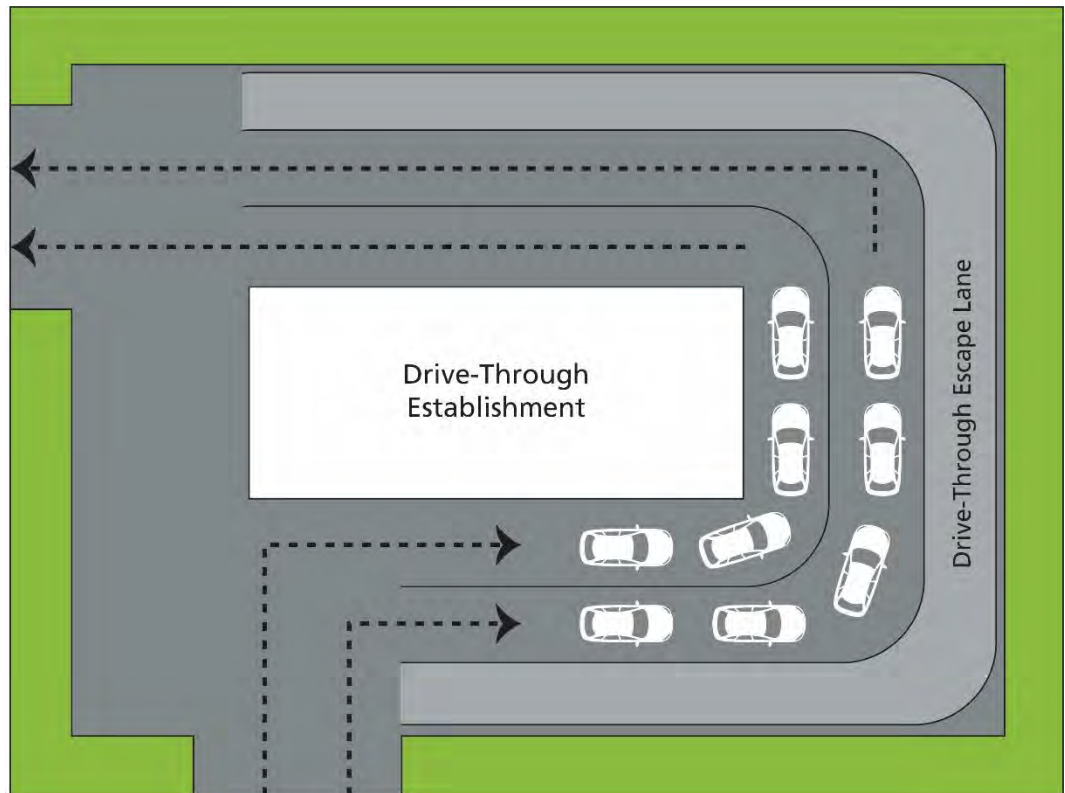
- (1) Interconnectivity and Access Management. Any new or rehabilitated off-street parking area in the B-C, B-N, B-H1, or B-H2 district shall include a design for cross-parcel connection to any existing parking area on all adjacent and neighboring properties, and such connection shall be constructed up to the property line. When designing the connection, it is recommended to seek input from the owner of such adjacent property in order to accommodate site limitations or advantages that may not be immediately visible. If no adjacent property and parking facility exists at the time of development, the new off-street parking facility shall be designed so that future cross-access circulation and access is possible.

Exception: The Planning Commission may waive this requirement if the parking area is not within 50 feet of adjoining property's parking area.

(2) Drives and Aisles.

- (a) All parking areas shall be provided with circulation aisles meeting the standards of this Ordinance for Parking Design.
- (b) All maneuvering lane widths shall permit one-way traffic movement, except that the 90° pattern may permit two-way movement.
- (c) In no case shall a parking space be permitted which would necessitate the backing of a motor vehicle into a street or over a public walk.
- (d) Parking lots with 300 or more spaces shall include perimeter drives and a central access drive leading to the main building.
- (e) Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles. Driveways shall be a minimum of 24 feet wide and permit two-way traffic. For one way traffic, the minimum width shall be 15 feet wide and must be approved by City Staff. Upon City Staff recommendation, the Planning Commission may approve a smaller driveway width or require a larger one based on evidence such as trip generation data or physical roadway conditions.
- (f) Each entrance to and exit from any off-street parking lot for commercial and manufacturing use shall be at least 25 feet from any residential property line that is abutting or directly across the street, unless approved by the City Engineer.
- (g) Any construction or rearrangement of existing drives which involve the ingress or egress of vehicular traffic to or from a public street shall be approved by City Staff in accordance with traffic safety standards and best practices.
- (h) An escape lane is required for all new developments with a drive through. Redevelopments of existing sites with existing buildings will not be required to

provide escape lanes if the site does not permit due to site constraints.



(D) Pedestrian Circulation. All off-street parking areas, except for those in industrial districts and single-family residential districts, shall consider safe and efficient pedestrian circulation. This may include paved walkways, marked pavement patterns, and other facilities to define pedestrian movement and alert drivers to possible conflicts.

(E) Screening, Landscaping, and Lighting.

(1) Screening and Landscaping.

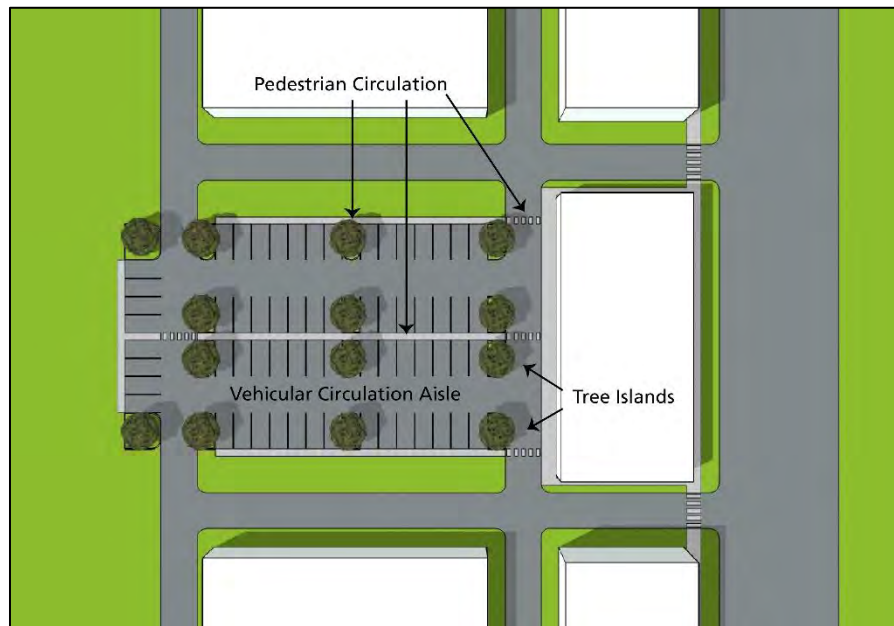
- (a) Off-street parking areas shall be effectively screened and landscaped on any side which adjoins or faces a residential district or any residential or institutional use as per section 1.1106.
- (b) All dumpsters and mechanical equipment located in any off-street parking lot shall be screened on all sides with a durable, opaque material, at a minimum height of one (1) foot above the trash receptacle or mechanical equipment. The maximum height shall not exceed eight (8) feet.

(2) Tree Islands. All new off-street parking areas with twenty (20) or more parking spaces per row shall provide tree islands in the parking lot design satisfying the following standards. Referencing the City's Forestry Ordinance (Chapter 66 of the Sturgis Code of Ordinances) for recommendations on tree species is highly encouraged.

- (a) Single-loaded aisles shall have one (1) tree island containing one (1) canopy tree at both ends of each row. The minimum dimensions for each island shall be nine (9)

feet by eighteen (18) feet.

- (b) Double-loaded aisles shall have one (1) tree island containing two (2) canopy trees at both ends of each row. The minimum dimensions for each island shall be twelve (12) feet by thirty-six (36) feet.
- (c) Tree islands shall be surrounded by a concrete curb at a height of six (6) inches and shall be vegetated with turf in addition to the required canopy tree(s). The islands and may be used for stormwater management if appropriate curb cuts are placed to allow the flow of stormwater into the island from parking areas. Snow storage on tree islands is prohibited.



Conceptual image of tree islands.

(F) Exterior Lighting.

- (1) Exterior lighting shall be arranged so it is deflected away from adjacent properties and so it does not impede the vision of traffic along adjacent streets. Lighting shall not exceed 0.5 footcandles when measured from ground level at the adjoining property boundary.
- (2) Flashing or intermittent lights shall not be permitted.
- (3) Light poles and fixtures shall be no higher than twenty-five (25) feet in parking lots, and no higher than sixteen (16) feet in height along interior sidewalks and walkways. All light poles and fixtures shall have a downcast glow.
- (4) Light poles and fixtures set in the perimeter of parking areas shall not be placed in a parking space.

(G) Surfacing and Stormwater Management.

- (1) Materials and Surfacing. The entire parking and loading area for all commercial and industrial districts, including parking spaces and maneuvering lanes, shall be provided

with asphalt, concrete, brick, pervious pavers, or other similar hard surfacing in accordance with specifications approved by the Zoning Administrator and City Engineer except as provided for residential areas. In instances where a parking area is non-conforming, the expansion or significant improvement of the use of the land or structure shall require the paving of such parking area to conform with this Section.

- (a) Screened storage areas shall not be required to be paved with a hard surface but in no instance shall green space be used for parking. Surface to be approved by Zoning Administrator and City Engineer.
 - (b) Parking and loading areas shall be surfaced within six (6) months of the issuance of a permit. One three (3)-month extension may be granted by the Building Official upon written request, with ample cause for an extension.
 - (c) Paved wheel tracks for driveways shall not be permitted.
- (2) Stormwater and Drainage. Off-street parking areas shall be drained to dispose of all surface water accumulated in the parking area in such a way as to preclude drainage of water onto adjacent property or toward buildings. All surface stormwater drainage areas abutting a driveway, parking area, or sidewalk that are greater than three (3) feet in depth and have a side slope steeper than 1 foot in vertical rise for every 3 feet in horizontal run shall be enclosed with 4 foot high fencing. Fencing installed around storm water drainage areas shall be chainlink and must be maintained free of debris, weeds and noxious growth. All stormwater and drainage must adhere to the City's Stormwater Management Guide.

1.0905 Variances and exceptions

- (A) Planning Commission Waiver or Consideration. The Planning Commission may reduce or waive the number of off-street parking and/or loading spaces required for a specific use, provided it determines that no good purpose would be served by providing the required number of such spaces. Any such reduction or waiver request shall require a public hearing, and the Planning Commission shall give notice of said public hearing in accordance with the provisions of section 1.1405(G) of this Ordinance. In making such a determination to reduce or waive the requirements for off-street parking and/or loading spaces of this chapter, the Planning Commission may consider the following:
- (1) Extent that existing on-street parking and/or loading spaces can effectively accommodate the parking and loading needs of a given use without negatively impacting traffic safety or adjacent uses.
 - (2) Existing and proposed building placement.
 - (3) Location and proximity of municipal parking lots and/or public alleys.
 - (4) Agreement for parking and/or loading spaces with adjacent or nearby property owners.
- (B) Zoning Board of Appeals. The zoning board of appeals shall have authority to interpret this section and may grant variance from these requirements in specific cases, according to the standards of 1.1405 of this Ordinance.

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10G

CITY OF STURGIS

2021 STREET IMPROVEMENTS

BID TABULATION

Date 6.16.2021
 PM MGJ
 Project No. 848420



Item No.	Item Description	Unit	Estimated Quantity	Engineer's Estimate		NCSC		Hoffman	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	General Conditions, Bonds and Insurances (5%max)	LSum	1	\$ 32,000.00	\$32,000.00	\$30,000.00	\$30,000.00	\$40,900.00	\$40,900.00
2	Cold Milling HMA	SYd	15000.0	\$ 3.00	\$45,000.00	\$1.50	\$22,500.00	\$3.08	\$46,200.00
3	HMA Surface, Rem	SYd	4300.0	\$ 2.00	\$8,600.00	\$6.50	\$27,950.00	\$0.01	\$43.00
4	Proof Rolling	Sta	16.00	\$ 750.00	\$12,000.00	\$50.00	\$800.00	\$75.14	\$1,202.24
5	Aggregate Base, Conditioning	Sta	16.0	\$ 1,000.00	\$16,000.00	\$750.00	\$12,000.00	\$3,732.91	\$59,726.56
6	Aggregate Base Repair	Cyd	500	\$ 50.00	\$25,000.00	\$39.00	\$19,500.00	\$65.81	\$32,905.00
7	Curb & Gutter, Rem	Lft	1600	\$ 6.00	\$9,600.00	\$20.00	\$32,000.00	\$9.07	\$14,512.00
8	Sidewalk, Rem	SYd	1000	\$ 6.00	\$6,000.00	\$18.00	\$18,000.00	\$11.77	\$11,770.00
9	Concrete Pavt, Rem	SYd	250	\$ 6.00	\$1,500.00	\$18.00	\$4,500.00	\$15.45	\$3,862.50
10	HMA Overlay, Rem	LSum	1	\$ 15,000.00	\$15,000.00	\$12,500.00	\$12,500.00	\$15,593.22	\$15,593.22
11	Sign, Rem	EA	5	\$ 30.00	\$150.00	\$30.00	\$150.00	\$39.95	\$199.75
12	Stump, Rem, 6 inch to 18 inch	EA	1	\$ 400.00	\$400.00	\$500.00	\$500.00	\$525.62	\$525.62
13	Erosion Control, Inlet Protection, Fabric Drop	EA	48	\$ 90.00	\$4,320.00	\$100.00	\$4,800.00	\$100.65	\$4,831.20
14	Turf Establishment	SYd	500	\$ 7.00	\$3,500.00	\$14.00	\$7,000.00	\$16.26	\$8,130.00
15	Trench Undercut and Backfill	CYd	60	\$ 30.00	\$1,800.00	\$10.00	\$600.00	\$59.32	\$3,559.20
16	Aggregate Base, 8 inch, 100% Asphalt Millings	SYd	800	\$ 9.00	\$7,200.00	\$9.00	\$7,200.00	\$14.99	\$11,992.00
17	Subbase, CIP	CYd	300	\$ 20.00	\$6,000.00	\$10.00	\$3,000.00	\$46.14	\$13,842.00
18	Curb & Gutter, Conc, Det, F4	Lft	1500	\$ 18.00	\$27,000.00	\$32.00	\$48,000.00	\$35.00	\$52,500.00
19	HMA, 13A	Ton	1000	\$ 75.00	\$75,000.00	\$70.25	\$70,250.00	\$70.25	\$70,250.00
20	HMA, 36A	Ton	2000	\$ 80.00	\$160,000.00	\$74.50	\$149,000.00	\$74.50	\$149,000.00
21	Sidewalk, Conc, 4 inch	Sft	3600	\$ 4.00	\$14,400.00	\$8.00	\$28,800.00	\$4.59	\$16,524.00
22	Sidewalk Ramp, Conc, 6 inch	Sft	4300	\$ 6.00	\$25,800.00	\$8.00	\$34,400.00	\$7.59	\$32,637.00
23	Detectable Warning Surface, DI	Lft	400	\$ 80.00	\$32,000.00	\$70.00	\$28,000.00	\$34.00	\$13,600.00
24	Dr Structure, Rem	EA	15	\$ 600.00	\$9,000.00	\$100.00	\$1,500.00	\$265.91	\$3,988.65
25	Sewer, Rem	Lft	400	\$ 15.00	\$6,000.00	\$1.00	\$400.00	\$17.29	\$6,916.00
26	Dr Structure, 24 inch Dia	EA	10	\$ 1,500.00	\$15,000.00	\$1,100.00	\$11,000.00	\$877.10	\$8,771.00
27	Dr Structure, 48 inch Dia	EA	1	\$ 2,500.00	\$2,500.00	\$2,650.00	\$2,650.00	\$2,616.75	\$2,616.75
28	Dr Structure, Reconstruct	Vft	9	\$ 475.00	\$4,275.00	\$500.00	\$4,500.00	\$1,004.60	\$9,041.40
29	Dr Structure Cover, Adjust	EA	3	\$ 600.00	\$1,800.00	\$540.00	\$1,620.00	\$1,353.36	\$4,060.08
30	Dr Structure Cover, CB	EA	7	\$ 900.00	\$6,300.00	\$900.00	\$6,300.00	\$1,855.50	\$12,988.50
31	Dr Structure Cover, ADA	EA	10	\$ 900.00	\$9,000.00	\$850.00	\$8,500.00	\$566.40	\$5,664.00
32	Dr Structure Cover, STORM	EA	12	\$ 800.00	\$9,600.00	\$850.00	\$10,200.00	\$2,312.45	\$27,749.40
33	Stm Sewer, 8 inch	Lft	4	\$ 50.00	\$200.00	\$100.00	\$400.00	\$350.53	\$1,402.12
34	Stm Sewer, 10 inch	Lft	50	\$ 60.00	\$3,000.00	\$110.00	\$5,500.00	\$175.52	\$8,776.00
35	Stm Sewer, 12 inch	Lft	170	\$ 90.00	\$15,300.00	\$111.00	\$18,870.00	\$172.80	\$29,376.00
36	Sewer Tap, 8 inch	EA	2	\$ 1,200.00	\$2,400.00	\$500.00	\$1,000.00	\$272.27	\$544.54
37	Sewer Tap, 10 inch	EA	3	\$ 1,400.00	\$4,200.00	\$500.00	\$1,500.00	\$282.58	\$847.74
38	Dr Structure Cover, SAN	EA	14	\$ 900.00	\$12,600.00	\$850.00	\$11,900.00	\$2,269.13	\$31,767.82
39	Dr. Structure Cover, LOW SAN	EA	1	\$ 900.00	\$900.00	\$850.00	\$850.00	\$2,271.22	\$2,271.22
40	Utility Structure Cover, Adj	EA	1	\$ 500.00	\$500.00	\$840.00	\$840.00	\$1,505.42	\$1,505.42
41	Monument Preservation	EA	2	\$ 800.00	\$1,600.00	\$500.00	\$1,000.00	\$700.00	\$1,400.00
42	Monument Box Adjust	EA	2	\$ 250.00	\$500.00	\$500.00	\$1,000.00	\$1,423.45	\$2,846.90
43	Gate Valve, Adj	EA	39	\$ 400.00	\$15,600.00	\$300.00	\$11,700.00	\$356.58	\$13,906.62
44	Relocate Road Sign	EA	1	\$ 50.00	\$50.00	\$70.00	\$70.00	\$291.87	\$291.87
45	Pavt Mrkg, Preformed Hot Tape, 6 inch, Crosswalk	Lft	200	\$ 10.00	\$2,000.00	\$2.95	\$590.00	\$2.95	\$590.00
46	Recessing Pavt Markings	Sft	1850	\$ 4.00	\$7,400.00	\$2.95	\$5,457.50	\$2.95	\$5,457.50
47	Pavt Mrkg, Preformed Hot Tape, 4 inch, White	Lft	3000	\$ 1.00	\$3,000.00	\$3.50	\$10,500.00	\$3.50	\$10,500.00
48	Pavt Mrkg, Preformed Hot Tape, 4 inch, Yellow	Lft	3000	\$ 1.00	\$3,000.00	\$3.50	\$10,500.00	\$3.50	\$10,500.00
49	Pavt Mrkg, Preformed Hot Tape, Lt Turn Arrow Sym	EA	1	\$ 300.00	\$300.00	\$500.00	\$500.00	\$500.00	\$500.00
50	Sign, Type B, Temp, Prismatic, Furn	Sft	500	\$ 5.00	\$2,500.00	\$2.00	\$1,000.00	\$4.05	\$2,025.00
51	Sign, Type B, Temp, Prismatic, Oper	Sft	500	\$ 1.00	\$500.00	\$1.00	\$500.00	\$0.05	\$25.00
52	Plastic Drum, High Intensity, Furn	EA	100	\$ 25.00	\$2,500.00	\$16.00	\$1,600.00	\$18.20	\$1,820.00
53	Plastic drum, High Intensity, Oper	EA	100	\$ 1.00	\$100.00	\$1.00	\$100.00	\$1.40	\$140.00
54	Barricade, Type III, High Intensity, Lighted, Double Sided, Furn	EA	35	\$ 100.00	\$3,500.00	\$70.00	\$2,450.00	\$80.50	\$2,817.50
55	Barricade, Type III, High Intensity, Lighted, Double Sided, Oper	EA	35	\$ 5.00	\$175.00	\$5.00	\$175.00	\$3.50	\$122.50
56	Pedestrian Type III Barricade, Temp	EA	20	\$ 80.00	\$1,600.00	\$85.00	\$1,700.00	\$73.50	\$1,470.00
TOTAL				Total:	\$675,170.00	Total:	\$697,822.50	Total:	\$817,004.82

RECOMMENDATION OF AWARD

June 16, 2021

Barry Cox, City Engineer
City of Sturgis
130 N. Nottawa
Sturgis, MI 49091

RE: 2021 Street Improvements

Dear Barry,

We have reviewed the bids received on June 14, 2021, for the above referenced project. Two bids were received, and the bid summary is attached.

The low bidder is Northern Construction Services of Niles, Michigan with a bid amount of \$697,822.50.

The engineer's estimate of the probable cost in May of 2021 was \$674,000.

I have reviewed the bids and all required bidding documents were submitted. Northern Construction Services is a qualified firm and have the capacity to complete the project. I discussed the bid amount with Northern and verified they are aware of the project requirements, comfortable with their bid pricing and City of Sturgis requirements.

Based on the above information we recommend the award of the 2021 Street Improvements to Northern Construction Services of Niles, Michigan with a bid amount of \$697,822.50. Please feel free to call with any questions.

Sincerely,

FLEIS & VANDENBRINK ENGINEERING, INC.



Matt Johnson, P.E.
Project Manager

Enclosure



City of Sturgis
St. Joseph County, Michigan

2021 Street Improvements
Project # 848420

BID SUMMARY

Bidder (listed below from low to high)	Total
1. Northern Construction Services	\$697,822.50
2. Hoffman Brothers	\$817,004.80
3.	

2021 Street Improvements Project

		202 Major Street	203 Local Street	TOTAL PROJECT	Notes
		Street Improvements Resurfacing			
BUDGETED FUNDS	FY 2020-2021	\$ 200,000.00	\$ 449,000.00	\$ 649,000.00	
PROJECT COSTS					Notes
		34% of Total	66% of Total		
Design and Bid Phase Engineering	Approved 02/24/21	\$ 13,171.77	\$ 25,828.23	\$ 39,000.00	Task Order #96
Construction Award	Recommended	\$ 235,681.00	\$ 462,141.50	\$ 697,822.50	
Contingency Budget	Recommended	\$ 11,783.67	\$ 23,106.33	\$ 34,890.00	5% of construction project
Construction Phase Engineering	Estimated	\$ 23,568.10	\$ 46,214.15	\$ 69,782.25	Est. 10% of construction award
TOTAL PROJECT COST		\$ 284,204.54	\$ 557,290.21	\$ 841,494.75	
OVER (UNDER) BUDGET		\$ 84,204.54	\$ 108,290.21	\$ 192,494.75	

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10H

CITY OF STURGIS

WEST CONGRESS ULTILITY AND STREET IMPROVEMENTS

BID TABULATION



Date 6.16.2021
PM MGJ
Project No. 846840

Item No.	Item Description	Unit	Estimated Quantity	NCSC		Hoffman		Selge	
				Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
1	General Conditions, Bonds and Insurances (5%max)	LSum	1	\$36,000.00	\$36,000.00	\$42,500.00	\$42,500.00	\$47,975.00	\$47,975.00
2	Maintenance Gravel	LSum	1.0	\$4,500.00	\$4,500.00	\$1,159.00	\$1,159.00	\$7,000.00	\$7,000.00
3	Trench Undercutting and Backfill	CYd	250.0	\$14.00	\$3,500.00	\$23.80	\$5,950.00	\$20.00	\$5,000.00
4	Subgrade Undercutting, Type II	CYd	250.00	\$14.00	\$3,500.00	\$26.45	\$6,612.50	\$25.00	\$6,250.00
5	HMA Surface, Rem	SYd	3540.0	\$2.30	\$8,142.00	\$7.38	\$26,125.20	\$4.50	\$15,930.00
6	Curb & Gutter, Rem	Lft	2230	\$6.00	\$13,380.00	\$4.27	\$9,522.10	\$5.00	\$11,150.00
7	Sidewalk, Rem	SYd	750	\$7.00	\$5,250.00	\$8.15	\$6,112.50	\$5.00	\$3,750.00
8	Concrete Pavt, Rem	SYd	390	\$12.00	\$4,680.00	\$13.90	\$5,421.00	\$25.00	\$9,750.00
9	Sign, Rem	EA	7	\$25.00	\$175.00	\$53.25	\$372.75	\$100.00	\$700.00
10	Erosion Control, Inlet Protection, Fabric Drop	EA	13	\$75.00	\$975.00	\$107.70	\$1,400.10	\$75.00	\$975.00
11	Turf Establishment	SYd	2000	\$10.00	\$20,000.00	\$6.39	\$12,780.00	\$1.75	\$3,500.00
12	Roadway Grading	STA	11	\$5,200.00	\$57,200.00	\$1,896.00	\$20,856.00	\$5,600.00	\$61,600.00
13	Aggregate Base, 8 inch, 100% Asphalt Millings	SYd	3200	\$10.00	\$32,000.00	\$5.81	\$18,592.00	\$14.75	\$47,200.00
14	Subbase, CIP	CYd	1100	\$23.00	\$25,300.00	\$36.35	\$39,985.00	\$14.80	\$16,060.00
15	Curb & Gutter, Conc, Det, F4	Lft	2400	\$13.00	\$31,200.00	\$15.20	\$36,480.00	\$24.05	\$57,720.00
16	HMA, LVSP	Ton	920	\$84.25	\$77,510.00	\$84.25	\$77,510.00	\$86.64	\$79,708.80
17	Monument Preservation	EA	2	\$1,000.00	\$2,000.00	\$750.00	\$1,500.00	\$500.00	\$1,000.00
18	Monument Box Adjust	EA	2	\$300.00	\$600.00	\$475.00	\$950.00	\$750.00	\$1,500.00
19	Dr Structure Cover, Adjust	EA	5	\$400.00	\$2,000.00	\$464.00	\$2,320.00	\$675.00	\$3,375.00
20	Utility Telephone Box, Adjust	EA	2	\$500.00	\$1,000.00	\$464.00	\$928.00	\$500.00	\$1,000.00
21	Driveway, Nonreinf Conc, 6 inch	Sft	3920	\$3.95	\$15,484.00	\$4.89	\$19,168.80	\$8.15	\$31,948.00
22	Sidewalk, Conc, 4 inch	Sft	4690	\$2.95	\$13,835.50	\$4.14	\$19,416.60	\$6.90	\$32,361.00
23	Sidewalk, Conc, 6 inch	Sft	1170	\$3.95	\$4,621.50	\$5.14	\$6,013.80	\$12.20	\$14,274.00
24	Sidewalk Ramp, Conc, 6 inch	Sft	1060	\$5.50	\$5,830.00	\$7.11	\$7,536.60	\$19.49	\$20,659.40
25	Detectable Warning Surface, DI	Lft	100	\$60.00	\$6,000.00	\$60.00	\$6,000.00	\$134.00	\$13,400.00
26	Dr Structure, Rem	EA	15	\$400.00	\$6,000.00	\$432.90	\$6,493.50	\$100.00	\$1,500.00
27	Sewer, Rem	Lft	430	\$12.00	\$5,160.00	\$25.00	\$10,750.00	\$10.00	\$4,300.00
28	Dr Structure, 24 inch Dia	EA	12	\$1,350.00	\$16,200.00	\$1,121.00	\$13,452.00	\$1,675.00	\$20,100.00
29	Dr Structure, 48 inch Dia	EA	4	\$2,100.00	\$8,400.00	\$3,196.00	\$12,784.00	\$2,700.00	\$10,800.00
30	Dr Structure, 60 inch Dia	EA	1	\$3,100.00	\$3,100.00	\$4,620.00	\$4,620.00	\$3,700.00	\$3,700.00
31	Dr Structure Cover, EJ7010	EA	12	\$900.00	\$10,800.00	\$619.50	\$7,434.00	\$875.00	\$10,500.00
32	Dr Structure Cover, EJ1060	EA	6	\$700.00	\$4,200.00	\$727.70	\$4,366.20	\$655.00	\$3,930.00
33	Stm Sewer, 10 inch	Lft	160	\$62.00	\$9,920.00	\$78.10	\$12,496.00	\$98.00	\$15,680.00
34	Stm Sewer, 12 inch	Lft	330	\$68.00	\$22,440.00	\$69.05	\$22,786.50	\$104.50	\$34,485.00
35	Sewer Tap, 10 inch	EA	10	\$400.00	\$4,000.00	\$281.50	\$2,815.00	\$580.00	\$5,800.00
36	Sewer tap, 12 inch	EA	3	\$500.00	\$1,500.00	\$481.00	\$1,443.00	\$630.00	\$1,890.00
37	Dr Structure Cover, EJ1045	EA	5	\$600.00	\$3,000.00	\$681.00	\$3,405.00	\$625.00	\$3,125.00
38	San Sewer, 10 inch	EA	2	\$500.00	\$1,000.00	\$2,470.00	\$4,940.00	\$1,135.00	\$2,270.00
39	Gate Valve and Box, Rem	EA	1	\$500.00	\$500.00	\$1,461.00	\$1,461.00	\$200.00	\$200.00
40	Hydrant, Rem	EA	1	\$800.00	\$800.00	\$1,092.00	\$1,092.00	\$500.00	\$500.00
41	Cut & Plug Ex WM	EA	6	\$1,500.00	\$9,000.00	\$513.70	\$3,082.20	\$650.00	\$3,900.00
42	Water Main, DI, 12 inch	Lft	70	\$120.00	\$8,400.00	\$194.00	\$13,580.00	\$235.00	\$16,450.00
43	Water Main, DI, 8 inch	Lft	1050	\$75.80	\$79,590.00	\$124.50	\$130,725.00	\$92.00	\$96,600.00
44	Water Main, DI, 6 inch	Lft	240	\$40.00	\$9,600.00	\$84.75	\$20,340.00	\$135.00	\$32,400.00
45	Water Main, DI, 4 inch	Lft	10	\$45.00	\$450.00	\$122.70	\$1,227.00	\$155.00	\$1,550.00
46	Fire Hydrant	EA	2	\$4,000.00	\$8,000.00	\$4,792.00	\$9,584.00	\$3,825.00	\$7,650.00
47	Gate Valve and Box, 12 inch	EA	1	\$3,300.00	\$3,300.00	\$4,304.00	\$4,304.00	\$2,450.00	\$2,450.00
48	Gate Valve and Box, 8 inch	EA	8	\$1,900.00	\$15,200.00	\$2,635.00	\$21,080.00	\$1,300.00	\$10,400.00
49	Gate Value and Box, 6 inch	EA	2	\$1,310.00	\$2,620.00	\$1,945.00	\$3,890.00	\$925.00	\$1,850.00
50	Cross, 8 inch x 12 inch	EA	1	\$1,500.00	\$1,500.00	\$1,579.00	\$1,579.00	\$1,055.00	\$1,055.00
51	Tee, 8 inch x 8 inch x 12 inch	EA	2	\$1,100.00	\$2,200.00	\$736.70	\$1,473.40	\$810.00	\$1,620.00
52	Tee, 8 inch x 8 inch x 8 inch	EA	3	\$625.00	\$1,875.00	\$507.20	\$1,521.60	\$635.00	\$1,905.00
53	Tee, 8 inch x 8 inch x 6 inch	EA	2	\$600.00	\$1,200.00	\$435.10	\$870.20	\$550.00	\$1,100.00
54	Bend, 45 Deg, 12 inch	EA	6	\$1,050.00	\$6,300.00	\$615.10	\$3,690.60	\$600.00	\$3,600.00
55	Bend, 45 Deg, 8 inch	EA	9	\$450.00	\$4,050.00	\$303.70	\$2,733.30	\$300.00	\$2,700.00
56	Bend, 90 Deg, 8 inch	EA	2	\$340.00	\$680.00	\$342.40	\$684.80	\$320.00	\$640.00
57	Bend, 45 Deg, 6 inch	EA	13	\$250.00	\$3,250.00	\$203.10	\$2,640.30	\$250.00	\$3,250.00
58	Reducer, 6 inch x 4 inch	EA	1.0	\$230.00	\$230.00	\$162.70	\$162.70	\$250.00	\$250.00
59	Reducer, 8 inch x 6 inch	EA	4.0	\$400.00	\$1,600.00	\$248.50	\$994.00	\$265.00	\$1,060.00
60	Water Main Tap, 12 inch	EA	1.00	\$2,000.00	\$2,000.00	\$4,423.00	\$4,423.00	\$700.00	\$700.00
61	Water Main Tap, 6 inch	EA	3.0	\$1,500.00	\$4,500.00	\$2,760.00	\$8,280.00	\$600.00	\$1,800.00
62	Water Main Tap, 4 inch	EA	1	\$1,000.00	\$1,000.00	\$2,666.65	\$2,666.65	\$500.00	\$500.00
63	Water Service, Copper, 1 inch	Lft	640	\$21.00	\$13,440.00	\$43.80	\$28,032.00	\$49.50	\$31,680.00
64	Water Service, Copper, 2 inch	Lft	20	\$40.00	\$800.00	\$69.15	\$1,383.00	\$90.00	\$1,800.00
65	Water Service, Private Property, 3/4 inch	Lft	590	\$10.00	\$5,900.00	\$58.90	\$34,751.00	\$49.50	\$29,205.00
66	Corp Stop, Curb Stop and Box, 1 inch	EA	22	\$825.00	\$18,150.00	\$582.00	\$12,804.00	\$1,450.00	\$31,900.00
67	Water Service, Building Connection	EA	19	\$2,200.00	\$41,800.00	\$1,244.00	\$23,636.00	\$1,805.00	\$34,295.00
68	Water Service, Reconnect	EA	2	\$300.00	\$600.00	\$501.80	\$1,003.60	\$550.00	\$1,100.00
69	Conduit Installation, 2 inch	Lft	1000	\$5.00	\$5,000.00	\$7.06	\$7,060.00	\$14.50	\$14,500.00
70	Sign, Type IIIA	Sft	50	\$16.00	\$800.00	\$19.75	\$987.50	\$16.00	\$800.00
71	Sign, Type IIIB	Sft	20	\$16.00	\$320.00	\$19.75	\$395.00	\$16.00	\$320.00
72	Sign, Replace, Salv	EA	1	\$50.00	\$50.00	\$55.00	\$55.00	\$50.00	\$50.00
73	Post, Steel, 3 lbs., Green	Lft	310	\$8.00	\$2,480.00	\$9.75	\$3,022.50	\$8.00	\$2,480.00
74	Pavt Mrkg, Preformed Hot Tape, 24 inch, Stop Bar	Lft	180	\$17.00	\$3,060.00	\$17.00	\$3,060.00	\$17.00	\$3,060.00
75	Pavt Mrkg, Preformed Hot Tape, 12 inch, Crosswalk	Lft	50	\$12.00	\$600.00	\$12.00	\$600.00	\$12.00	\$600.00
76	Recessing Pavement Markings	Sft	140	\$2.95	\$413.00	\$2.95	\$413.00	\$2.95	\$413.00
77	Sign, Type B, Temp, Prismatic, Furn	Sft	1050.0	\$2.00	\$2,100.00	\$4.10	\$4,305.00	\$2.00	\$2,100.00
78	Sign, Type B, Temp, Prismatic, Oper	Sft	1050.0	\$0.25	\$262.50	\$0.16	\$168.00	\$0.25	\$262.50
79	Sign Cover	EA	1.00	\$10.00	\$10.00	\$35.00	\$35.00	\$10.00	\$10.00
80	Plastic Drum, High Intensity, Furn	EA	100.0	\$11.00	\$1,100.00	\$24.60	\$2,460.00	\$11.00	\$1,100.00
81	Plastic Drum, High Intensity, Oper	EA	100	\$1.00	\$100.00	\$1.64	\$164.00	\$1.00	\$100.00
82	Barricade, Type III, High Intensity, Lighted, Double Sided, Furn	EA	20	\$48.00	\$960.00	\$86.10	\$1,722.00	\$48.00	\$960.00
83	Barricade, Type III, High Intensity, Lighted, Double Sided, Oper	EA	20	\$1.00	\$20.00	\$4.10	\$82.00	\$1.00	\$20.00
84	Pedestrian Type III, Barricade, Temp	EA	10	\$90.00	\$900.00	\$77.90	\$779.00	\$90.00	\$900.00
TOTAL				Total:	\$737,113.50	Total:	\$851,999.50	Total:	\$963,651.70



RECOMMENDATION OF AWARD

June 16, 2021

Barry Cox, City Engineer
City of Sturgis
130 N. Nottawa
Sturgis, MI 49091

RE: West Congress Utility and Street Improvements Phase 1

Dear Barry,

We have reviewed the bids received on June 14, 2021, for the above referenced project. Three bids were received, and the bid summary is attached.

The low bidder is Northern Construction Services of Niles, Michigan with a bid amount of \$737,113.50.

The engineer's estimate of the probable cost in May of 2021 was \$816,000.

I have reviewed the bids and all required bidding documents were submitted. Northern Construction Services is a qualified firm and have the capacity to complete the project. I discussed the bid amount with Northern and verified they are aware of the project requirements, comfortable with their bid pricing and City of Sturgis requirements.

Based on the above information we recommend the award of the West Congress Utility and Street Improvements Phase 1 to Northern Construction Services of Niles, Michigan with a bid amount of \$737,113.50.

Please feel free to call with any questions.

Sincerely,

FLEIS & VANDENBRINK ENGINEERING, INC.

A handwritten signature in blue ink, appearing to read 'Matt Johnson', is written over the company name.

Matt Johnson, P.E.
Project Manager

Enclosure



City of Sturgis
St. Joseph County, Michigan

West Congress Utility and Street Improvements Phase 1
Project # 846840

BID SUMMARY

Bidder (listed below from low to high)	Total
1. Northern Construction Services	\$737,113.50
2. Hoffman Brothers	\$852,00.00
3. Selge Construction	\$963,651.70

West Congress Phase I & II (S. Clay to S. Centerville)

		204 Street & Sidewalk Improvement	591 Water	TOTAL PROJECT	Notes
		W. Congress from Clay to S. Centerville			
BUDGETED FUNDS	FY 2020-2021	\$ 1,215,840.00	\$ 450,000.00	\$ 1,665,840.00	Budgeted amount Phase I and II
PROJECT COSTS		61% of Total	39% of Total		Notes
Design and Bid Phase Engineering Phase I	Approved 11/11/20	\$ 26,352.00	\$ 16,848.00	\$ 43,200.00	Task Order #94
Design and Bid Phase Engineering Phase II	Approved 12/09/20	\$ 28,975.00	\$ 18,525.00	\$ 47,500.00	Task Order #95; Included in FY 20-21
Construction Award Phase I	Recommended	\$ 449,639.24	\$ 287,474.27	\$ 737,113.50	
Construction Award Phase II	Estimated	\$ 322,600.00	\$ 208,400.00	\$ 531,000.00	Engineer's Estimate
Contingency Budget Phase I	Recommended	\$ 35,971.09	\$ 22,997.91	\$ 58,969.00	8% of construction project Phase I
Contingency Budget Phase II	Estimated	\$ 25,912.80	\$ 16,567.20	\$ 42,480.00	Est. 8% of construction project Phase II
Construction Phase Engineering Phase I	Estimated	\$ 67,445.89	\$ 43,121.14	\$ 110,567.03	Est. 15% of construction award Phase I
Construction Phase Engineering Phase II	Estimated	\$ 48,586.50	\$ 31,063.50	\$ 79,650.00	Est. 15% of construction award Phase II
TOTAL PROJECT COST		\$ 1,005,482.51	\$ 644,997.01	\$ 1,650,479.53	
OVER (UNDER) BUDGET		\$ (210,357.49)	\$ 194,997.01	\$ (15,360.48)	
TOTAL Phase I		\$ 579,408.21	\$ 370,441.31	\$ 949,849.53	FY 20-21
TOTAL Phase II		\$ 426,074.30	\$ 274,555.70	\$ 700,630.00	All except Design & Bid Eng in FY 21-22

Phase I: Prairie to S. Centerville

Phase II: Prairie to S. Clay

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10I

City of Sturgis
130 N. Nottawa
Sturgis, MI 49091

Creative Dining Services
1 Royal Park Drive
Suite 3
Zeeland, MI 49464

(269) 659-7221

616-748-1700

STURGES-YOUNG AUDITORIUM

DINING SERVICES CONTRACT

This Food Service Contract ("Contract") is made on this 3rd day of June, 2019, by and between CREATIVE DINING SERVICES, INC. ("Creative") and CITY OF STURGIS ("Company").

Whereas, Creative is in the retail food service business,

and

Whereas, Company desires to provide a high quality food service program for the use of its event hosts, invited guests, and other persons designated by Company and as an integral part of its operational activities. This Contract sets forth the terms and conditions pursuant to which Creative has agreed to manage and operate the food service program.

A. Management Fee Contract.

1. Creative Dining Services will manage Sturges-Young Auditorium's food service operations on behalf of the Company. Creative Dining Services will charge the Company for all costs of its food service which includes, (but is not limited to) labor, taxes, benefits, and general expenses outlined in Exhibit A. In addition, Creative Dining Services will charge a management fee for its services. Upon request, Creative Dining Services shall provide all documents related to the cost of such services and departments.

A monthly management fee of \$2,000 will be invoiced to and paid by Company, beginning JUNE of 2019 and continuing through MAY of 2020. Thereafter, the monthly management fee shall be \$2,000 plus 10% of catering and banquet sales that exceed a 10% increase over the base year's sales, using total net food and liquor sales. For the purpose of this contract, the amount to be used as "base year's sales" shall be \$236,882, and is based on the "Allocation of Revenues" report provided by the City of Sturgis on or around April 15, 2019.

2. Location. Creative Dining Services shall manage and operate the hospitality program on behalf of the Company at the following locations:

STURGES-YOUNG AUDITORIUM
201 N. Nottawa St.
Sturgis, MI 49091

Company and Creative Dining Services may agree upon other locations.

B. Payment.

1. Invoices for payment. Creative Dining Services shall submit billings for payment on or about the 10th of each month. These billings will be for expenses of total labor, general expenses, and administrative fees. Invoices are payable per Company's standard payment terms-net 30 days approximately. Company reserves the right to audit the expenses that form the basis for the billing statements. Creative shall maintain the invoices that form the basis for the billing statement.

2. Prices; Sales Taxes. Prices for foods, beverages, and service sold by the Sturges-Young Auditorium shall be set by the Company. The Company will invoice all non-cash and credit card paying customers directly and collect payment for services. The Company shall collect all Michigan sales taxes to be paid in connection with non-cash and credit card transactions and the Company shall be responsible for payment of all such taxes. Applicable Michigan sales taxes for cash transactions shall be collected and paid by Company.

3. Profit and Loss Statements. It is agreed and understood that Creative Dining Services will provide Company with a copy of the food service monthly Profit and Loss Statement for the food services at Sturges-Young Auditorium. It is agreed and understood that Creative Dining Services will review the Profit and Loss Statement on a monthly basis with a designated Company representative, at which time the management of Creative Dining Services and the Company's designated client representative will review business and set action steps for the next period. In addition to reviewing the Profit and Loss statement, the Company and Creative shall also conduct a full review of all of the aspects of the food service operations.

C. Employees.

1. Management/Employees. Creative Dining Services shall provide the management necessary to operate the food service program consisting of a Chef/Manager and replacement as necessary. The designated Chef/Manager is subject to prior approval by Company. Creative Dining Services shall compensate management directly. Creative Dining Services shall perform criminal background checks on all employees hired and shall hire people who have the food preparation and service experience necessary to perform the services set forth in this Agreement. The designated Chef/Manager shall be an employee of Creative Dining Services and all other employees at the Sturges-Young Auditorium shall be employees of Company.

2. Responsibility for Taxes. Creative Dining Services shall pay its employees as agreed herein directly. Creative Dining Services shall withhold or pay applicable federal and state employment taxes and payroll insurance with respect to its employees as agreed herein, specifically including any income, social security, unemployment taxes and insurance premiums, as applicable.

3. Worker's Compensation. Creative Dining Services shall procure worker's compensation insurance covering all its employees for any purpose connected with said food

service and shall file proof of such coverage with the Company. Such coverage shall be compliant in all respects with Michigan's worker's compensation laws, as applicable.

4. Non-discrimination. Creative Dining Services is an equal opportunity employer. No person shall be discriminated against in employment because of race, age, color, religion, sex, national origin, or mental or physical handicap. For purposes of this paragraph, employment means all personnel actions, including recruitment, hiring, promotion, transfer, laying off, and compensation of all personnel.

5. Safety. Creative Dining Services shall ensure that it complies with all applicable site-specific safety regulations put into place by Company from time to time.

D. Protection of the Parties.

1. Force Majeure. Neither party shall be required to perform its obligations under this Contract, nor shall either party be liable for its failure to perform such obligation, in the event that its failure to perform is due to fire, explosion, flood, other natural catastrophe, civil disorder or disturbance, strikes, vandalism, war, riot, sabotage, weather or energy related closings, or by any law, regulations, ordinance or court order.

2. Compliance with Laws. Creative Dining Services and the Company shall comply with the laws, ordinances, rules and regulations or all federal, state, county and city governments, and administrative agencies thereof, as applicable, including those concerning the sanitation, safety and health of the food service programs. Company shall obtain and maintain all necessary licenses and permits. Company shall cooperate as fully as necessary with the compliance efforts of Creative Dining Services.

Changes in Law. This Contract and all operations, services and pricing under it are based upon a "cost plus management fee" structure. In the event that any law, rule or regulation is enacted, amended, revised, revoked or the legal environment is otherwise changed so as to increase or decrease the cost of Creative Dining Services' performance hereunder, then the terms of this Contract shall be adjusted to account for such change so as to maintain the agreed upon "cost plus management fee" structure of this Contract. Company agrees that it shall be responsible for the payment of such greater or lesser amounts as may be necessary in order to maintain that structure.

3. Insurance. Creative Dining Services shall obtain and keep in force during the term of this Contract, for the protection of Creative Dining Services and Company comprehensive general bodily injury and property damage liability insurance in the combined single limit of not less than Five Million Dollars (\$5,000,000), including but not limited to personal injury liability, broad form property damage liability, blanket contractual liability and product liability. Such policy shall cover the operations of Creative Dining Services, and shall further contain an endorsement naming Company as an additional insured with respect to such operations. Creative Dining Services shall deliver to the Company a certificate or binder evidencing such policy or policies within thirty (30) days after the execution of this Contract. Such policy or policies shall not be cancelable or subject to material alterations without a thirty-day prior written notice of such change first being provided to Company.

In order to avoid the unnecessary expense of duplicating fire insurance coverage, Company agrees that it shall maintain appropriate Fire, Extended Coverage, and sprinkler leakage Insurance on the buildings and contents owned by it and hereby waives any and all right of recovery against Creative Dining Services for loss or damage sustained by Company as the result of fire or other hazard covered by such policies, and the Company agrees that this waiver of recovery shall include the waiver of the right of subrogation to such right of recovery by an insurance company or companies carrying the fire and extended coverage and sprinkler leakage upon the property and buildings of the Company.

Indemnification: Creative Dining Services shall indemnify and hold harmless Company with respect to all liability, loss, damage, claims, actions, and expenses (including attorney's fees) based upon or arising out of property damage or personal injury, including death, directly caused by or sustained in connection with the performance of the services or any activities of Creative Dining Services in connection therewith.

E. Maintenance, Food Inventory and Operating Supplies.

1. Inventories of Supplies. At the commencement of the term of this contract, the existing supply of useable food and operation supplies shall be an asset of the Company. Upon termination of this contract Creative and Company will inventory all of the existing or remaining food and operating supplies. This ending inventory will become an asset of the Company.

~~2. Other Supplies, Expenses. Company shall reimburse Creative for necessary cleaning and janitorial supplies for mutually agreed upon assigned areas.~~

3. Condition of Facilities and Equipment. The facilities and equipment furnished by each party in the performance of this Contract shall conform to all applicable laws, regulations, ordinances, codes and rules of all governmental bodies, including occupational safety and health laws. Creative Dining Services shall take proper care of such facilities and equipment, in a manner which shall not cause any violation of such laws or standards thereunder, including the record keeping and reporting standards applicable pursuant to the Occupational Safety and Health Act of 1970 (the "Act") or any comparable state laws. Company shall, during the term of this Contract, make all repairs, alterations, modification or replacements necessary to correct conditions in the facilities and equipment violating the Act or any comparable state laws. The existence of any such condition shall be determined by Company and Creative Dining Services, unless they are unable to agree, in which case the determination shall be made by a safety engineer or safety consultant agreed upon by Company and Creative Dining Services.

4. Maintenance and Sanitation. Company shall be responsible for usual and customary cleaning and sanitation of all facilities located at Sturges-Young Auditorium. Company shall maintain and repair all food service equipment other than repairs required due to the gross negligence of Creative Dining Services. When repairs or replacement is reasonably necessary for the continuing performance of the equipment, the cost of such equipment replacement shall be borne by Company. Upon request however, Creative Dining Services will assist Company in selecting replacement equipment or an appropriate vendor to perform repairs. Notwithstanding any provision to the contrary contained in this Contract, Company and

Creative Dining Services have agreed to the division of specific responsibilities for the selection and purchase of the products and services as set forth in Exhibit A to this Contract. Pursuant to Article A, "Management Fee Contract," Company shall reimburse Creative for all products and services purchased on behalf of Company by Creative under Appendix A.

F. Food Service Quality. Creative Dining Services acknowledges that Company has retained it to provide food service to the Company that is of high quality, well-prepared and at a low cost. Creative Dining Services represents that it has the requisite skill and experience to achieve the objectives set forth above. During the quarterly review meetings, Creative Dining Services and the Company will meet to discuss Creative Dining Services' progress and provide feedback on the food service program to date. Company will do annual surveys of the food service program that will be provided to Creative Dining Services.

G. Term and Termination.

1. Term. The term of this Contract shall commence on, June 17, 2019, and shall continue until May 31, 2022, unless actions are taken as described in item 2.

2. Termination.

(a) Termination without Cause. This Contract may be terminated by Company without cause at any time included in the term described in Section G.1. Such termination shall be effected by the Company notifying Creative Dining Services in writing of its intent to terminate this Contract. Any termination without cause shall be effective no later than 30 days after delivery of due notice of termination.

(b) Termination for Cause. Creative Dining Services may terminate this Contract 30 days after the receipt by Company of notice that Company is in material default under this Contract. Such notice shall specify the nature of the default and shall state that Company has 30 days to cure the default. If such default is not cured by the end of the 30-day period, then this Contract shall terminate as of the 30th day after the receipt of the default notice.

(c) Effect of Termination. The termination of this Contract shall not affect the right of either party to any sums owing or owed as of the date of termination. Neither party shall, however, be liable for the performance of any of its obligations under this Contract subsequent to the date of termination of this Contract.

H. General.

1. Notices. All notices required under this Contract shall be in writing and served personally or by certified mail, return receipt requested, upon Company at CITY OF STURGIS, 130 N. NOTTAWA, STURGIS, MI 49091, Attn: HOLLY KEYSER; and upon Creative Dining Services at One Royal Park Dr., Ste. #3, Zeeland, MI 49464, or such other addresses as either party may specify by written notice.

2. Entire Agreement. This Contract contains the entire agreement between the parties and supersedes any prior discussions and understandings. This Contract may be amended only by a writing signed by both parties hereto.


3. Law. This Contract shall be governed by and construed in accordance with the laws of the State of Michigan.

4. Assigns. This Contract shall be binding upon and inure to the benefit of the parties and their respective successors and assigns; provided, however, that this Contract may not be assigned by either party without the prior written consent of the other party.

5. Waiver. The failure of either party to require performance by the other party of any provision hereof shall not be deemed a continuing waiver of that provision or a waiver of any other provision of this Contract.

Company and Creative Dining Services have signed this Contract as of the date written above.


By



Its

PRESIDENT / CEO
Representative of Creative Dining Services

By



Its

Finance Director / City Controller
Representative of CITY OF STURGIS

9474936/4

Exhibit A

The following costs will be paid directly by Creative Dining Services:

CREATIVE DINING SERVICES

- a. Labor, for the Chef Manager and any replacement, including all taxes, fringe benefits and workers compensation
- b. Comprehensive general bodily injury and property damage liability insurance
- c. Any external training programs attended by the Chef Manager
- d. Hourly payroll and related costs for supportive labor used from other locations to support business demands

The following costs will be paid directly by the Company:

COMPANY

- a. Food
- b. Office Supplies
- c. Kitchen, janitorial and paper supplies
- d. Laundry, uniforms and linen supplies
- e. Janitorial
- f. Smallwares
- g. China and silver replacement
- h. New equipment purchases
- i. Worn equipment replacement
- j. Trash and garbage removal
- k. Utilities
- l. Fire insurance
- m. Repair and maintenance including parts and supplies
- n. Painting and redecorating
- o. Telephone and internet Service
- p. Carpet Cleaning
- q. Computers and support
- r. Pest Control

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10J

THIRD ADDENDUM TO CONTRACT FOR SERVICE
CITYWIDE CURBSIDE RECYCLABLE COLLECTION
AND DISPOSAL

This Third Addendum to Contract for Service - Citywide Curbside Recyclable Collection and Disposal within the Corporate Limits of the City of Sturgis is made and entered into as of July 1, 2021 by and between Borden Waste-Away Service, Inc. ("Borden") and the City of Sturgis ("City").

RECITALS

1. Effective May 1, 2008 Borden and City entered into a contract for collection, transportation and disposal of recyclables within the corporate limits of the City of Sturgis ("Agreement").

2. Effective February 1, 2018 the parties entered into a Second Addendum to Contract extending the term of the Agreement April 30, 2023 and providing for a fixed Citywide Curbside Recyclable Collection price for the extended term of the Agreement of \$1.97 per month per Residential Unit.

3. The Agreement is scheduled to terminate as of April 30, 2023 and Borden and the City have agreed to extend the term of the Agreement until December 31, 2025 on the same terms and conditions as contained in the Agreement, as modified, except as provided herein.


NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto agree as follows:

1. The Agreement is extended until December 31, 2025.

2. The fixed Citywide Curbside Recyclable Collection price for the extended term of this Contract is \$1.97 per month per Residential Unit.

3. Except as expressly modified herein, the terms and conditions of the Agreement shall remain in full force and effect.

BORDEN WASTE-AWAY SERVICE, INC.

By: 
Eric Ivory
Its: Account Manager

CITY OF STURGIS

By: _____
Michael L. Hughes
City Manager