



AGENDA
CITY COMMISSION MEETING
WEDNESDAY, APRIL 24, 2024
CITY HALL | 130 N. NOTTAWA ST.
WIESLOCH RAUM

REGULAR MEETING 6:00 P.M.

1. CALL TO ORDER BY MAYOR
2. PLEDGE OF ALLEGIANCE
3. INVOCATION
4. ROLL CALL
5. PROCLAMATIONS / PRESENTATIONS
6. VISITORS – (Public comments for items not listed as agenda items)
7. APPROVAL OF AGENDA
8. APPROVAL OF CONSENT AGENDA
 - A. Action of Minutes of Previous Meetings
 - **APPROVE** the minutes from the April 10, 2024 work session as presented.
 - **APPROVE** the minutes from the April 10, 2024 regular meeting as presented.
 - B. Pay Bills
 - **AUTHORIZE** the payment of the City bills in the amount of \$1,788,488.34 as presented.
 - C. 2024 Memorial Day Parade
 - **APPROVE** the 2024 Memorial Day Parade and activities as presented.
 - D. Board Resignation
 - **ACCEPT** the resignation of Lee Austermann from the Zoning Board of Appeals, Sister City Committee, and Cemetery Board and **SEND** a letter of resignation for his service.
9. UNFINISHED BUSINESS
 - A. Urban Chicken Ballot Language – William Prichard
10. NEW BUSINESS
 - A. Sturgis Fest 2024 – Andrew Kuk
 - B. Main Street Bids & Construction Engineering Task Order – Barry Cox
 - C. Transfer of Properties from Fawn River Township Agreement #3 – Barry Cox
 - D. Dog Running at Large Ordinance Review – Andrew Kuk
 - E. Appointment of EDC/BRA and LDFA Board Member – Kenneth Rhodes
11. COMMISSIONER / STAFF COMMENTS
12. ADJOURN

Manager's Report

APRIL 24, 2024



CITY OF
Sturgis
MICHIGAN

Submitted by:

A handwritten signature in black ink, appearing to read "Andrew Kuk", is written over a light blue horizontal line.

Andrew Kuk
City Manager

8. Consent Agenda

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the Consent Agenda for April 24, 2024 as presented.

Staff Recommendation:

APPROVE

8A. Action of Minutes of Previous Meetings

Consent Agenda Motion:

APPROVE the minutes from the April 10, 2024 work session as presented.

APPROVE the minutes from the April 10, 2024 regular meeting as presented.

8B. Pay Bills

Consent Agenda Motion:

AUTHORIZE the payment of the City bills in the amount of \$1,788,488.37 as presented.

8C. 2024 Memorial Day Parade

The local VFW and American Legion are requesting use of South Nottawa Street for the Memorial Day Parade. The route will run from the VFW post on Fawn River Road north on South Nottawa Street to Oak Lawn Cemetery. They request that barricades be dropped off for the parade by DPS at intersections along the route, specifically South Street and E. Fawn River Rd. The groups will provide road guards to set up and take down barricades for the parade. They are also requesting a police escort for the parade. The route is the same one approved by the Commission in past years. They are requesting a greeting from the Mayor at 10:00 a.m. and the parade will start at the VFW at 10:30 a.m. on Memorial Day (May 27th).

The VFW and American Legion are also requesting the use of Oaklawn Park during the event, as well as setup and use of the sound system, and waiver of fees for these activities.

Consent Agenda Motion:

APPROVE the 2024 Memorial Day Parade and activities as presented.

8D. Board Resignation

Lee Austermann, a former City Commissioner, currently serves on the Zoning Board of Appeals, Sister City Committee, and Cemetery Board. Due to health reasons, he has resigned from each of these boards.

Consent Agenda Motion:

ACCEPT the resignation of Lee Austermann from the Zoning Board of Appeals, Sister City Committee, and Cemetery Board and SEND a letter of resignation for his service.

9. Unfinished Business

A. Urban Chicken Ballot Language

Staff: William Prichard

Dating back to 2011, both the City Commission and Planning Commission have periodically engaged in discussion regarding the potential for allowing urban chickens within the City limits. Over the past year, these discussions have reengaged, with the Planning Commission, at City Commission request, reviewing and offering proposed language for an urban chicken ordinance and associated amendments.

This process included several opportunities for public input, as well as a public hearing on the issue at the Planning Commission. While the Planning Commission ultimately did not recommend to the Commission allowing urban chickens, they did have consensus that if the City Commission were to move forward with an urban chicken ordinance, they would strongly recommend it to be placed on a future ballot for a vote of the people.

Final ordinance language and associated ordinance amendment proposals were brought to the City Commission at the February 14, 2024 Commission meeting. Commissioners requested this information be brought back to a future meeting for discussion along with the recommended process to place the issue on the ballot.

Included in your packet are copies of the proposed ordinance language, amendments to the zoning ordinance, Fine Schedule, and Fee Schedule concerning urban chickens. Also included is proposed ballot language. The language provides a summary of the proposed City Code of Ordinance section 10.65 – Urban Chickens. This is the language that would appear on the ballot; it includes a reference to the entirety of section 10.65, which would be available for voter review both at City Hall and at the polling place during the election process.

This ballot language (and the associated section 10.65 language) needs to be reviewed and approved by the Commission prior to placement on the ballot. If approved for the ballot, the language in 10.65 would be the language that would

become law if approved by the voters. Any proposed changes to the language of 10.65 should be made prior to approval for inclusion on the ballot.

If the ballot proposal is successful and passes, staff would recommend that the City Commission approve amendments to the following ordinance sections:

- Amendments to City Code of Ordinances Section 10.64. – Keeping of animals, fowl, etc. restricted
- Amendment to City Code of Ordinances Appendix A. – Zoning Code Section 1.1105. – Accessory buildings, structures and uses relating to “Chicken Coops”
- Amendment to City Code of Ordinances Appendix A. – Zoning Code Section 1.1401. – Building Permits; language to exempt separate permits for accessory structures and fences that are included as part of an urban chicken permit.
- Amendment to City Code of Ordinances Appendix B. – Fine Schedule; adding fines related to the Urban Chickens

Red-lined copies of all the most recent proposed language amendments are included in your packet. Staff is recommending these changes be given first readings now, and if the ballot measure passes, they would be brought back to the Commission for a second reading and action.

Finally, included in your packet are also Addition of Urban Chickens to Fee Schedule. These changes do not require a first and second reading as they are not part of the code of ordinances; they would be considered for approval at the same time as the second reading of the ordinance amendments.

Since the language was last brought to the Commission, only one change has been made; to include language in the proposed section 10.65 allowing for the Commission to amend that section with a 2/3rds majority vote. Without this provision, the only way that section could be changed is by future referendum.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/NOT APPROVE ballot language as presented for the AUGUST/NOVEMBER 2024 election to amend the City Code

of Ordinances related to the keeping, regulation, and permitting of urban chickens.

Proposed Motion:

Move that the Sturgis City Commission CONSIDER/NOT CONSIDER this the first reading of amendments to the City Code of Ordinances, Section 10.64, Appendix A - Zoning Code (Sections 1.1105 and 1.1401), and Appendix B - Fine Schedule regarding Urban Chickens as presented.

Information Included in Packet:

1. Draft Urban Chicken Ballot Language
2. Draft Urban Chicken Ordinance
3. Draft Zoning Ordinance Amendments
4. Draft Appendix B. Fine Schedule Amendments
5. Draft Fee Schedule Amendments

10. New Business

A. Sturgis Fest 2024

Staff: Andrew Kuk

The Sturgis Area Chamber of Commerce will again hold Sturgis Fest on June 20th through the 24th. As in the past, the Chamber and other event organizers are requesting City assistance and participation for the festival. This includes road closures and the use of City staff and facilities. A detailed list of requests for the week is included in your packet.

The major requests for the use of City services are associated with Wednesday, Thursday, and Friday, June 19th-21st. Wednesday will be Family Night again this year, however activities will be taking place at Sturgis High School, limiting City support to supplying barricades. Activities there will again include carnival rides, the Sturgis Biscuits baseball game, and an outdoor movie. Also on Wednesday will be a new event, a “Gran Bilae” for adults will take place at Free Church Park featuring music and dancing from the Hispanic community as well as food and beer/wine; this is in place of the Wine Night that has occurred in the past. Thursday will again be Bike Night and Friday will be the car show and the now-traditional night parade.

Other festival activities will include the Sturgis Fest Dinner on Tuesday and a 3-on-3 Basketball Tournament on Saturday. Fireworks will be held at Kirsch Municipal Airport on Saturday night.

The Chamber is requesting closure of US-12 (Chicago Road) on Thursday and Friday which will be contingent upon approval from the Michigan Department of Transportation. Alcohol sales will take place on Wednesday and Thursday at Free Church Park; this will be subject to Michigan Liquor Control Commission licensing and regulation, including perimeter fencing. The North Street and Pleasant St. Sub-Areas of the Downtown Social District would be active on Friday as part of those road closures.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the requests for Sturgis Fest 2024 as presented.

Staff Recommendation:

APPROVE

Included in your packet:

1. 2024 Sturgis Fest Request List
2. Parade Route Map

10. New Business

B. Main Street Bids & Construction Engineering Task Order

Staff: Barry Cox

On Monday, April 8, 2024 the City opened bids for the Main Street Utility & Street Improvements project. The project boundaries run along Main Street, between N. Clay and George Street.

Work on this area of the utility system is necessary due to noted sanitary sewer capacity needs. The City's Asset Management Plan (AMP), as well as other studies and capacity surveys indicated the current sanitary sewer size along W. Main and E. Main was near or at capacity with expansion necessary. The Main Street project, as designed, is a utility/street improvement project; it alleviates the sanitary sewer capacity issues in this area of the collection system and also includes replacement of lead water services within the project limits, abandonment of undersized water main, and replacement and consolidation of storm sewer infrastructure.

The bid summary and letter of recommendation for award are included in your packet. One bid was received. The bidder was Concord Excavating and Grading, Inc. from Concord, Michigan in the amount of \$2,218,182.36. The Engineer's Estimate of probable cost was \$1,793,000.00.

The project was budgeted for this fiscal year from three funds; Wastewater, Water, and the Street & Sidewalk Improvement Fund. The approximate split is 57.5% from the Wastewater Fund, 11.1% from the Water Fund, and 31.4% from the Street and Sidewalk Improvement Fund. A budget and costs spreadsheet is included in your packet.

In addition to the construction costs, staff is recommending a contingency budget of \$222,000.00 (approximately 10% of the construction costs) for the project, as well as construction engineering expenses.

Included in your packet is Task Order 11b for construction phase engineering services for the project. As outlined in the task order, Fleis and Vandenbrink, Inc. will provide an onsite resident project representative during construction, schedule progress meetings, prepare contractor pay estimates and any contract modifications, maintain project files, provide recordkeeping of construction activities, and address resident complaints during construction, and coordinate scheduling materials testing with a contracted third-party company. Cost for these services is \$234,000.00.

As shown in the budget and costs spreadsheet, the Water Fund portion of the project is on budget. The Wastewater Fund is \$612,654.86 over budget and the Street and Sidewalk Improvement Fund (which includes storm sewer work) is just under \$400,000.00 over budget. Staff plans to cover these budget overages with funds from already-budgeted projects not projected to be completed.

In the Wastewater Fund, \$2,000,000.00 was budgeted for an “alternative BIOSOLIDS Strategy”; this was for possible land acquisition. At this point staff has indicated this will not happen in this fiscal year and that future evaluation of needs will be considered next year. Funds for the Wastewater project overage will be drawn from this project.

In the Street & Sidewalk Improvement Fund, \$1,242,461.00 was budgeted for St. Joseph Street replacement work. This project was budgeted contingent upon low interest loan funding being available for utility work associated with the project. Since loan funds were not granted, this project will not be occurring this fiscal year and budgeted dollars from the Street & Sidewalk Improvement fund will be used to cover the overage for the Main Street Project.

It was noted within Concord Excavating’s bid they are projected to use a concrete subcontractor City staff has had previous experience with on the 2021 Small Urban project along Vinewood Avenue & E. Congress Street. The experience was not positive. In discussions with Concord, they received a bid from a second concrete subcontractor City staff has had a positive experience with on the 2023 Street Rehabilitation project. While it is possible to request use of the alternate subcontractor, the estimated cost increase to the project would be about

\$50,000.00. The majority of that amount coming from the Street & Sidewalk Improvement Fund. Quality of finish work, timeliness of work, and ability to work with the contractor are three reasons staff is requesting City Commission to consider this option.

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY the contract for the Main Street Utility and Street Improvements Project with Concord Excavating and Grading, Inc. in the amount of two million, two hundred eighteen thousand, one hundred eighty-two dollars and thirty-six cents (\$2,218,182.36) and AUTHORIZE the City Manager to sign all necessary documents.

Staff Recommendation:

APPROVE and AUTHORIZE

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY a contingency budget of two hundred twenty-two thousand dollars (\$222,000.00) for the Main Utility and Street Improvements Project.

Staff Recommendation:

APPROVE

Proposed Motion:

Move that the Sturgis City Commission APPROVE/DENY Task Order 11b with Fleis and VandenBrink Engineering, Inc. for construction phase services on the Main Street Utility and Street Construction Project in the amount of two hundred thirty-four thousand dollars (\$234,000.00) as presented.

Staff Recommendation:

APPROVE

Proposed Motion:

Move that the Sturgis City Commission APPROVE/NOT APPROVE using alternate concrete subcontractor resulting in a project cost increase as presented.

Information Included in Packet:

1. Recommendation of Award
2. Main Street Budget and Cost Spreadsheet
3. Task Order #11b

10. New Business

C. Transfer of Properties from Fawn River Township Agreement #3

Staff: Barry Cox

In 1999, the City of Sturgis and the Township of Fawn River approved an agreement titled “Agreement for Conditional Transfer of Property from Fawn River Township to the City of Sturgis (Agreement #3)”. The Agreement covered properties in the Southwest Quarter of Section 7 of Fawn River Township. The Effective Date of the Agreement was 12:01 AM on March 15, 1999.

Per the agreement, at the end of 25 years from the Effective Date of the Agreement (March 15, 1999):

“...all parcels in the Term Area which have not transferred to the City for full jurisdiction by the end of the Term as provided in Article IV shall be transferred at such time to the City’s jurisdiction for all purposes in accordance with Section 4.2.”

Since this threshold has been obtained, all remaining parcels subject to the agreement are set to be transferred. Included in your packet are Exhibit A and Exhibit B which describe and provide a map of the property to be transferred. The area includes five parcels, all of which are currently farmland.

Attached is a resolution which the City Commission may adopt, completing that process. The sequence is as outlined below.

- Step 1: The City Commission adopts the resolution.
- Step 2: The resolution is filed with the Office of the Great Seal and the St. Joseph County Clerk.

Proposed Motion:

Move that the Sturgis City Commission ADOPT/NOT ADOPT the resolution as presented.

Staff Recommendation:
ADOPT

Included in your Packet:

1. Resolution
2. Exhibit A
3. Exhibit B

10. New Business

D. Dog Running at Large Ordinance Review

Staff: Andrew Kuk

At the March 11th City Commission meeting, the Commission discussed potential changes to the City's ordinance relating to dogs running at large to require more control of dogs on private property. There was consensus to bring the issue back at a future meeting after staff had a chance to review the topic.

Included in your packet is a spreadsheet reviewing pertinent sections of ordinances from nearby cities related to dogs running at large. While many of the nearby cities have similar language to our current ordinance regarding a dog on the property of its owner not being considered at large, there were some differences in language that could improve our current ordinance.

Included in your packet is redlined version of Chapter 10 - Animals of the City Code of Ordinances, sections 10-1 through 10-31. This redlined version includes language proposed by staff to address greater requirements on dogs on private property, requiring they be located in a house, in a legally fenced area, or be securely tethered on that property in order to not be considered "at large".

Additional amendments proposed by the language include adding two conditions of when a dog is not at large: first, if the dog is within a motor vehicle and second, if it is within a space designated by the City as an "off leash area" (i.e. a dog park). These provisions were identified in the ordinance review as being sensible additions if the Commission wishes to move forward with changes to this ordinance.

Proposed Motion:

Move that the Sturgis City Commission CONSIDER/NOT CONSIDER this the first reading of an amendment to the City Code of Ordinances, Chapter 10 – Animals, Sections 10-2 and 10-31 pertaining to dogs running at large as presented.

Included in your Packet:

1. Ordinance Review Spreadsheet
2. Draft Ordinance Amendment Chapter 10 - Animals

10. New Business

E. Appointment of EDC/BRA and LDFA Board Member

Staff: Kenneth Rhodes

The City Commission recently accepted the resignation of Eric Eishen from the Economic Development Corporation, Brownfield Redevelopment Authority, and Local Development Finance Authority Boards. The vacancies were advertised, and the existing board members actively sought out a qualified candidate. Included in your packet is the application from John Carmichael for each of these boards. Because all of these boards deal with economic development, it is important to have members that have familiarity with that subject. The EDC, BRA, and LDFA Boards have recommended John to fill the vacancy due to his extensive experience in economic development in Sturgis.

Proposed Motion:

Move that the Sturgis City Commission APPOINT/NOT APPOINT John Carmichael to the EDC/BRA Board and LDFA Board as presented.

Staff Recommendation:

APPOINT

Noteworthy Meetings / Events

- Township Supervisor Meeting | April 10th
- Business After Hours – Sigrist Furniture | April 11th
- Sturgis Area Business Education Alliance (SABEA) Meeting | April 15th
- Bourbon, Bacon, Blues Committee Meeting | April 16th
- DDA Promotion Committee Meeting | April 17th
- St. Joseph County Brownfield Redevelopment Authority Meeting | April 18th
- SYCA Advisory Board Meeting | April 18th

Upcoming Events

- Sturgis Spring & Food Expo | SYCA | 5:30pm-9pm | April 19th
- Trippin' Billies | SYCA | 7:30pm | April 20th
- Nedy's Cleaners Ribbon Cutting | 303 E. Chicago Rd. | 12:00pm | April 26th
- Sturgis Wind Symphony | SYCA | 3pm | May 5th
- Spring Car Cruise In & Eats | Downtown | 5pm-9pm | May 10th

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 8A

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 10, 2024
WIESLOCH RAUM – CITY HALL

Mayor Perez called the meeting to order at 5:15 p.m.

Commissioners present: Mullins, Bir, Nieves, Albarran, Smith, Harrington, Hile, Vice-Mayor Miller, Mayor Perez

Commissioners absent: None

Also present: City Manager, City Controller, City Clerk

The City Commission discussed potential modifications to the City Commission Procedural Policy relating to pay, reimbursement, clothing, and other issues. An amended Policy will be brought back for discussion at a future meeting.

The meeting was adjourned at 5:55 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 10, 2024
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Vice-Mayor Miller.

Commissioners present: Mullins, Bir, Nieves, Albarran, Smith, Harrington, Hile, Vice-Mayor Miller, Mayor Perez

Commissioners absent: None

Also present: City Attorney, City Manager, City Controller, City Engineer, Wastewater Superintendent, SYCA Director, DPS Director, City Clerk

The following proclamation was presented:

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;

WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and;

WHEREAS, Arbor Day is now observed throughout the nation and the world, and;

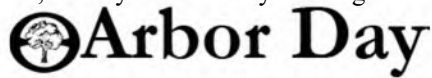
WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and;

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and;

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and;

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.

NOW THEREFORE BE IT RESOLVED, as Mayor of the City of Sturgis I do hereby proclaim April 26th 2024, as



In the City of Sturgis and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands,

AND FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

The following proclamation was presented:

FAIR HOUSING MONTH

WHEREAS, The Fair Housing Act was enacted on April 11, 1968 and enshrined into federal law the goal of eliminating racial segregation and ending housing discrimination in the United States; and

WHEREAS, The Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS, the Fair Housing Act seeks to provide equal housing opportunities, to affirmatively further housing choices, to eliminate legal barriers to equal housing and to emphasize equal housing as a fundamental human right for all; and

WHEREAS, individuals in Sturgis have the right to choose where to live without discrimination based on race, color, religion, age, sex, disability, gender identity, familial status or national origin; and

WHEREAS, the City of Sturgis fully supports the intent and purpose of the Federal Fair Housing Act and looks to promote and further policies and practices in order to achieve the goal of ending housing discrimination.

NOW THEREFORE BE IT RESOLVED that the City Commission of the City of Sturgis does hereby declare the month of April 2024 as “Fair Housing Month” in Sturgis.

Kelly Weaver, White Pigeon Township, provided information on a petition related to solar and wind power and local zoning. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of April 10, 2024 as presented.

8A. Action of Minutes of Previous Meetings

APPROVE the minutes from the March 27, 2024 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,961,329.61 as presented.

C. Fawn River Township PA 425 Agreement #5 Transfer

ADOPT the Transfer of Properties from Fawn River Township (Agreement #5) Resolution for vacant lots on Farwell Avenue as presented.

D. Iglesia Rios De Agua Viva Children’s Day

APPROVE the requests for use of Memorial Park for Iglesia Rios De Agua Viva Children’s Day on April 27th as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Perez reopened the adjourned Public Hearing related to the 2024 Sidewalk Repair on Main Street.

City Engineer Barry Cox provided details on his evaluation of the necessary changes to the sidewalk repairs and associated assessments that would occur on Main Street as part of the street reconstruction.

Courtney Reingardt, inquired about a tree in front of her house and the criteria for hazardous sidewalks.

There were no other comments from the public.

Mayor Perez closed the Public Hearing.

Moved by Comm. Hile and seconded by Comm. Smith to approve the Special Assessment District #2024-02 for the Main Street Sidewalk Repair Program as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

SYCA Director Jamie Eymer and Jeremy Burke provided information on the Two Wheeled Tuesdays which would take place in the parking lot at North Nottawa and West West Streets. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Mullins to approve the Two-Wheel Tuesday bike night events as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Controller Holly Keyser, DPS Director Tom Sikorski, and Aaron Butler, Enterprise Rental, provided details on a Fleet Management Program and an agreement for the City to begin leasing vehicles. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Miller to approve all necessary agreements with Enterprise Fleet Management under the Sourcewell Contract 030122-EFM to enter into a fleet management program and authorize the City Controller to sign all agreements as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Miller to approve the Vehicle Replacement Plan, authorizing purchases in a net amount not-to-exceed sixty-thousand dollars in FY 2023-2024 as presented and authorize the City Controller to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Brandon Schrader provided information on a Task Order for clarifier replacement. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve Task Order #16 with Fleis and VandenBrink for design, bid, and construction phase engineering services for the WWTP primary clarifier #1 and intermediate clarifier #1 replacements in the amount of forty-three thousand and four hundred dollars (\$43,400.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Brandon Schrader provided information on necessary repairs to a maintenance garage. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Albarran to approve the bid from RAM Construction Services for the repair to the WWTP maintenance garage in the amount of forty-five thousand two hundred and seventy-five dollars (\$45,275.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 7:45 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				
04-24-2024	248741M	02004	BRANCH HILLSDALE ST JOE HEALTH	250.00
04-24-2024	248742M	05710	BENCHMARK SOLUTIONS, LLC	3,407.04
04-24-2024	248743M	05096	NATIONAL HOSE TESTING	1,686.50
04-24-2024	248744M	00666	LOCKPORT TOWNSHIP TREASURER	110.00
04-24-2024	248745M	00583	JANE MALLOY	660.00
04-24-2024	248746M	00290	STURGIS HOSPITAL	110.00
04-24-2024	248747M	01847	ESTUDIO DESIGN LLC	80.00
04-24-2024	248748M	04998	D & D FENCING	1,508.75
04-24-2024	248749M	00047	CITY OF THREE RIVERS	540.00
04-12-2024	PR0634M	00061	CITY OF STURGIS PAYROLL	364,957.11
03-08-2024	T16635M	04088	BLUE CROSS BLUE SHIELD OF MI	30,343.91
03-22-2024	T16636M	04088	BLUE CROSS BLUE SHIELD OF MI	68,639.20
03-29-2024	T16637M	04088	BLUE CROSS BLUE SHIELD OF MI	91,037.02
04-10-2024	T16638M	00108	STATE OF MICHIGAN	52,835.75
04-04-2024	T16639M	03083	INDIANA DEPT OF REVENUE	182.78
04-01-2024	T16640M	04389	FRONTIER COMMUNICATIONS A	286.25
04-02-2024	T16641M	05903	WEST SIDE BEER DISTRIBUTING	489.40
04-01-2024	T16642M	06290	MEDPRO WASTE DISPOSAL LLC	27.56
04-07-2024	T16643M	05892	PAYCOR	3,098.88
04-24-2024	T16644M	03770	MICHIGAN GAS UTILITIES	405.93
04-22-2024	T16645M	03770	MICHIGAN GAS UTILITIES	114.36
04-22-2024	T16646M	03770	MICHIGAN GAS UTILITIES	415.63
04-25-2024	T16647M	03770	MICHIGAN GAS UTILITIES	85.78
04-25-2024	T16648M	03770	MICHIGAN GAS UTILITIES	1,086.68
04-25-2024	T16649M	03770	MICHIGAN GAS UTILITIES	242.30
04-24-2024	T16650M	03770	MICHIGAN GAS UTILITIES	65.57
04-22-2024	T16651M	04389	FRONTIER COMMUNICATIONS A	49.43
04-12-2024	T16652M	00512	CAMOCO FUEL SYSTEM	12,683.67
04-01-2024	T16653M	06030	VERIZON CONNECT NWF INC	113.33
04-05-2024	T16654M	04088	BLUE CROSS BLUE SHIELD OF MI	12,493.82
03-01-2024	T16655M	06030	VERIZON CONNECT NWF INC	113.33
04-15-2024	T16656M	04197	MI PUBLIC POWER AGENCY	203,309.84
04-15-2024	T16657M	03286	THE BANK OF NY MELLON TRUST CO	20,850.00
04-22-2024	T16658M	03858	FARMERS STATE BANK	7,781.90
04-12-2024	T16659M	00449	CENTURY BANK & TRUST	3,402.13
04-15-2024	T16660M	05875	ALERUS FINANCIAL/MERS-STIPEND	2,700.00
04-08-2024	T16661M	04197	MI PUBLIC POWER AGENCY	170,418.70
04-12-2024	T16662M	00062	CITY OF STURGIS-EMPLOYEE INS	72,199.10
04-12-2024	T16663M	05588	ALERUS FINANCIAL/MERS TRANSFER	3,172.08
04-12-2024	T16664M	00065	DOYLE MEMBERSHIP TRANSFER	2,731.72
04-12-2024	T16665M	00063	CITY OF STURGIS TAX TRANSFER	19,240.64
04-12-2024	T16666M	05123	COMERICA BANK-INST TRUST SERV	31,394.25
04-12-2024	T16667M	03229	CITY OF STURGIS-WORKERS COMP	2,971.25
04-12-2024	T16668M	00064	INTL CITY MGMT ASSOC RETR CORP	9,952.00
04-22-2024	T16669M	03173	FIFTH THIRD BANK	16,328.56
Automatic Checks				
04-24-2024	248751	00110	A & K PRINTING & POOLS	425.00
04-24-2024	248752	00066	ACTION QUICK PRINT PLUS	80.00
04-24-2024	248753	06156	AGILE TICKETING SOLUTIONS LLC	300.14
04-24-2024	248754	00002	ALL-PHASE ELECTRIC SUPPLY	17,069.48
04-24-2024	248755	05986	ALPHA BUILDING CENTER-NOTTAWA	47.65

Date	Check#	Vendor	Vendor Name	Amount
04-24-2024	248756	06119	AMAZON.COM SALES INC	2,520.95
04-24-2024	248757	04696	APX INC - 9551	491.61
04-24-2024	248758	00736	ASCAP	438.08
04-24-2024	248759	06368	ASCENSUS	6,050.00
04-24-2024	248760	00379	AUTO PARK FORD	579.62
04-24-2024	248761	05640	BECKETT & RAEDER	1,563.12
04-24-2024	248762	06117	BENITA ANN LEWIS	60.00
04-24-2024	248763	00296	BETHANY T MAWSON	19.47
04-24-2024	248764	00072	BIRD, SCHESKE, REED & BEEMER,	2,058.89
04-24-2024	248765	00132	BOFA INC	669.40
04-24-2024	248766	00005	BOGEN CONCRETE INC	823.25
04-24-2024	248767	00006	BOLAND TIRE INC	1,421.00
04-24-2024	248768	06474	BROWN EQUIPMENT COMPANY	427.52
04-24-2024	248769	03343	BYLER ELECTRIC INC	11,392.00
04-24-2024	248770	05125	CANNON TECHNOLOGIES	7,200.96
04-24-2024	248771	00364	CAROL DUSTIN	320.00
04-24-2024	248772	00041	CAROLYN MILLER	75.00
04-24-2024	248773	06325	COTTIN'S HARDWARE	136.68
04-24-2024	248774	06158	CULLIGAN WATER OF STURGIS	149.00
04-24-2024	248775	00296	DONALD C JOHNSON	80.45
04-24-2024	248776	06230	ERGOTECH CONTROLS INC	426.00
04-24-2024	248777	05929	FACTUAL DATA	50.00
04-24-2024	248778	05151	FAWN RIVER MECHANICAL LLC	1,785.00
04-24-2024	248779	05490	FERGUSON WATERWORKS #3386	1,950.76
04-24-2024	248780	06376	FLOCK SAFETY	15,000.00
04-24-2024	248781	06287	FOCAL POINT STUDIOS	5,000.00
04-24-2024	248782	04389	FRONTIER COMMUNICATIONS A	98.72
04-24-2024	248783	00296	FRUCTUOSO GOMEZ GARCIA	49.37
04-24-2024	248784	06378	GABRIDGE N&P LLC	46,250.00
04-24-2024	248785	06505	GALLS LLC	2,344.83
04-24-2024	248786	06468	GANNETT MICHIGAN LOCALiQ	132.50
04-24-2024	248787	00183	GRAINGER INC	342.08
04-24-2024	248788	06104	GRANTSMANSHIP CONSULTING LLC	700.00
04-24-2024	248789	03599	HERITAGE-CRYSTAL CLEAN, LLC	38.00
04-24-2024	248790	05349	HEATHER SWINSICK	332.32
04-24-2024	248791	03515	HYDROCORP	4,625.50
04-24-2024	248792	05522	INTERSTATE BATTERIES-GREAT LKS	165.52
04-24-2024	248793	05171	STUART C IRBY CO	2,403.00
04-24-2024	248794	05634	JACOB BERKEY	63.59
04-24-2024	248795	00296	JAMIE & SHARON CRITES	50.00
04-24-2024	248796	00296	JAMIE CRITES	811.25
04-24-2024	248797	01101	JANENE KOSMAN	120.00
04-24-2024	248798	06199	JANSEN PLUMBING, HEATING &	5,272.85
04-24-2024	248799	06379	JM TEST SYSTEMS LLC	358.98
04-24-2024	248800	06314	JODIE M JOHNSON	40.00
04-24-2024	248801	05842	JOHN DEERE FINANCIAL	2,009.15
04-24-2024	248802	00296	JOSE LOPEZ	41.14
04-24-2024	248803	00296	KARLA H SHEARER	18.50
04-24-2024	248804	06482	KENDRICK STATIONERS	393.87
04-24-2024	248805	06512	KENYON-GREEN DOOR & GUTTER LLC	700.00
04-24-2024	248806	00212	KSS ENTERPRISES	386.99
04-24-2024	248807	00296	LAWRENCE A FRANKS	129.43
04-24-2024	248808	03256	LIMA ELEVATOR COMPANY INC	172.50

Date	Check#	Vendor	Vendor Name	Amount
04-24-2024	248809	00296	LINDA M EMMONS	21.38
04-24-2024	248810	04684	M TECH COMPANY	4,786.08
04-24-2024	248811	03095	MARY DRESSER	30.00
04-24-2024	248812	00635	MCMASTER-CARR SUPPLY COMPANY	79.04
04-24-2024	248813	06351	MELISSA ANDREWS	300.00
04-24-2024	248814	06155	MERCER SEPTIC AND EXCAVATING	160.00
04-24-2024	248815	06501	METALMASTERS AUTOMATED TARGET	383.58
04-24-2024	248816	03774	STATE OF MICHIGAN	214.25
04-24-2024	248817	03774	STATE OF MICHIGAN	210.00
04-24-2024	248818	03774	STATE OF MICHIGAN	86.50
04-24-2024	248819	04414	MICHIGAN CHAMBER SERVICES INC	571.00
04-24-2024	248820	00024	STATE OF MICHIGAN - MDOT	17,541.36
04-24-2024	248821	00238	MIDWEST COMMUNICATION SERVICES	5,687.75
04-24-2024	248822	05051	MILSOFT UTILITY SOLUTIONS	2,098.17
04-24-2024	248823	01705	MSC INDUSTRIAL SUPPLY CO INC	413.52
04-24-2024	248824	00296	NEIL & GLADYS JOHNSTON	141.78
04-24-2024	248825	05677	NORTH BREATHING AIR LLC	610.00
04-24-2024	248826	01080	NYE UNIFORM CO	45.34
04-24-2024	248827	05932	O'REILLY AUTO ENTERPRISES LLC	53.60
04-24-2024	248828	06491	ONLINE INFORMATION SERVICES	36.55
04-24-2024	248829	03934	OUDBIER INSTRUMENT CO	880.00
04-24-2024	248830	05671	PACE ANALYTICAL SERVICES LLC	391.50
04-24-2024	248831	05042	PLANT GROWTH MANAGEMENT SYSTEM	4,595.20
04-24-2024	248832	02741	PLATEMATE	109.50
04-24-2024	248833	05026	PLUMMER'S ENVIRONMENTAL	2,285.20
04-24-2024	248834	00033	POSTNET POSTAL & BUSINESS	68.31
04-24-2024	248835	00485	POWER LINE SUPPLY	67,356.70
04-24-2024	248836	00296	PUNJAB GROUP INC	92.47
04-24-2024	248837	05468	PVS TECHNOLOGIES INC	2,867.00
04-24-2024	248838	00296	RACHEL L OLSON	13.46
04-24-2024	248839	05739	RENEWABLE WORLD ENERGIES LLC	10,299.07
04-24-2024	248840	00035	RESCO	6,062.65
04-24-2024	248841	06038	REVOLUTION HEALTH, P.C.	110.00
04-24-2024	248842	05379	S & S INDUSTRIAL SUPPLY	129.35
04-24-2024	248843	05634	SE KURE DOMES & MIRRORS	11,040.25
04-24-2024	248844	05765	SELKING INTERNATIONAL	237.85
04-24-2024	248845	06483	SONIT SYSTEMS LLC	1,147.50
04-24-2024	248846	03951	SOUTHERN MICHIGAN BANK & TRUST	250,000.00
04-24-2024	248847	01801	STAR CRANE & HOIST	845.00
04-24-2024	248848	00488	STATE SYSTEMS RADIO INC	195.00
04-24-2024	248849	06487	STURGIS ACE HARDWARE	145.77
04-24-2024	248850	00042	STURGIS ELECTRIC MOTOR	275.00
04-24-2024	248851	00507	STURGIS OVERHEAD DOOR & LADDER	921.90
04-24-2024	248852	04140	SWICK BROADCASTING COMPANY	400.00
04-24-2024	248853	06107	TALIA YEOMAN	280.00
04-24-2024	248854	04361	TPC TECHNOLOGIES	4,373.60
04-24-2024	248855	06426	TRACY LIVELY LLC	20.00
04-24-2024	248856	03331	UTILITIES INSTRUMENTATION SERV	1,842.43
04-24-2024	248857	04453	VERIZON WIRELESS	2,279.33
04-24-2024	248858	03511	WASTE MANAGEMENT	14,574.10
04-24-2024	248859	04994	W MICHIGAN INTERNATIONAL LLC	1,647.65
04-24-2024	248860	06451	WILCOX NEWSPAPERS	100.00
04-24-2024	D02283	02983	CINTAS LOCATION #351	1,345.16
04-24-2024	D02284	06244	EMERGENCY VEHICLES PLUS	743.95
04-24-2024	D02285	00019	KENDALL ELECTRIC INC	6.14
04-24-2024	D02286	05716	KUBOTA KINGS	458.11
04-24-2024	D02287	03944	LINDE GAS & EQUIPMENT INC	51.71
04-24-2024	D02288	06250	MARANA GROUP	1,541.64
04-24-2024	D02289	05121	MICKEY'S LINEN	194.18
04-24-2024	D02290	06026	MID-CITY SUPPLY CO INC	169.41
04-24-2024	D02291	06069	NAPA AUTO PARTS	823.68
04-24-2024	D02292	01411	NCL OF WISCONSIN INC	93.20
04-24-2024	D02293	03091	PRIME QUALITY ELECTRIC LLC	2,687.20
04-24-2024	D02294	06125	THE COPY IMAGE INC	85.00
Manual Total				\$1,214,572.15
Automatic Total				\$573,916.19
Grand Total				\$1,788,488.34

PAYROLL DISBURSEMENT
FOR PAYROLL ENDING 04/07/2024
PR0634M PAYROLL DATE 04/12/2024

GENERAL	\$190,134.50
MAJOR STREET	4,663.75
LOCAL STREET	4,729.21
CEMETERY	5,839.19
AIRPORT	0.00
BUILDING	3,597.35
STURGES-YOUNG CENTER FOR THE ARTS	5,539.88
RECREATION	3,055.83
DOYLE RECREATION CENTER	9,856.98
AMBULANCE	15,256.47
ELECTRIC	87,022.30
SEWER	19,204.74
WATER	13,482.09
MOTOR VEHICLE	2,574.82
Payroll Sub-Total	\$364,957.11

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 9A

Should the City of Sturgis change (Amend) the City Code of Ordinances Chapter 10 – Animals, Article III - Livestock and Fowl to provide as follows?

To allow for the keeping, regulating, permitting of up to 6 female chickens within the R-1, R-2, R-3, R-4 zoning districts where the principal use is for single residential use only, subject to all private covenants and restrictions of record. The keeping of chickens shall comply with all regulation to include but not limited to the following restrictions: No roosters, crowing hens or guinea chickens; All chickens must remain fully cooped in an enclosed area to be maintained in the rear yard and subject to property line setbacks and minimum distancing from neighboring residences. Any future amendments to this ordinance may be made by a 2/3rds vote of the City Commission.

A complete version of the proposed ordinance and applicable restrictions are available at the City of Sturgis Office at 130 N. Nottawa Sturgis, Michigan 49091 or this polling location.

_____ YES

_____ NO

City Code of Ordinance Chapter 10 – Animals, Article III. – Livestock and Fowl

...

Sec. 10-64. - Keeping of animals, fowl, etc. restricted.

No horse, cow, calf, swine, sheep, goat, geese, ducks, donkeys, **fowl unless permitted by section 10-65**, or pigeons shall be kept in any dwelling or part thereof. No such animals or fowl shall under any circumstances be kept on the same lot or premises with a dwelling unless they are maintained in connection with the operation of a bona fide farm. Notwithstanding the foregoing, it shall be permissible to own, keep, or harbor not more than two adult rabbits per household, together with not more than eight young rabbits until they attain the age of four months. The keeping of chickens shall be permitted with a valid permit issued by the City of Sturgis as per section 10-65.

Section 10-65. – Urban Chickens

- (a) No person shall keep chickens unless they obtain an urban chicken permit and comply with all City ordinances. No permit will be issued unless the following has been completed:
 - (1) Urban chicken permit application has been submitted.
 - (2) All fees have been paid.
 - (3) An inspection of property has been completed to verify compliance with the ordinance.
- (b) Permit applications shall be submitted to the Community Development Department on a form provided by the City for review and approval. The application must be completed with all information requested. The following additional items shall be included with your permit application:
 - (1) A sketch plan which indicates the location of any chicken coop, chicken runs, and fencing (including height and style) as well as setbacks from all property lines and structures on same property and adjoining residential structures.
 - (2) Inspections will be conducted after the permit application has been reviewed and all fees have been paid. Application will not be approved, and permit will not be issued until property is found to be in compliance with City ordinances. The first inspection is included with the cost of the permit application fee. Any additional inspections to verify compliance will require an additional inspection fee to be paid prior to scheduling of the inspection.
- (c) The applicant's first (initial) urban chicken permit is valid until June 1 of the following year. If a person wishes to continue keeping chickens, they shall obtain a new permit before their current permit expires. Renewal permits are valid for two (2) years with all permits expiring on June 1.

Renewal permit applications shall be submitted a minimum of 30 days prior to the expiration of the permit. Inspections shall be completed and approved prior to the issuance of the renewal permit. Application for a renewal permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies.

- (1) No permit shall be issued without the written authorization from the owner of the property consenting to the application and the keeping of urban chickens.
 - (2) Permits are not transferrable to another applicant. When an applicant vacates a property, the permit is revoked and all structures, including chicken coop and enclosures, that were permitted as part of the permitting process must be removed.
- (d) The keeping of chickens is permitted only on a lot where the principal use is a single-family dwelling in the following zoning districts: R-1, R-2, R-3, R-4. No multi-family dwelling(s), multiple single-family dwellings on a single lot, duplex, or apartment(s) shall be permitted urban chickens.
- (e) Notwithstanding the issuance of a permit by the City, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, restrictive covenants for the neighborhood, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.
- (f) A person who has received a permit for urban chickens on their property shall comply with all of the following requirements:
- (1) Maintain a valid permit as required under this section.
 - (2) Keep no more than six (6) female chickens per property.
 - (3) All chickens shall have a City-issued identification band on their leg. Leg bands will be provided by the City of Sturgis when the permit is issued. Renewal permits will not require new bands. Replacement bands can be obtained for a fee from the City of Sturgis.
 - (4) The principal use of the applicant's property is a single-family dwelling.
 - (5) No person shall keep any rooster, crowing hens, or guinea chickens.
 - (6) No person shall slaughter any chickens in public view.
 - (7) Chickens shall be always provided and remain within a fully enclosed coop and/or fenced enclosure with a top and/or cover.

- (8) The coop shall be a single structure not to exceed sixty (60) square feet in area and eight (8) feet in height. The minimum run size per chicken shall be eight (8) square feet with a maximum area of 300 square feet. The coop shall meet the standards for accessory structures (section 1.1105 of the zoning ordinance) and the enclosure shall meet the standards for fences (section 1.1106 of the zoning ordinance).
- (9) The use of corrugated metal/fiberglass, sheet metal, plastic tarps, scrap lumber or similar materials not in keeping with the appearance of other accessory buildings in the immediate area of the property as determined by the Zoning Administrator is prohibited.
- (10) The coop and enclosure may be movable only if the dimensional/setback restrictions required in this section are maintained.
- (11) A person shall not keep chickens in any location on the property other than in the rear yard.
- (12) The coop or enclosure shall not be located closer than forty (40) feet to the nearest residence on an abutting lot. For the purpose of this section, “residence” shall be defined to include both the principal structure and any decks, porches, sunrooms, or similar areas attached to the principal structure. This requirement shall be met at the time of initial permit issuance and is not meant to be retroactively applied in the event a residence on an abutting lot constructs an addition of some type that encroaches upon an existing chicken coop or enclosure.
- (13) No coop or enclosure shall be located closer than ten (10) feet to any property line of an abutting lot.
- (14) No coop or enclosure shall be located closer than ten (10) feet to the principal structure or three (3) feet an accessory structure on the same property.
- (15) Coops and enclosures must be clean, dry, odor-free and kept in a neat and sanitary condition and in compliance with all City ordinances.
- (16) All enclosures shall be constructed or repaired to prevent rats, mice, other rodents, or predators from being harbored underneath, within, or within the walls of the enclosure.
- (17) All feed and other items associated with the keeping of chickens shall be kept in a vermin and predator proof sealed container.
- (18) Waste materials (feed, manure, and litter) must be disposed of in an environmentally responsible manner. Piling waste materials on the property is not permitted. Litter must be kept dry.
- (19) If the above requirements are not complied with, the City may revoke any permit granted under this section and /or initiate prosecution for a civil

infraction violation.

(g) Enforcement and penalties:

- (1) Any person who keeps chickens without a valid permit as required by this ordinance or who otherwise violates any of the provisions of this section shall be deemed guilty of a civil infraction and be issued a notice of violation. If the violation is not corrected within the timeframe referenced in this subsection, a citation may be issued and fine applied in accordance with the fine schedule of the City code of ordinances.
- (2) The City may revoke any permit granted under this section if any of the requirements of this section are not complied with.
- (3) A person who has been issued a notice of violation shall be given up to seven (7) days to correct the violation unless an extension has been granted by the zoning administrator.
- (4) A person who remains in violation after the timeframe for correction shall have their permit revoked and shall immediately discontinue the keeping of chickens at the permitted premise.

(h) Amendments to this section:

- (1) In adherence to the ballot proposal, any proposed amendments mandate a 2/3s majority vote from the City of Sturgis Commission.

City Code of Ordinances, Appendix A – Zoning, Article XI. – General Provisions

...

1.1105 Accessory buildings, structures and uses.

...

(B) Accessory building or accessory structures in a residential district.

...

(8) There shall be no more than two accessory buildings on any one parcel excluding play houses, dog houses, **chicken coops not exceeding 30 square feet**, pergolas or gazebos not exceeding 150 square feet, or buildings of similar uses.

(10) Chicken coops shall not exceed eight (8) feet in height and sixty (60) square feet in area. Chicken coops shall be removed if a valid urban chicken permit as per section 10.65 of the City of Sturgis code of ordinances is not maintained.

City Code of Ordinances, Appendix A – Zoning, Article XIV. – Administration and Enforcement

...

1.1401.-Building Permits.

No sign, parking area, fence, building, or other structure regulated by this zoning ordinance shall be erected, razed, moved, extended, enlarged, altered, or changed in use, and no exterior of any commercial building in the central business district shall be painted until a building permit has been issued by the building department, except the following:

1. Touch-up painting of the same color of any commercial building in the central business district.
2. **Accessory structures and fences that are included as part of an urban chicken permit, section 10.65 of the City of Sturgis code of ordinances.**

City Code of Ordinances, Appendix B – Fine Schedule for Municipal Civil Infractions

...

Chapter 10. -Animals

Urban Chickens Violations:

First Offense - \$100.00

Second Offense - \$200.00

Any additional offenses - \$300.00

City of Sturgis Fee Schedule

...

Planning / Zoning

...

Urban Chickens

Initial Permit Application Fee	\$150.00
Renewal Permit Application Fee	\$75.00
Additional Inspection Fee	\$50.00
Permitted Chickens Running At Large (per Chicken)	\$40.00
Keeping of chickens prior to permit issuance	\$100.00

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10A

2022 Sturgis Fest Requests List

				Staff Support			Utilities		Materials			
Event	Request Details	Request Time	Event Time	DPS	Police	Fire	Water	Electric	Barric.	Fencing	Trash Barrels	Picnic Tables
Saturday, June 15th												
Dave Locey Tri	Separately Approved		9:00 am	X								

Tuesday, June 18th												
Kickoff Dinner	Commissioners/Staff Attendance		5:00 pm - 8:00 pm									

Wednesday, June 19th												
Kids Carnival/Outdoor Movie	Sturgis High School; use of barricades to close entrances to parking lot	3:00 pm - 10:00 pm	4:00 pm - 10:00 pm	X					X			
Biscuits game	FD with flag		6:00 pm - 8:00 pm			X						Checking to see if needed/possible; Game at Sturgis HS
Gran Baile	Free Church Park; Food Truck	4:00 pm - 10:00 pm	6:00 pm - 9:00 pm	X				X	X	X	6	Snow Fencing for treeline and south, Black & Metal fencing for rest

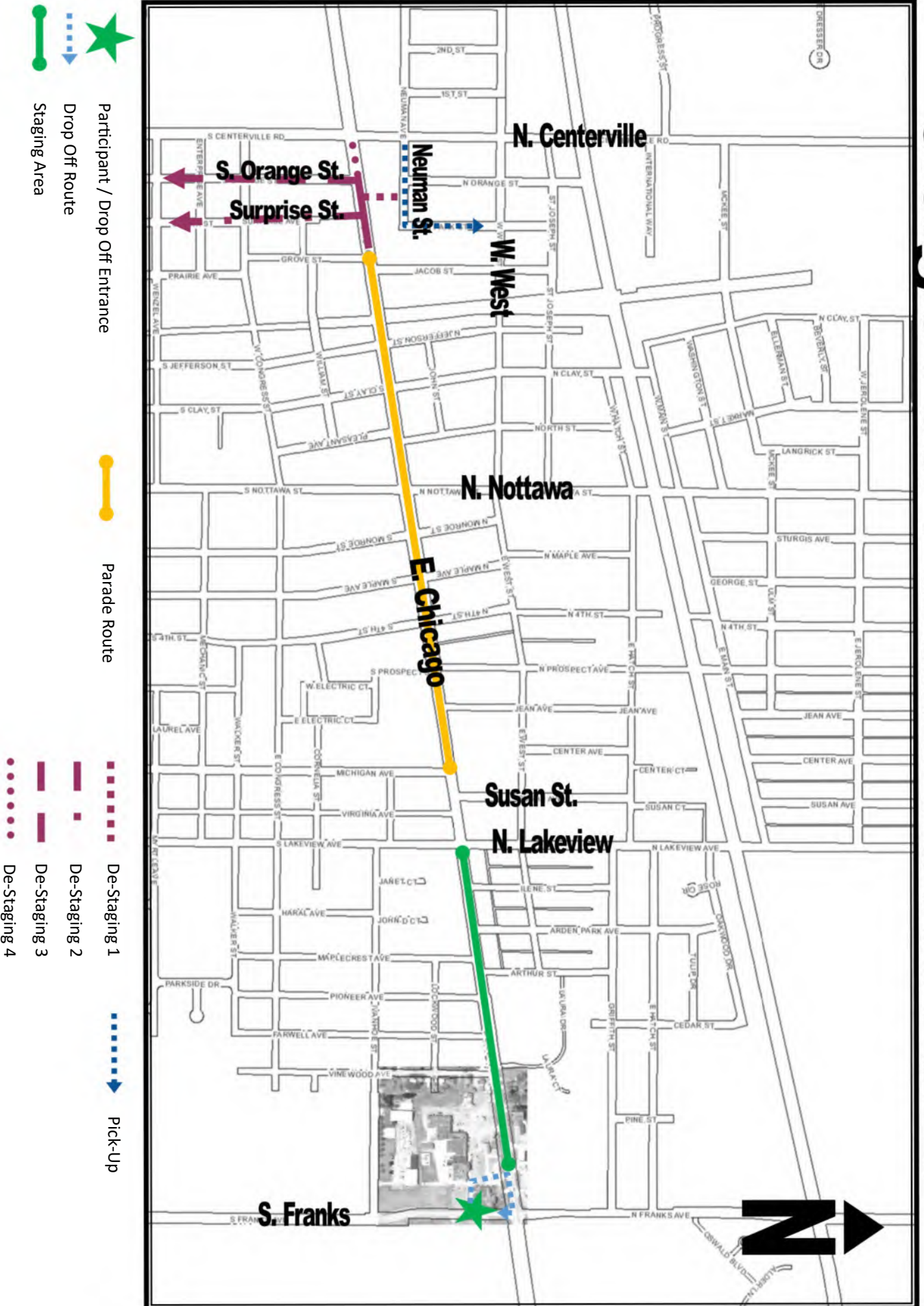
				Staff Support			Utilities		Materials				
Event	Request Details	Request Time	Event Time	DPS	Police	Fire	Water	Electric	Barric.	Fencing	Trash Barrels	Picnic Tables	
Thursday, June 20th													
Sidewalk Sales / Vendors	Use of downtown sidewalks for 3rd party vendors	noon - 9:00 pm	noon - 9:00 pm									If operating when US-12 open, need 60 in. (5 ft.) of clearance for sidewalk	
Bike Night	Road Closure US-12 from east of RR Tracks to Maple St.	3:00 pm - midnight	5:00 pm - 10:00 pm	X	X				X				
	No Thru Traffic N. Nottawa from West to US-12	3:00 pm - midnight		X					X				
	Temporary No Parking on US-12 from Jefferson to Monroe	2:00 pm - midnight			X								
	Temporary No Parking on one side of Maple St. from West to Congress	2:00 pm - midnight			X								
	Set Up of Bike entrance directional signage in terrace	3:00 pm - midnight		X									
Use of Pleasant St. (Food Vendors)	Road Closure Pleasant St. from US-12 to Parking Lot	3:00 pm - Saturday	5:00 pm - 10:00 pm	X			X	X	X		4	2	
Use of North Street (Food Vendors)	Road Closure North St. from US-12 to Main Parking Lot; closure of small parking area	3:00 pm - midnight	5:00 pm - 10:00 pm	X	X		X	X		X	6	7	
Use of Free Church Park (Beer Garden, Band, etc.)		3:00 pm - midnight	5:00 pm - 10:00 pm	X	X			X		X	10	5	Band ends at 9:30
Use of Arkwrights	Cooling station and activities	3:00 pm - midnight	5:00 pm - 10:00 pm								2		Public Safety EMS Trailer

2022 Sturgis Fest Requests List

				Staff Support			Utilities		Materials				
Event	Request Details	Request Time	Event Time	DPS	Police	Fire	Water	Electric	Barric.	Fencing	Trash Barrels	Picnic Tables	
Friday, June 21st													
Sidewalk Sales / Vendors	Use of downtown sidewalks for 3rd party vendors	noon - 8:00 pm	noon - 8:00 pm										If operating when US-12 open, need 60 in. (5 ft.) of clearance for sidewalk
Car Show	Road Closure US-12 from east of RR Tracks to Maple St.	3:00 pm - midnight	4:00 pm - 8:30 pm	X	X				X				
	No Thru Traffic N. Nottawa from West to US-12	3:00 pm - midnight		X					X				
	Temporary No Parking on US-12 from Jefferson to Monroe	2:00 pm - 8:30 pm			X			2:00 pm -					
	Temporary No Parking on one side of Maple St. from West to Congress	2:00 pm - 8:30 pm			X								
	Set Up of Car Show entrance directional signage in terrace	3:00 pm - midnight		X									
Parade	Road Closure US-12 from Franks Ave. to Maple Street, RR Tracks to Centerville	7:30 pm - midnight	9:30 pm - 11:00 pm	X	X	X			X	X			City to arrange for 30 Yd. dumpster - to bill the Chamber
	Temporary “No Parking” on Neuman St. from N. Centerville to N. Park St	3:00 pm - midnight											
	Temporary “No Parking” on S. Orange St. from Chicago Rd. to Congress St.	3:00 pm - midnight											
	Temporary "No Parking" on Surprise St. From Chicago Rd. to Congress St.	3:00 pm - midnight											
	Commissioner Participation		8:00 pm - 11:00 pm										
Use of Pleasant St. (Food Vendors)	Road Closure Pleasant St. from US-12 to Parking Lot	All Day	4:00 pm - 11:00 pm				X	X	X		Leave from Thurs		
Use of North St. (Food Vendors)	Road Closure North St. from US-12 to Parking Lot	2:00 pm - midnight	4:00 pm - midnight		X			X	X		Leave from Thurs		
Free Church Park	Hispanic Heritage Festival	2:00 pm - midnight	4:00 pm - 8:30 pm								Leave from Thurs		Music, food, etc.; stage Parks Truck for trash @ Journal building lot
Use of Arkwright's		2:00 pm - midnight	4:00 pm - 11:00 pm					X					
Use of 401 W. Chicago		3:00 pm - midnight	4:00 pm - midnight										

				Staff Support			Utilities		Materials			
Event	Request Details	Request Time	Event Time	DPS	Police	Fire	Water	Electric	Barric.	Fencing	Trash Barrels	Picnic Tables
Saturday, June 22nd												
Fireworks	Airport, Closure of Lafayette, etc.	8:00 pm to 11:00 pm	~10:00 pm	X	X				X			<div>- Grabber cones for north side of Lafayette from Broadus to dead end - Barricade at entrance to Abbott well north of airport - Contact Heartland regarding fireworks and securing site</div>

Sturgis Fest Parade Route 2024



**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10B

RECOMMENDATION OF AWARD

April 16, 2024

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

RE: Main Street Utility & Street Improvements Project

Dear Barry,

We have reviewed the bids received on April 8th, 2024, for the above referenced project. One bid was received, and the bid tab is attached.

The low bidder is Concord Excavating and Grading, Inc. (Concord) of Concord, Michigan with a bid amount of \$2,218,182.36.

I have reviewed the bids and all required bidding documents were submitted. Concord is a qualified firm and have the capacity to complete the project. I discussed the bid amount with Concord 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 Main Street Utility & Street Improvements project to Concord Excavating and Grading, Inc of Concord, Michigan with a bid amount of \$2,218,182.36

Please feel free to call with any questions.

Sincerely,

FLEIS & VANDENBRINK ENGINEERING, INC.



Matt Johnson, P.E.
Project Manager

Enclosure

Main Street Improvements

590 Wastewater	591 Water	204 Street & Sidewalk Improvements	TOTAL PROJECT
Collection System Rehab/Street Projects	Main St. (Clay to George)		

FY 2022-2023						
BUDGETED FUNDS		\$350,000.00	\$0.00	\$0.00	\$350,000.00	
PROJECT COSTS		55%	18%	27%		
Design and Bid Phase Engineering	Approved 11/30/22	\$ 30,907.19	\$ 10,023.95	\$ 14,868.86	\$ 55,800.00	
Architectural/Historical Review Expenses	Staff Approved	\$ 939.03	\$ 450.87	\$ 830.10	\$ 2,220.00	
Design and Bid Phase Engineering	Staff Approved	\$ 10,450.00	\$ 3,420.00	\$ 5,130.00	\$ 19,000.00	
TOTAL FY 2022-2023		\$ 42,296.22	\$ 13,894.82	\$ 20,828.96	\$ 77,020.00	

Notes
Task Order #11
Architectural History Resources Review & Historic Preservation Consultation
Supplemental Design TO#11a, Split 55%, 18%, & 27%

FY 2023-2024						
BUDGETED FUNDS		\$925,000.00	\$300,000.00	\$445,000.00	\$1,670,000.00	
PROJECT COSTS		57.5%	11.1%	31.4%		
Construction Award	Recommended 4/24/24	\$ 1,275,454.86	\$ 246,218.24	\$ 696,509.26	\$ 2,218,182.36	
Contingency Budget	Recommended 4/24/24	\$ 127,650.00	\$ 24,642.00	\$ 69,708.00	\$ 222,000.00	
Construction Phase Engineering	Recommended 4/24/24	\$ 134,550.00	\$ 25,974.00	\$ 73,476.00	\$ 234,000.00	
TOTAL FY 2023-2024		\$ 1,537,654.86	\$ 296,834.24	\$ 839,693.26	\$ 2,674,182.36	
OVER (UNDER) FY 2023-2024 BUDGET		\$ (612,654.86)	\$ 3,165.76	\$ (394,693.26)	\$ (1,004,182.36)	

Notes
Concord Excavating & Grading, Inc. - Low Bidder
~ 10% of construction project
Task Order 11b. Includes materials testing budget.

Task Order

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

1. Specific Project Data

- A. Title: City of Sturgis
Main Street Utility and Street Improvements
Construction Phase
- B. Background/Description:
The purpose of this task order is to provide construction oversight and administration for the Main Street Utility and Street Improvements Project bid on April 8, 2024. The task order assumes the project will be awarded to Concord Excavating & Grading, Inc in the amount of \$2,218,182.36 at the April 24, 2024 City Commission meeting.
- C. Work Scope:

CONSTRUCTION PHASE

1. Provide project administration and engineering consultation throughout the construction period, including:
 - Schedule and attend progress meetings with the Contractor and City staff. Prepare and distribute meeting minutes. We have budgeted three (3) progress meetings during construction.
 - Review Contractor’s pay estimates and recommend for payment.
 - Prepare contract modifications, if necessary, and submit recommendation to City for authorization.
2. Provide on-site observation during construction. Our budget includes 45 hours per week full-time for 27 weeks (1,215 total hours). The inspector’s duties shall also include:
 - Provide record keeping of construction activities.
 - Address complaints filed with the City.
 - Maintain as-built records.
3. Complete quality assurance materials testing with assistance from a subcontracted firm.
4. Conduct a final review meeting on-site with the Contractor and City Staff to review the completed work. Prepare a final punch list of remaining work items. Provide one (1) follow-up inspection to verify that the punch list items have been completed.
5. Complete required construction staking to provide the contractor with construction grades and offsets. We budgeted four (4) rounds of construction staking.
6. Complete As-Recorded drawings based on as-built records. F&V will provide two (2) paper copies and one (1) electronic (PDF) copy.

2. Services of Engineer

A. Work Scope:

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

A1.05 – Construction Phase, include the following paragraphs.

A.1

A.2 – RPR services based on time indicated in work scope. Site time for RPR services to be determined based on contractor operations.

A.3 through A.19 – F&V will subcontract with testing firms directly.

B.

A1.06 – Commissioning Phase –

A.5 – Prepare Records Drawings

A2.01 – Other Services

A.5 – Construction Line and Grade staking

3. Owner's Responsibilities

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

4. Times for Rendering Services

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

Phase

Proposed Completion Date

Construction Phase

June 6, 2025 (Final Acceptance)

5. Payments to Engineer

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

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Estimate of Compensation for Services</i>
<i>Construction Phase</i>	<i>Standard Unit Rates</i>	<i>\$234,000</i>
<i>TOTAL FEES =</i>		<i>\$234,000</i>

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

7. Other Modifications to Master Agreement:

None.

8. Attachments:

None

9. Documents Incorporated by Reference:

None.

10. Terms and Conditions:

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

The Effective Date of this Task Order is April 25, 2024

OWNER
City of Sturgis

ENGINEER
Fleis & VandenBrink Engineering, Inc.

Signature _____ Date _____

Signature _____ Date 4-19-2024

Andrew Kuk
Name

Matt Johnson, P.E.
Name

City Manager
Title

Regional Manager
Title

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Barry Cox
Name

Matt Johnson, PE
Name

City Engineer
Title

Project Manager
Title

130 N. Nottawa
Address

4798 Campus Drive
Address

bcox@sturgismi.gov
E-Mail Address

mjohnson@fveng.com
E-Mail Address

(269) 659-7249
Phone

(269) 532-7396
Phone

(269) 659-7295
Fax

(269) 382-6972
Fax

Sturgis Purchase Order No.: _____

F&V Vendor No.: 00776

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10C

RESOLUTION
TRANSFER OF PROPERTIES FROM FAWN RIVER TOWNSHIP (Agreement #3)

WHEREAS, the City of Sturgis (“City”) and the Township of Fawn River (“Township”) entered into an Agreement for Conditional Transfer of Property (Agreement #3), with an effective date of March 15, 1999; and

WHEREAS, Article II, Section 2.1.D states “All parcels in the Term Area which have not transferred to the City for full jurisdiction by the end of the Term as provided in Article IV shall be transferred at such time to the City’s jurisdiction for all purposed in accordance with Section 4.2”; and

WHEREAS, Article IV, Section 4.1 states “the term of this Agreement shall expire twenty five (25) years from the date of commencement”, and

WHEREAS, March 15, 2024, was the end of twenty five years after the Effective Date of Agreement #3 (March 15, 1999) and accordingly, full jurisdiction of the remaining parcels in the Term Area have been transferred from the Township to the City effective immediately;

NOW THEREFORE, IT IS RESOLVED THAT full jurisdiction for all purposes of the following parcels of land (identified below by a listing of the respective owners, street addresses, former Township tax parcel number and new tax parcel number assigned by the City) located in the Term Area as described in Agreement #3 are certified to have been transferred from the Township to the City effective as of March 15, 2024:

<u>Owner</u>	<u>Property Address</u>	<u>Parcel Number (Township</u>	<u>Parcel Number (City)</u>
Jack & Sharon Meyers	None - vacant	75-005-007-007-00	75-052-777-338-00
Jack & Sharon Meyers	None - vacant	75-005-007-007-40	75-052-777-339-00
Richard & Errol Benne & Max & Beverly Benne	None - vacant	75-005-007-009-00	75-052-777-340-00
Richard & Errol Benne & Max & Beverly Benne	None - vacant	75-005-007-009-05	75-052-777-341-00
Richard & Errol Benne C-1/2 Int & Max & Beverly Benne J-1/2	None – vacant	75-005-007-009-15	75-052-777-342-00

Legal descriptions (Exhibit A) and location map (Exhibit B) for the parcels are attached to this Resolution.

BE IT FURTHER RESOLVED THAT, in accordance with Section 2.1.C of Agreement #3, the City Commission hereby certifies that events have occurred transferring full jurisdiction over said parcels to the City, and the filing of this Resolution and either a similar resolution adopted by the Fawn River Township Board or sixty (60) days has passed since this resolution was adopted shall be sufficient to evidence the transfer of full jurisdiction over the above parcels to the City.

BE IT FURTHER RESOLVED THAT, the City Manager is authorized and directed to file certified copies of this Resolution with the Township Clerk, the St. Joseph County Clerk and the Office of the Great Seal of the State of Michigan to evidence that the transfer of full jurisdiction to the City of such parcels has occurred for the records of each such office.

Voting Yea: _____

Voting Nay: _____ **Absent:** _____

RESOLUTION ADOPTED.

EXHIBIT A

Legal Description of Parcels

<u>Owner</u>	<u>Parcel Address</u>	<u>Parcel Number (Township)</u>	<u>Parcel Number (City)</u>
Jack & Sharon Meyers	None - vacant	#75-005-007-007-00	75-052-777-338-00

Property Description:

The East half (E1/2) of the Southwest fractional quarter (SW1/4) of Section Seven (7); ALSO, The North fifty-three and eighty-seven hundredths (53.87) acres of the West half (W1/2) of the Southwest fractional quarter (SW1/4) of Section Seven (7) excepting therefrom commencing at the West quarter corner of said Section Seven (7), thence South no (0) degrees one (01) minute West on Section line eleven hundred sixty-eight and forty hundredths (1168.40) feet, thence South eighty-nine (89) degrees fifty-nine (59) minutes East seven hundred forty-four and thirty-nine hundredths (744.39) feet, thence North no (0) degrees one (01) minute East eleven hundred seventy-two and thirty hundredths (1172.30) feet to the East and West quarter line of said Section Seven (7), thence South eighty-nine (89) degrees forty-three (43) minutes West along quarter line seven hundred forty-four and four tenths (744.4) feet to the place of beginning. All in Township Eight (8) South, Range Nine (9) West. L.525, P.381

<u>Owner</u>	<u>Parcel Address</u>	<u>Parcel Number (Township)</u>	<u>Parcel Number (City)</u>
Jack & Sharon Meyers	None - vacant	#75-005-007-007-40	75-052-777-339-00

Property Description:

Commencing at the S. 1/4 corner of said Sec. 7, thence S. 89°39' W. along south line of Sec. 7 150 feet to the point of beginning; thence N. 0°5'40" E. and parallel to N. & S. 1/4 line 1991.06 feet to point of curvature of a curve to the right, thence along a 485.03 foot radius curve an arc distance of 327.20 feet (said curve being subtended by a chord which bears N. 19°25'12" E. 321.03 feet) to point of curvature of a curve to the left, thence along a 565.03 foot radius curve an arc distance of 76.82 feet (said curve being subtended by a chord which bears N. 34°51'03" E. 76.76 feet) to a point on N. & S. 1/4 line, thence N. 0°05'40" E. along said N. & S. 1/4 line 289.84 feet, thence along a 485.03 foot radius curve to the right an arc distance of 327.20 feet (said curve being subtended by a chord which bears S. 19°25'12" W. 321.03 feet) to a point of curvature of a curve to the left, thence along a 565.03 foot radius curve an arc distance of 381.17 feet (said curve being subtended by a chord which bears S. 19°25'12" W. 373.98 feet), thence S. 0°5'40" W. and parallel to N. & S. 1/4 line 1991.68 feet to south line of Sec. 7, thence N. 89°39' E. along south Sec. line 80 feet to point of beginning. Except Franks Ave. L.584, P.675

<u>Owner</u>	<u>Parcel Address</u>	<u>Parcel Number (Township)</u>	<u>Parcel Number (City)</u>
Richard & Errol Benne &	None - vacant	75-005-007-009-00	75-052-777-340-00
Max & Beverly Benne	None - vacant	75-005-007-009-05	75-052-777-341-00

Property Description:

The Southwest quarter (SW1/4) of the Southwest quarter (SW1/4) of Section 7, Township 8 South, Range 9 West, excepting therefrom the North 10 acres; also excepting therefrom the following parcels:

- (1) The South 258 feet of the East 150 feet.
- (2) The South 183 feet of the West 300 feet of the East 516 feet.
- (3) The South 183 feet of the West 140 feet of the East 706 feet.
- (4) The South 152 feet of the West 183 feet.
- (5) The South 333 feet of the East 600 feet of the West 783 feet.
- (6) The West 183 feet of the North 649.62 feet of the South 832.62 feet.
- (7) Commencing at the Southwest corner of North 10 acres of the Southwest quarter (SW1/4) of the Southwest quarter (SW1/4) of said Section 7, thence South 136.78 feet, thence East 348 feet, thence North 136.78 feet, thence West to the point of beginning. Subject to easements and restrictions of record. L.426, P.114

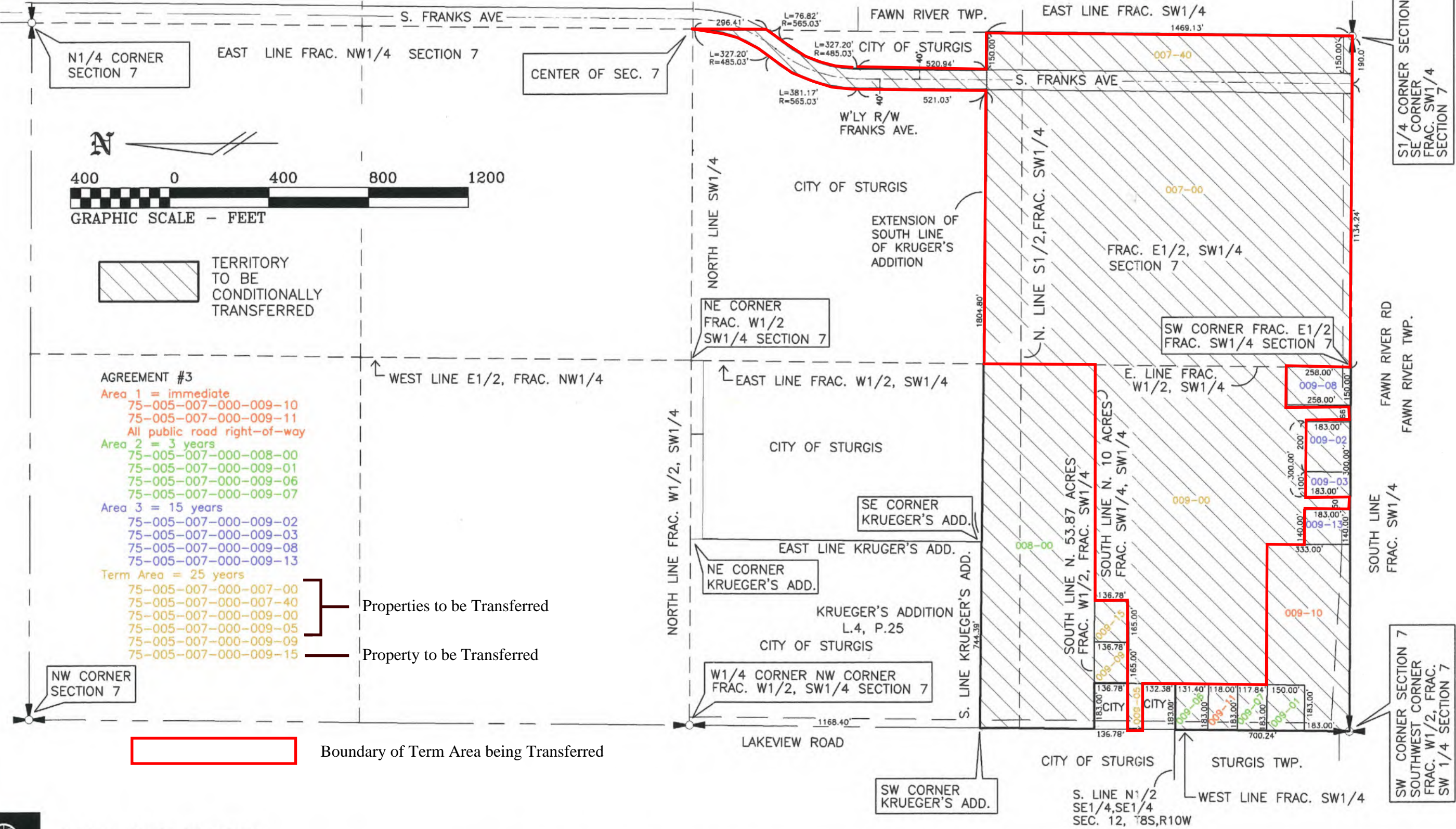
<u>Owner</u>	<u>Parcel Address</u>	<u>Parcel Number (Township)</u>	<u>Parcel Number (City)</u>
Richard & Errol Benne C-1/2 Int & Max & Beverly Benne J-1/2	None - vacant	75-005-007-009-15	75-052-777-342-00

Property Description:

Beginning at a point which is the West section line of Section 7, Town 8 South, Range 9 West, in said Township, and which point is the Northwest corner of lands deed to Hazen H. Rishel and Elizabeth S. Rishel, husband and wife, of Vicksburg, Michigan, by deed recorded in the Office of the Register of Deeds for said County in Liber 211 of Deeds, page 243 on November 5, 1942, and running thence south along said section line 136.78 feet; and thence at right angles East a distance of 348 feet to a point of beginning; and thence East 165 feet; thence North parallel with said section line 136.78 feet; thence at right angles West 165 feet; and thence at right angles South and parallel with said West section line 136.78 feet to said point of beginning. L.718, P.955

This transaction is exempt from transfer tax pursuant to MCLA 207.505(1), confirming title already vested in Grantees.

EXHIBIT B-SURVEY MAP (AGREEMENT 3) CITY OF STURGIS/FAWN RIVER TOWNSHIP, ST. JOSEPH COUNTY, MICHIGAN



DONALD C. ANDREWS, P.S. # 33967
ANDREWS LAND SURVEYING
67659 M 66
Sturgis, Michigan 49091
Phone (616) 659-0079

DRAWN BY: DCA	APPROVED BY: DCA	REVISION:	CLIENT:	PROJECT:	SHEET
DATE: 2/2/99	FILE: 99006A	REVISION:	City of Sturgis	CONDITIONAL TRANSFER	1
DRAWING NO:		REVISION:	130 N. Nottawa	SKETCH	OF
SEC. 7 T. 8 S. R. 9 W.		REVISION:	Sturgis, MI 49091	FAWN RIVER TOWNSHIP	1
				AGREEMENT #3	

**City of Sturgis
City Commission
Regular Meeting**

Agenda Item 10D

Ordinance Review - Dogs Running at Large

Coldwater	No owner of any female dog shall permit that female dog to go beyond the premises of the owner when she is in heat, unless the female dog is held properly in leash, and no owner shall allow any dog to stray beyond his or her premises unless it is under the reasonable control of some person. For purposes of this chapter, a dog shall be deemed to be under "reasonable control" when the dog is on leash, in an enclosed vehicle or container, or with the owner, or some member of the owner's family, or some other person with the permission of the owner, provided the dog is amenable to orders and comments of the person in charge thereof.
Three Rivers	<p>4-21.5 Dogs under Reasonable Control of Owner or Keeper.</p> <p>(A) It is unlawful for any person who owns or keeps a dog to allow the dog to be upon the streets, alleys, or other places, public or private within the City, unless the dog is at all times, under reasonable control of its owner, keeper, or some member of the owner's family. Any person harboring, keeping, possessing, or in charge of a dog shall immediately collect and dispose of in a sanitary manner all excrement or droppings left by such dog on any public property or on any private property not owned or lawfully occupied by such person.</p> <p>(B) It is unlawful for the owner or keeper of any female dog to permit it to go beyond the premises of the owner or keeper when it is in heat unless the dog is held properly in leash.</p>
Marshall	<p>At large means an animal off the premises of the owner and not under reasonable control.</p> <p>Reasonable control means having an animal on a suitable leash or under the oral control of the owner or custodian in all cases other than on private property with permission or in the event the animal is confined in an automobile or suitable cage.</p>
Niles	<p>At large means off the premises of the owner, harborer, keeper, possessor, or person in charge of the dog, cat, or animal, and not under restraint by leash, controlled by a person of suitable age and size.</p> <p>An owner, harborer, keeper, possessor or person in charge of any animal which runs at large or is upon any highway, street, lane, alley, court, or other public place, or upon any private property or premises other than those of the person owning or having charge, care, custody, or control of such animal, within the city, unless such animal is restrained by a substantial chain or leash not exceeding six feet in length and is in the charge, care, custody, or control of a person with the ability to restrain it is guilty of a misdemeanor.</p>
Paw Paw	<p>It shall be unlawful for any person owning, possessing or having charge of any dog to permit or allow such dog to run at large or stray beyond the premises of such owner, unless under reasonable control of some person. For the purpose of this section, a dog shall be deemed under such reasonable control only:</p> <ol style="list-style-type: none"> 1. When such dog is off the property of the owner, held properly on a leash such that the person having charge of the dog is able to restrain the dog; 2. When such dog is within the boundary lines of the premises of the owner; or 3. Where such dog is in a motor vehicle; or 4. In a public location where by resolution of the village council and by appropriate signage the area is designated as an "off leash area" with such rules and regulations as defined by the council for the keeping of dogs posted.
Tecumseh	<p>No dog shall be allowed to run at large in the city unless the dog is under the reasonable control of the owner. For the purposes of this section, a dog shall be deemed under such reasonable control:</p> <ol style="list-style-type: none"> 1. When the dog is with the owner or some member of the owner's family; or 2. When the dog is on the premises of the owner, and not with the owner or some member of the owner's family.

ARTICLE I. IN GENERAL

Sec. 10-1. Penalty.

Unless provided otherwise by law or in this chapter, violations of this chapter are a municipal civil infraction.
(Ord. of 2-28-2001, § 90.99; Ord. of 7-25-2001, § 4.09)

Sec. 10-2. Notice to owner of dog or cat violation.

The ~~chief of police~~Public Safety Director or his designate may serve, or cause to be served, upon the owner or person harboring any dog or cat in violation of the provisions of this chapter a written notice, setting forth the time, date, place and circumstances of the violation and directing such owner or person harboring the dog or cat to comply with the provisions of this chapter.

(Code 1969, § 90.05; Ord. of 2-28-2001, § 90.05)

Sec. 10-3. Removal of defecation.

No owner or person having custody of any dog or other animal shall permit such dog or other animal to defecate on any school grounds, public street, alley, sidewalk, terrace, park, other public grounds or private property in the city, other than on the premises of such owner or person, unless such defecation is promptly removed.

(Code 1969, § 90.07; Ord. of 2-28-2001, § 90.07)

Secs. 10-4—10-30. Reserved.

Sec. 10-31. Owner not to allow dog to run at large; impounding.

- (a) No person shall own, harbor, or keep a dog which runs at large at any time ~~;- beyond the limits of the lands owned or possessed by its owner, keeper, or harborer, or on the public streets, sidewalks, alleys, or on other public property.~~
- (b) For the purpose of this section, a dog shall not be considered to be running loose or at large whenever one of the following conditions are met:
1. It is within the limits of the lands owned or possessed by its owner, keeper, or harborer or is on other private property with permission of that property's owner and is:
 - i. Inside a structure that the dog cannot freely exit; or
 - ii. Is in an outdoor area that is legally physically or electronically fenced in such a way that the dog cannot freely exit the area; or
 - iii. Is legally securely tethered outdoors by means of a leash, chain, cord, or rope such that the dog cannot go beyond the limits of those lands, including onto public sidewalk.

Formatted: Indent: Left: 0.75", Numbered + Level: 1 +
Numbering Style: i, ii, iii, ... + Start at: 1 + Alignment:
Right + Aligned at: 1.25" + Indent at: 1.5"

2. It is under control at all times of any person by means of a leash, chain, cord, or rope of not more than six feet in length.

3. It is within a motor vehicle and secured in such a way that the dog cannot freely exit the vehicle.

4. It is within a public space designated by the City and identified by appropriate signage as an "off leash area" with rules and regulations of the area for the keeping of dogs posted.

- (c) Any dog found running at large may be impounded by any police officer and turned over to the county animal control officer for disposition as prescribed by the statutes of the state and policies adopted by the city and county.

(Code 1969, §§ 90.01, 90.03; Ord. of 2-28-2001, §§ 90.01, 90.03; Ord. of 4-12-2010)

Formatted: Indent: Left: 0.33", Hanging: 0.17"