

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 14, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Deputy Police Chief, Doyle and Recreation Director, Electric Department Superintendent, Economic Development Director, City Clerk

Moved by Comm. Fisher and seconded by Comm. Malone to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of January 14, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the December 17, 2008 regular meeting as presented.
2. APPROVAL of the minutes from the December 17, 2008 work session as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,609,742.06 as presented.
2. RATIFY the Hospital bills in the amount of \$2,351,780.93 as presented.

C. Transformer and Switchgear Sale

APPROVE the sale of transformer T3 to Solomon Corporation in the amount of six thousand dollars (\$6,000.00).

APPROVE the sale of the T3 switchgear to North American Switchgear in the amount of three thousand five hundred dollars (\$3,500.00).

D. Purchase of Pole Mount Transformers

APPROVE the bid of WESCO for one (1) lot of pole mount transformers, in the amount of seventeen thousand, six hundred and forty-six dollars (\$17,646.00).

E. Transfer of 425 Property from Sturgis Township

ADOPT the resolution recognizing the transfer of property from Sturgis Township to the City of Sturgis via the existing 425 agreement (as amended) as presented.

F. Transfer of 425 Property from Sherman Township

ADOPT the resolution recognizing the transfer of property from Sherman Township to the City of Sturgis via the existing 425 agreement as presented.

G. Planning Board Resignation

ACCEPT the resignation of Rachael Sutton from the Planning Board.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the Neighbor2Neighbor Guidelines which incorporate two strategies to assist homeowners seeking to improve their properties. The first is a Volunteer Assistance Program, where organized community volunteer projects meeting program criteria will be allowed to submit applications for funding to defray expenses such as project materials, specialized labor, etc. The second is the Home Improvement Grant program, where citizens can submit requests for funding to complete eligible home improvement projects. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve Neighbor2Neighbor Guidelines as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Doyle Center Director Michael Liston provided information on current aging exercise equipment and bids for replacement equipment.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the bid of TRUE Fitness Technology for the purchase of new cardiovascular fitness equipment in the amount of sixteen thousand, four hundred and ninety dollars (\$16,490).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Malone to approve the use of Sturgis Bank & Trust for financing of fitness equipment with a 36-month installment purchase and 3.63 percent interest rate and authorize the City Controller to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided an update on the City's program related to providing transportation coupons to seniors and disabled residents.

The Commission had consensus to research a revision to the program within the current appropriation.

Electric Superintendent John Griffith provided information on the recent legislation related to renewable and efficient energy for municipal utilities. Wisconsin Energy Conservation Corporation (Madison, WI) and Summit Blue (Boulder, CO) will be performing the energy efficiency study.

The Commission gave consensus to have the City of Sturgis Electric Department join the MPPA committee for energy efficiency.

Moved by Comm. Malone and seconded by Comm. Fisher to go into closed session for the purpose of discussing the potential purchase of property.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

The meeting recessed at 8:45 p.m.

The meeting reconvened at 9:01 p.m.

The meeting was adjourned at 9:03 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 14, 2009
WIESLOCH RAUM – CITY HALL**

Mayor Carmichael called the meeting to order at 6:30 p.m.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, City Controller, City Clerk

City Manager Michael Hughes provided suggestions on the format of a public meeting for the proposed Haines Blvd Extension. Discussion followed related to funding, advantages of the road, the street improvement program, the current economic times, the meeting format, etc.

The meeting was adjourned at 7:25 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 28, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: Mayer

Also present: City Attorney, City Manager, Assistant to the City Manager, Engineer, Economic Development Director, City Clerk

Moved by Comm. Fisher and seconded by Comm. Malone to approve the agenda as presented.

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

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of January 28, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the January 14, 2009 regular meeting as presented.
2. APPROVAL of the minutes from the January 14, 2009 work session as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,661,783.35 as presented.
2. RATIFY the Hospital bills in the amount of \$1,356,812.74 as presented.

C. Transfer of School Property from Burr Oak Township via 425 Agreement

ADOPT the resolution recognizing the transfer of property from Burr Oak Township to the City of Sturgis via the existing 425 agreement as presented.

D. Set Public Hearings for LDFA Plans

SET public hearings for consideration of adoption of the LDFA Development and Tax Increment Financing Plans for Wednesday, February 25th, 2009 at 7:30 p.m in the Wiesloch Raum at City Hall, 130 N. Nottawa, Sturgis MI.

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

City Controller Holly Keyser provided information on the proposed amendment to the City's Purchasing Policy related to a local preference for competitive bids over \$10,000.00. Discussion followed.

Moved by Comm. Fisher and seconded by Comm. Stephens to approve the amended purchasing policy as presented.

Voting yea: Seven Voting nay: Malone Absent: Mayer MOTION CARRIED

Engineer Barry Cox provided details on the proposed annexation of City owned property from Sherman Township. He explained that is a small parcel of land purchased as part of an abandoned railroad right-of-way and does not fall into a 425 agreement area.

Moved by Comm. Stephens and seconded by Comm. Gay to adopt the resolution annexing property from Sherman Township to the City of Sturgis via Public Act 279 of 1909 (as amended).

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

Electric Department Superintendent John Griffith provided information on the 2008-2009 Tree Planting and Training Prunes Program.

Moved by Comm. Stephens and seconded by Comm. Malone to approve a contract with Idriss Company Nursery & Landscaping for tree planting and pruning services in the amount of Twenty Thousand dollars (\$20,000.00) and authorize the City Manager to sign on behalf of the City.

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

City Manager Michael Hughes provided details on plans and a questionnaire for the upcoming Truck Bypass Open House.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the questionnaire for the Truck Bypass Open House as presented.

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

City Clerk/Treasurer Kenneth Rhodes explained that the City has received a request from the Weiss Foundation to be recognized as a 501(c)(3) in order to procure a charitable gaming license.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the Local Governing Body Resolution For Charitable Gaming License for the James D. Weiss Sr. Foundation as presented.

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

Moved by Comm. Malone and seconded by Comm. Fisher to go into closed session for the purpose of discussing the potential purchase of property.

Voting yea: Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael
Voting nay: None Absent: Mayer MOTION CARRIED

The meeting recessed at 8:19 p.m.

The meeting reconvened at 9:38 p.m.

Moved by Comm. Fisher and seconded by Comm. Taulbee to approve a lease between the City and Phoinix Farms, LLC for use of the former Ram property and direct the City Manager to negotiate specific terms of the agreement.

Voting yea: Seven Voting nay: Gay Absent: Mayer MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Fisher to direct the City Manager to market the Ram Building at a list price of \$450,000.

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

The meeting was adjourned at 9:41 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 11, 2009
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: Assistant to the City Attorney, City Manager, DPS Supervisor, Electric Department Superintendent, Economic Development Director, Deputy Fire Chief, City Clerk

EDC member Don Eaton provided information on a promotional video about Sturgis that will be played on local television stations. The Commission viewed the video. The Commission thanked Mr. Eaton for his efforts and gave consensus to direct the City Manager to work with Mr. Eaton in funding the promotion.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of February 11, 2009 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the January 28, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$559,063.63 as presented.
2. RATIFY the Hospital bills in the amount of \$1,682,503.38 as presented.

C. Sale of Vehicles

APPROVE the sale of a 2003 Dodge Durango (unit 3251-03), 2003 Ford Crown Victoria (unit 303-03) and a 1996 Ford Crown Victoria (unit 901-96) via public auction.

D. Pad Mount Transformers for Inventory

APPROVE the bid RESCO for the purchase of one (1) lot of pad mount transformers in the amount of thirty-two thousand, three hundred and six dollars (\$32,306.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the proposed changes to the Ambulance Articles of Incorporation. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the revised Articles of Incorporation for the St. Joseph County Ambulance Authority as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the Energy Efficiency Services Committee Agreement.

Moved by Comm. Taulbee and seconded by Comm. Stephens to approve the Energy Efficiency Services Committee Agreement as presented and authorize the City Manager to sign on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided details on the City's current and proposed changes to the transportation coupon program. Discussion followed.

Moved by Comm. Fisher and seconded by Comm. Walters to approve the proposed changes to the City's transportation coupon program as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Information Technology Director Jeannette Fenner provided information on the current file server used by all City offices and the quotes submitted for a new, larger server. Discussion followed.

Moved by Comm. Walters and seconded by Comm. Mayer to approve the purchase of a network file server from Hi-Tech System Service, Inc. in the amount of eleven thousand, two hundred and four dollars and one cent (\$11,204.01).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the replacement of circuit switcher interrupters at the Prairie Substation.

Moved by Comm. Littman and seconded by Comm. Mayer to approve an amendment to the fiscal year 2008-2009 budget, Electric Fund, for additional expenditures totaling sixteen thousand dollars (\$16,000.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the purchase of replacement interrupters from S&C Electric Company, in the amount of fifteen thousand, six hundred and seventy-one dollars and twenty-five cents (\$15,671.25).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information to the City Commission regarding the City's disconnect policy and a recent incident related to a Bay City resident.

The Commission gave consensus to extend the time for public comment at tonight's meeting to three minutes.

Moved by Comm. Littman and seconded by Comm. Malone to recess the meeting.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was recessed at 6:38 p.m.

The meeting reconvened at the Sturges-Young Auditorium, 201 N. Nottawa at 7:30 p.m.

The Pledge of Allegiance was said by all present.

Mayor Carmichael explained that this portion of the evening's meeting will pertain to the proposed Fawn River Crossing development. Mayor Carmichael also provided the rules of order for the meeting. City Manager Michael Hughes introduced the group representing the proposed development, including John Dresser of Dresser, Dresser, Haas, and Caywood, Curtis Chamber who is the Tribal Chair of the Burt Lake Band of Ottawa and Chippewa Indians, Jon Weaver who is President of Vanguard Entertainment, and Grant Trigger who is an attorney with Vanguard Entertainment.

John Dresser provided a brief background of how the developers came to Sturgis.

Curtis Chambers provided a history of the Burt Lake Band of Ottawa and Chippewa Indians and the 1903 compact with the State of Michigan. Mr. Chambers provided a brief description of the proposal which will be a mixed use development including retail, gaming, and truck facility. He explained that he is interested in hearing the feedback from the community.

Comm. Fisher inquired about the retail shops and it was explained that the shops will be located mainly outside of the gaming area.

Mayor Carmichael inquired as to the size of the various facilities and it was explained that it would include a 100,000 sq ft of gaming and an additional 100,000 sq ft of backroom operations which will be built out over time.

Comm. Littman inquired as to the timeline and it was explained that it will happen as soon as possible assuming that all approvals are secured.

Comm. Gay inquired as to how many jobs would be offered to the general public and it was explained that the tribe would be given preference but there are only 352 members and a potential 2000 available jobs.

Comm. Malone inquired about the various biodeisels that would be developed and it was explained that those would include algae, oil, and others.

Comm. Walters asked about the other developments of Vanguard Entertainment and it was explained that information has been and will be provided and that thousands of acres have been developed by the group.

Mayor Carmichael inquired as to reports related to the negative aspects of gaming and it was explained that many statistics show that crime levels drop with the increase in public safety service and job growth.

***THE FOLLOWING PUBLIC COMMENTS ARE NOT AN EXACT TRANSCRIPT
BUT MERELY A SUMMARY OF WHAT WAS SAID.
ANY MISINTERPRETATION OF THE COMMENTS IS UNINTENDED.***

Don Eaton, EDC Board member, commended those that have done their due diligence in researching the issue and finding that this development could be positive.

Jerome Wolfe, 128 S. Monroe, Sturgis, explained that he has done fact finding related to the problems that come from gaming.

Ned Haylett, President of the Sturgis Area Chamber of Commerce, 25417 Kimberly Dr., Sturgis, explained that their board finds this development important and should be allowed to proceed.

Bill Brubaker, 1628 S. Lakeview, Sturgis, explained that he is neutral because there needs to be more facts and asked what type of unbiased research will be done to understand the social impacts of gaming. City Manager Michael Hughes explained that the City is just beginning their research regarding the impacts of gaming on the community.

Steve Clark, President of the Sturgis Ministerial Association, 511 S. Clay, Sturgis, explained that they are deeply concerned about the community and understand that jobs are needed but that much of the group has an ethical opposition to the gaming aspect of the development.

Michael Wilson, 309 Beverly, Sturgis, explained that many soldiers have needed to serve an additional term because of the inability to find work at home.

Dave Boyer, 210 E. 500N, Howe, IN has explained that there is a tremendous amount of crime etc. in Las Vegas

John Hayes, 218 Susan, supports the effort for jobs.

John Bennett, 69819 S. Nottawa, Sturgis, explained that the jobs will be outsourced and it is a service industry.

Robert Magness, 1412 Kent St., Sturgis, questioned whether there was authority to build the casino. It was explained that there has been an extensive review of the legal authority but legislative approval will be needed.

Roger Schmitt, 66872 Sherman Mill Rd., Sturgis inquired as to how the community can be assured that the revenue sharing will occur. Mayor Carmichael explained that these issues would be addressed in the development of an agreement with the developers.

Dick Messner, 835 Robin Hood Trail, Sturgis, explained that the economic landscape is much different than thirty years ago and this development could help the community.

Scot Jefferies, 1011 Merribe, Sturgis, explained that he was concerned as to how the process would go forward and whether enough information has been provided to make a decision to do more investigation. Mr. Weaver explained that there will be many jobs both inside and outside the gaming area and that the group wanted to get the pulse of the community.

Sean Messner, 26171 Wyndham, Sturgis, expressed that the increase in jobs will help the downtown.

Mary Waldron, Nottawa, expressed concerns about the youth, the downtown, and encouraged everyone to take their time.

John Wiedlea, SIA President, 28547 Maystead Rd., Sturgis, explained that there has been an effort to diversify the economic community and capture the revenue potential from the I80-90 toll road.

Elizabeth Whitehead, 69683 Rose Rd., Sturgis, explained that gambling offers no product and is thus negative.

Tracy Slingerland, 604 E. Chicago, Sturgis, explained that she is unemployed and wanted to know how many jobs would be given to the local community. It was explained that locals would be hired first but made no promises about actual numbers.

Sandy Miller, 0270E 500N, Howe, IN explained that a community must be careful with the promises of casino jobs and revenue and the negative effects over time.

Anita Heningsen, ReMax Elite, 23600 Findley Rd., Sturgis, explained that people are hurting and having difficulty selling and buying homes.

Nick Metzger, 255 Memorial Dr., Sturgis, asked that the move from manufacturing to service work be reviewed.

Corey Happner, 108 Cottage St., Sturgis, expressed concerns about gambling addictions.

Jackie Guingrich, 67941 Thunderbird Dr., Sturgis, explained that this development can bring in a diversity of jobs.

Mark Carboni, 0050 W. 750N, Howe, IN, inquired about the sales tax and other taxes. It was explained the only sales tax breaks are to tribal members.

Kaitlin Kunce, 70373 S. Nottawa, Sturgis, explained that she is working on an article for the high school paper and felt that this development is possibly a gift to the community.

Andrew Brandt, 25241 Mintdale Rd, Centreville, explained that a casino takes advantage of a community and does not want to pay for more social services.

Mayor Carmichael explained that the SIA, the Chamber, Centro De Ayuda, Eric Wynes of Century Bank, Robert LaBarge of Sturgis Hospital, Shelly Render, and Chad Keilkopf have all provided letters of support. Mayor Carmichael read a letter from Senator Cameron Brown regarding the legalities of the proposed development. Amanda Wissler sent a letter opposing the development.

Mayor Carmichael read the Resolution of Support of the Sturgis City Commission of the Fawn River Crossing Development Proposal presented by the developers.

The Commission provided their thoughts regarding the proposed development.

Moved by Comm. Fisher and seconded by Comm. Mayer to adopt the resolution of support and direct City staff and counsel to negotiate necessary agreements to facilitate the Fawn River Crossing development and that Senator Cameron Brown and Representative Matt Lori take whatever action is necessary to support, authorize, and implement this proposal.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

Resolution of Support - Sturgis City Commission

Fawn River Crossing Development Proposal

Whereas, the City of Sturgis has worked hard to prepare and plan for the development of the Fawn River Crossing District, and

Whereas, a proposal to bring new job opportunities to the Sturgis community has been presented to the City of Sturgis by the Burt Lake Band of Ottawa and Chippewa Indians from Brutus Michigan, and

Whereas, this proposal offers up to 1000 construction jobs and up to 2000 permanent jobs, and

Whereas, the proposed Fawn River Crossing development will include up to 125,000 to 150,000 square feet of commercial retail space, up to 400 hotel rooms with meeting space, a truck stop/service facility with biodiesel facilities, and a gaming casino with restaurants, sports bar and entertainment venues, and

Whereas, the unemployment rate in St. Joseph's County has risen to 11.4 % and creating new job opportunities is critically important to the City of Sturgis and surrounding areas, and

Whereas, the City of Sturgis Commission finds that this proposal is of such economic significance that it warrants its support, and

NOW THEREFORE BE IT RESOLVED, the City of Sturgis Commission endorses the proposed development in concept subject to negotiation of the appropriate development agreements, and Furthermore, the City of Sturgis Commission directs City staff to negotiate the appropriate development agreements and to work with the Sturgis Improvement Association to facilitate this new development and submit an appropriate recommendation for action to the City Commission as soon as practical, and Furthermore, the City of Sturgis Commission requests that State Senator Cameron Brown and Representative Matt Lori take whatever action is necessary to support, authorize and implement this proposal.

Furthermore, the City of Sturgis Commission staff is directed to submit a copy of this resolution to Senator Brown and Representative Lori.

The meeting was adjourned at 9:17 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 25, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Wastewater Superintendent, Electric Department Superintendent, Economic Development Director, Deputy Fire Chief, City Clerk

John Mikulenas, Doyle and Recreation Board Chair, explained that the Doyle Center has seen increased revenues and membership and that the new equipment has worked well.

Dave Harvey, Fleis & VandenBrink, provided information on the Fawn River Crossing Sewer Extension bids which were below the budgeted amount.

Peter Stage, 906 S. Lakeview, owner of the Corner Café, explained that he wanted to put an end to the Auditorium lunches based on the negative effect on private restaurants. Discussion followed.

Andrea Stage

John Hensly, Chicago Road Cafe

Moved by Comm. Fisher and seconded by Comm. Littman to suspend the Friday Lunches and instruct the Auditorium Board to review their policy related to the Friday Lunches and the Sunday Buffet and present their findings at the City Commission meeting on March 11.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of February 25, 2009 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the February 11, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,876,133.46 as presented.
2. RATIFY the Hospital bills in the amount of \$3,141,111.62 as presented.

C. Street Closing Request for Michigan Week

APPROVE the closure of portions of Chicago Road, North Street, Pleasant Street, Vinewood Avenue, Ivanhoe Street, North Nottawa, and East West Street for Michigan Week as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Sturgis Hospital CEO Robert LaBarge provided information on the amendment to the Hospital Management Agreement which includes a one year extension of the opt-out date.

Moved by Comm. Stephens and seconded by Comm. Littman to approve the Amendment to Agreement for Hospital Management Services as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mr. LaBarge provided an update on efforts on the conversion of the hospital to a 501(c)(3) organization.

EDC Director John Hayes explained that in order to use the economic strategic plan for support of current and future grant requests, there is a need to have a formal resolution officially adopting the plan.

Moved by Comm. Taulbee and seconded by Comm. Malone to adopt the resolution approving the Economic Development Plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith explained that City staff has prepared a memo outlining an Interim Winter Shutoff Protection policy for residential electric customers for use until an MMEA policy is adopted.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the City of Sturgis Interim Winter Shutoff Protection policy as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the purchase agreement for 206 N. Maple.

Moved by Comm. Fisher and seconded by Comm. Mayer to approve the Purchase Agreement for 206 N. Maple as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael opened the Public Hearing for consideration of the LDFA Tax Increment and Financing Plans

EDC Director John Hayes provided information on the LDFA plans related to the Americraft Carton expansion project.

There was no comment from the public.

Mayor Carmichael closed the Public Hearing.

Moved by Comm. Stephens and seconded by Comm. Malone to adopt the resolution approving the LDFA Tax Increment Financing Plan and Development Plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

EDC Director John Hayes explained that recent site assessments at both the Kirsch properties, 210 N. Broadus and 308 N. Prospect have found environmental issues in excess of what had been found in previous environmental studies. The results will add costs toward due care investigations, addressing of lead paint issues, and mitigation of potential exposure to utility workers, residents and users of the properties. The MDEQ has reached an agreement with Bosgraaf Commercial, LLC to accept an application from the Sturgis Brownfield Redevelopment Authority for both a one million dollar grant and a one million dollar loan to be expended on these additional activities. Scott Bosgraaf provided information on the progression of both projects.

Moved by Comm. Stephens and seconded by Comm. Malone to adopt a resolution authorizing the President of the Brownfield Redevelopment Authority to apply for and secure a grant and loan with MDEQ and enter into any appropriate agreements

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Malone to authorize the President of the Brownfield Redevelopment Authority to sign an affidavit that the City is not responsible for contamination at either site.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Malone to approve the Development Agreement with Kirsch Lofts, LLC and Kirsch Industrial Park, LLC as presented subject to approval of the City Attorney.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that the Domestic and Sexual Abuse Services submitted a request for funding. He also explained that the City ceased funding many similar organizations several years ago due to budget restraints.

Moved by Comm. Malone and seconded by Comm. Littman to deny the request from Domestic and Sexual Abuse Services to enter a contract for funding.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the openings on the Project Review Committee and the applications received

Moved by Comm. Walters and seconded by Comm. Malone to appoint Earl Arend, Barbara Marshall, and Kurt Esseltine as citizen representatives to the Neighbor 2 Neighbor Project Review Committee.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Walters and seconded by Comm. Malone to appoint Comm. Fisher and Comm. Stephens as the Commission representatives to the Neighbor 2 Neighbor Project Review Committee and amend the guidelines of the program to allow for two Commissioners.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Attorney Roger Bird provided information on his opinion regarding the legal issues related to the proposed Fawn River Crossing mixed use development. Discussion followed.

Moved by Comm. Mayer and seconded by Comm. Littman to go into closed session for the purpose of discussing the potential purchase of property and union negotiations

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

The meeting recessed at 9:10 p.m. - The meeting reconvened at 10:05 p.m.

Mayor Carmichael explained to Allen Kunce that the City Commission is not ready to purchase the former Sears property, would like to wait until March 6, 2009 to see what would happen with the railroad, and would consider the possibility of repayment of Brownfield eligible activities upon development of the property.

Moved by Comm. Malone and seconded by Comm. Littman to go into closed session for the purpose of discussing union negotiations

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

The meeting recessed at 10:08 p.m. - The meeting reconvened at 10:18 p.m.

Moved by Comm. Malone and seconded by Comm. Stephens for to approve the contract between the City of Sturgis and the Police contract.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Mayer and seconded by Comm. Littman to approve the lease agreement between the City of Sturgis and Phoinix Farms, LLC for use of the former Ram property for 18 months and direct the City Manager to include a provision regarding the City's option to move the lessee's location of operation and a first option to purchase provision

Voting yea: Nine

Voting nay: Gay

MOTION CARRIED

The meeting was adjourned at 10:20 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 25, 2009
WIESLOCH RAUM – CITY HALL**

Mayor Carmichael called the meeting to order at 6:30 p.m.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, City Controller, City Clerk

President of the Sturgis Senior Center Joseph Parker provided a history of the organization and costs of running the building. Priscilla Hoopingarner provided additional information on the activities at the Senior Center. Discussion followed related to the delivery of senior services in Sturgis.

The meeting was adjourned at 7:15 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 11, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Auditorium Director, Economic Development Director, City Controller, City Clerk

City Manager Michael Hughes provided information on the Safe Routes to Schools presentation which provided design snapshots of potential improvements to the City and schools in order to facilitate children walking and biking to school. Discussion followed.

Craig Klopenstein, 408 Susan, had issues regarding to his neighbors and the debris that is being left in his area. The matter was referred to City staff.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of March 11, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the February 25, 2009 regular meeting as presented.
2. APPROVAL of the minutes from the February 25, 2009 work session as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,010,244.03 as presented.
2. RATIFY the Hospital bills in the amount of \$2,068,795.78 as presented.

C. “Take Back the Night” Request for Use of City Park

APPROVE the request of Domestic and Sexual Abuse Services for the use of Free Church Park on April 16th for “Take Back the Night”.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Michael Stiles, Auditorium Board President, and Brad Donmyer, Auditorium Director provided information on the development of the proposed Friday lunches, Sunday buffet, and other programs the Board has been pursuing at the facility, indicating the purpose was to increase revenue. The Auditorium Board recommended these events continue.

The City Commission discussed the financial difficulties of the Auditorium and area restaurants and the merits of serving meals at the Auditorium.

Peter Stage, owner of the Corner Café, Bob Rastovski, Welch's Steak and Ribs, John Hensley, Chicago Road Café, Jeannie Hensley, Chicago Road Café, and Stan Longstreet, Fantail Brewing Company provided information on the struggles of area restaurants and felt that the Auditorium should not compete with private businesses.

Milt Kelly explained that he attends and enjoys many functions at the Auditorium.

The City Commission discussed, along with Auditorium Board members and restaurant owners, whether the Auditorium should be active in the restaurant business. There was comment on the Sunday buffets, which were noted to be popular, Friday lunches, theme lunches and dinners, and other related topics.

Moved by Comm. Fisher and seconded by Comm. Walters to approve the continuation of the Sunday buffet as they have in the past.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Mayer and seconded by Comm. Malone to remove walk-in lunch service Monday through Saturday.

Voting yea: Eight

Voting nay: Walters

MOTION CARRIED

City Manager Michael Hughes explained that a group of several local agencies are working to establish a marketing committee for the Sturgis area to facilitate the promotion of the area to various internal and external groups.

The City Commission gave consensus to appoint the City Manager and Mayor Carmichael to the Sturgis Area Marketing Committee.

City Clerk/Treasurer Kenneth Rhodes provided information on the regulations and projections for property tax assessments.

City Attorney Roger Bird provided information on a draft agreement between the City of Sturgis and Michigan Southern Railroad and the history of the negotiations regarding the property for the proposed Sears development.

Moved by Comm. Malone and seconded by Comm. Stephens to add the proposed railroad agreement to the agenda.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Malone and seconded by Comm. Littman to approve a general agreement between the City of Sturgis and Michigan Southern Railroad related to the closure of crossings, opening of crossings, and property transfer.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:07 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 25, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Wastewater Superintendent, Electric Department Superintendent, Economic Development Director, Deputy Police Chief, Deputy Fire Chief, Deputy City Clerk

Kristine Kirsch from the Sturgis Exchange Club provided a brief presentation on the organization's activities related to Child Abuse Prevention Month in April.

Mayor Carmichael read the following proclamation:

PROCLAMATION

WHEREAS, child abuse is a serious and growing problem affecting more than 3.2 million of our nation's children annually; and

WHEREAS, this societal malignancy called child abuse respects no racial, religious, class or geographic boundaries, and in fact, has been declared a national emergency; and

WHEREAS, the Sturgis Exchange Club, through its support of parent aide programs, parenting classes, educational programs and community service activities, is making significant progress in stopping this crime against families and children.

NOW, THEREFORE, BE IT RESOLVED, as Mayor of the City of Sturgis, I hereby proclaim that the entire month of April shall be observed as Child Abuse Prevention Month in Sturgis, and I urge all citizens to use this time to better understand, recognize and respond to this grievous problem;

AND, FURTHER, I congratulate the Exchange Club of Sturgis for its continued success in helping families break free from the cycle of child abuse.

Robert Magness, 1412 Kent Street, addressed the Commission with a request to postpone the approval of the resolution regarding the Fawn River Crossing Project until further information was obtained and the public was better informed.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Gay to approve the Consent Agenda of March 25, 2009 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the March 11th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,146,870.91 as presented.
2. RATIFY the Hospital bills in the amount of \$1,657,215.44 as presented.

C. Trinity Evangelical Lutheran Church Cross Walk

APPROVE the request from the Trinity Evangelical Lutheran Church to hold the annual Cross Walk on April 10th, 2009 utilizing City streets as detailed in their request letter.

D. Child Abuse Prevention Month Blue Ribbon Display

APPROVE the Sturgis Exchange Club's request to place blue ribbons on downtown street poles to raise public awareness for National Child Abuse Prevention Month.

E. Set Public Hearing for Dresser Industrial Park Infrastructure Plan

SET a public hearing regarding the infrastructure plan for Dresser Industrial Park for Wednesday, April 8th, 2009 at 7:30 p.m. in the Wiesloch Raum of City Hall, 130 N. Nottawa, Sturgis Michigan.

Moved by Comm. Mayer and seconded by Comm. Littman to adopt the Resolution of the Sturgis City Commission Regarding the Actions of our State Legislators to Facilitate the Development of the Proposed Fawn River Crossing Project.

RESOLUTION

WHEREAS, Vanguard LLC, a property developer representing the Burt Lake Band of Ottawa and Chippewa Indians, has proposed a retail development in the Fawn River Crossing area which involves the construction of hotels, restaurants, a freeway service facility and a gaming facility; and

WHEREAS, the proposed development will have a significant economic impact on the City of Sturgis by providing jobs, tax revenue and growth for the city and surrounding communities; and WHEREAS, the Sturgis City Commission has been duly elected to represent the public interests of the people of Sturgis; and

WHEREAS, the Sturgis City Commission at their meeting on February 11th voted unanimously to support the proposed Fawn River Crossing Development and urged State Representative Lori and State Senator Brown to take whatever action necessary to facilitate the completion of the development; and

WHEREAS, the Sturgis City Attorney has provided a legal opinion that Federal Law does not preempt a State from authorizing and regulating gaming by a Native American Tribe that is not recognized by the Federal Government and that the State of Michigan has authority to enact legislation authorizing and regulating the gaming operation proposed by the Burt Lake Band; and WHEREAS, without support from their elected state legislators, the citizens of Sturgis are in peril of losing a tremendous economic development opportunity that can provide employment

for the many citizens who are unemployed or are otherwise in financial distress as a result of the current economic conditions;

Now therefore be it RESOLVED, that the Sturgis City Commission requests that State Senator Cameron Brown and State Representative Matt Lori introduce legislation in their respective houses of the Michigan State Legislature that will support the completion of this development; and

Let it be further RESOLVED that the Sturgis City Commission requests that State Senator Cameron Brown and State Representative Matt Lori appear before the Commission at their regular meeting on April 8, 2009 to present their intended actions to facilitate the necessary legislation to move this development forward.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Rick Miller, DPS Supervisor, presented a brief report to the Commission regarding the proposed improvements to Langrick Park.

Moved by Comm. Fisher and seconded by Comm. Walters that the Sturgis City Commission approve the improvement plans for Langrick Park as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Fisher and seconded by Comm. Malone that the Sturgis City Commission approve the bid waiver for, and the purchase of play equipment for Langrick Park from Midwest Recreation Products in the amount of forty-two thousand, four hundred and sixty-four dollars (\$42,464.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Rick Miller, DPS Supervisor, presented a report regarding the Thurston Woods Well Pump Rehabilitation project.

Moved by Comm. Stephens and seconded by Comm. Gay that the Sturgis City Commission approve the bid waiver for, and a contract with Peerless Midwest for inspection and repair work to Thurston Woods Well Pump #6 in the amount of sixteen thousand, six hundred and forty-nine dollars (\$16, 649.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Mike Hughes addressed the Commission regarding a proposal to remove the lot prices for the remaining lots in the Sturgis City Subdivision 1 and City Subdivision 2 to facilitate the future sales of these lots.

Moved by Comm. Stephens and seconded by Comm. Malone that the Sturgis City Commission authorize City staff to remove the lot prices for the remaining City Subdivision 1 and City Subdivision 2 lots as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The commissioners stated their support to Mayor Carmichael on the Fawn River Crossing development.

Comm. Mayer shared the positive feedback she's been receiving on the City of Sturgis television commercial highlighting our community.

EDC Director John Hayes informed Mayor Carmichael that the EDC and SIA boards showed unanimous support of the Fawn River Crossing Development.

City Manager Mike Hughes spoke regarding a study of Michigan casinos and how they have impacted surrounding counties. He also stated that the Fawn River Sewer Project should be completed by the end of June.

Comm. Fisher informed the Commission that she had contacted the Michigan Department of Transportation (MDOT) regarding the completion of the ramps on the curbs and was informed by MDOT that they would be in town the first part of April to complete the project.

The meeting was adjourned at 8:22 p.m.

Shelly Stoddard, Deputy City Clerk

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 8, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Deputy Fire Chief, Economic Development Director, City Controller, City Clerk

City Manager Michael Hughes explained that City staff has received letters from State Representative Matt Lori and Senator Cameron Brown explaining that they could not attend the current Commission meeting to speak on the Fawn River Crossing development. Mr. Hughes read the letters from the legislators.

Commission members expressed disappointment that Senator Brown was unable to attend the Commission meeting and seemed unwilling to support the proposed FRC development.

Mayor Carmichael read the following Arbor Day Proclamation:

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 24th, 2009 as

Arbor Day

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.

Don Eaton, 31040 Findley Road, provided information on the growing senior population and a committee which has been formed to possibly look at a new senior center. Mayor Carmichael thanked him for his work and asked him to report his findings.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of April 8, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the March 25th, 2009 regular meeting as presented.
2. APPROVAL of the minutes from the March 25th, 2009 work session as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$2,584,407.58 as presented.
2. AUTHORIZE the payment of the City Retirement bills in the amount of \$618,688.06 as presented.
3. RATIFY the Hospital bills in the amount of \$1,363,305.96 as presented.

C. Auditorium Board Resignation

ACCEPT the resignation of Michelle (Hendrick) Fox from the Auditorium Board.

D. Boy Scouts Request for Use of Covered Bridge Park

APPROVE the request of the Newo District Boy Scouts of America to utilize Covered Bridge Park for their Spring Camporee April 17-19.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the work and discussion that has taken place in regards to the proposed M-66 Bypass project. Discussion followed.

Moved by Comm. Mayer and seconded by Comm. Littman to approve the resolution regarding the M-66 Truck Bypass project as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

WHEREAS, the City of Sturgis has investigated the possibility of establishing an M-66 Bypass or Alternate Truck Route to alleviate the presence of semi trucks and other heavy traffic from downtown Sturgis and;

WHEREAS, the City obtained available grant funding as part of an effort to complete this project and;

WHEREAS, the City expended funds to complete engineering, design, and environmental assessment for this project resulting in several alternative road construction designs and;

WHEREAS, after discussions with the Michigan Department of Transportation and City engineers, City staff has indicated that Alternative "E" featuring T-Intersections at North Centerville and North Nottawa is the recommended alternative for the extension of Haines Boulevard and;

WHEREAS, based on these discussions City staff also recommends designation of North Centerville Road and the proposed extension of Haines Boulevard as an Alternate Truck Route rather than a jurisdictional transfer of M-66 and;

WHEREAS, the cost of construction for the project is significant, grant funding is currently limited, and citizen feedback about the possibility of a dedicated tax millage was not in favor.

NOW THEREFORE BE IT RESOLVED, that the Sturgis City Commission recognizes Haines Boulevard Extension Alternative E and the designation of North Centerville and this extension as an alternate truck route as the preferred alternative for constructing a alternate truck route in Sturgis and; BE IT FURTHER RESOLVED, that due to the current economic conditions and lack of availability of funding for this project the Sturgis City Commission does not wish to continue further design work or pursue construction on the truck bypass project at this time.

Moved by Comm. Malone and seconded by Comm. Walters to direct the City Manager to work with all State and Local agencies necessary to reallocate grant funding for the bypass project to other infrastructure projects where possible.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael opened the Public Hearing for Dresser Industrial Park Infrastructure Plan

Economic Development Director John Hayes explained that the Sturgis EDC voted to grant to the City of Sturgis \$970,000 from the Revolving Loan Fund for infrastructure capital improvements for Dresser Industrial Park which is permitted by the Michigan EDC. Since the purchase of the park property, there has been the need for City utility services to enhance the marketing potential toward new business attraction. An opportunity to apply for additional funding from the U. S. Economic Development Agency was recently taken, resulting in an encouraging response. The over \$1,000,000 grant from the EDA would require a 50% match. The Revolving Loan Fund now has the required cash balance to provide for the match. Discussion followed regarding proposed development and the status of existing roads.

There was no comment from the public.

Mayor Carmichael closed the Public Hearing.

City Manager Michael Hughes explained that City staff has had numerous discussions with the owners of Headlines Hair Design in order to address the impact of the demolition, of the former Arkwright's property, on their building. As part of the demolition, the City is obligated to accept certain repair costs to the Headlines building arising from demolition, primarily to seal the newly exposed west wall and disconnected roof.

Moved by Comm. Malone and seconded by Comm. Littman to approve a budget for repair work to the Headlines Hair Design Building not to exceed twelve thousand dollars (\$12,000.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Ned Haylett, President of the Sturgis Area Chamber of Commerce, expressed some concerns over the comments in the letter sent by Senator Brown.

Rob Olsen, chair of the Jobs and Opportunities for a Better Sturgis area, thanked Representative Lori for his efforts towards the FRC development.

City Attorney Roger Bird shared his legal perspective on the letter sent by Senator Brown.

City Manager Michael Hughes provided information on a media release related to cost saving measures due to difficult economic times.

The meeting was adjourned at 8:41 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 22, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Electric Department Superintendent, Wastewater Superintendent, DPS Supervisor, Public Safety Director, City Controller, City Clerk

Public Safety Director David Northrop presented Police Lifesaving Commendations to Officer Matthew Boerman and Sergeant Brian Cooper for their efforts in rescuing an individual involved in a traffic collision.

Auditor Michael Wilson of Norman and Paulsen presented the 2007-2008 Fiscal Year Audit.

Allen Kunce, owner of the proposed Sears development, provided an update on the progress of the project.

Moved by Comm. Fisher and seconded by Comm. Malone to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of April 22, 2009 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the April 8th, 2009 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$581,689.09 as presented.

RATIFY the Hospital bills in the amount of \$1,425,661.97 as presented.

C. Abbott Airport Use Request

APPROVE the request for use of airport property by Abbott Nutrition for their 60th Anniversary celebration as presented.

D. Memorial Day Parade Request

APPROVE the request of the American Legion, VFW, and Disabled Veterans to close portions of South Nottawa for a Memorial Day Parade as presented.

E. Electric Pole Purchase

APPROVE the bid of WESCO for electric line poles in the amount of eighteen thousand, eight hundred and ninety-five dollars (\$18,895.00).

F. Set Public Hearing for Electric Department Renewable Energy and Proposed Energy Optimization Plans

SET a public hearing for the Electric Department Renewable Energy and Proposed Energy Optimization Plans for Wednesday, May 13th, 2009 at 7:30 p.m. in the Wiesloch Raum of City Hall, 130 N. Nottawa, Sturgis, Michigan.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller provided information on the current Salt Storage Shed and the efforts to develop a new structure.

Moved by Comm. Stephens and seconded by Comm. Gay to approve Task Order #25 from Fleis & Vandenbrink Engineering for design revisions and bid phase services for the proposed salt storage building in an amount not to exceed twenty thousand, nine hundred and seventy-five dollars (\$20,975.00) and authorize the City Manager to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided information on the increases in expenses in the Water and Wastewater Funds and the decrease in consumption. A review of the costs and the current rates leads to a recommendation of an overall 9.5% increase in rates in both funds.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the proposed water rate increases for 2009 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Fisher and seconded by Comm. Gay to approve the proposed sewer rate increases for 2009 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Public Safety Director David Northrop provided information on a proposed Resolution for Investigation of Hunting Ordinance. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Mayer to approve the resolution requesting a Michigan Department of Natural Resources Investigation of Hunting Area Controls for the City of Sturgis as presented.

RESOLUTION REQUESTING INVESTIGATION OF HUNTING AREA CONTROL

WHEREAS, the City of Sturgis, located in St. Joseph County has found there to be potential safety issues concerning hunting and the discharge of firearms within the City limits and;

WHEREAS, such hunting and discharge of firearms problems potentially exist in areas of the City including the Sturgis Middle School, Kirsch Municipal Airport, and other areas not densely populated with homes or other buildings and;

WHEREAS, Act 451 of the Public Acts of 1994, Part 419, as amended, requires that the Department of Natural Resources conduct a public hearing and such investigations as are deemed necessary prior to recommending a local hunting area control on the problem area(s).

NOW THEREFORE BE IT RESOLVED, that the Sturgis City Commission does hereby request the Department of Natural Resources to hold a public hearing to inquire into the need for special local hunting area controls within the City limits of the City of Sturgis.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:06 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 13, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Electric Department Superintendent, Wastewater Superintendent, DPS Supervisor, Public Safety Director, City Controller, City Clerk

Randy Michael, Amish Country Cheese Spread, provided an update on his business activities and provided the Commission with a sample of the product. The Commission congratulated him and wished him luck

Robert Magness, 1412 Kent St., read a letter addressed to the Three Rivers Commercial regarding his experience with Senator Cameron Brown.

Moved by Comm. Fisher and seconded by Comm. Malone to approve the agenda as presented with the addition of a JAG grant for the Police department.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of May 13, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the April 22nd, 2009 regular meeting as presented.
2. APPROVAL of the minutes from the April 22nd, 2009 work session as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$2,275,214.32 as presented.
2. RATIFY the Hospital bills in the amount of \$2,202,676.54 as presented.

C. Set Public Hearing for 2009-2010 City Millage Rate

SET a public hearing for establishment of the 2009-2010 City of Sturgis Operating Millage Rate for Wednesday, May 27th, 2009 at 7:30 p.m. in the Wiesloch Raum of City Hall, 130 N. Nottawa, Sturgis, Michigan.

D. Set Public Hearing for Paramount Site Cleanup

SET a public hearing regarding the cleanup of the Paramount site for Wednesday, May 27th, 2009 at 7:30 p.m. in the Wiesloch Raum of City Hall, 130 N. Nottawa, Sturgis, Michigan.

E. Resolution Recognizing the Sturgis Toy Run as a Nonprofit Organization

APPROVE the resolution recognizing the Sturgis Toy Run as a nonprofit organization.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Sturgis Hospital CEO Robert LaBarge provided the six month Hospital Board report. He explained that there have been changes to the radiology and pathology units, a new orthopedic surgeon, new CRNAs, the completion of the Medical Commons facility, and financial improvements.

He also provided an update on the efforts towards the conversion of Sturgis Hospital to a 501c3 private non-profit facility. The Articles of Incorporation of Sturgis Hospital Inc. were filed in March. He provided information on the changes to the current Hospital Board By-Laws and the tax exempt status application. He explained that a number of decisions need to be made related to the retirement plan for the new organization and the separation from the City's plan. He explained that the initial board appointments must be made by the Incorporators of the new corporation and recommended that the current Hospital Board members be appointed along with two new positions.

There was discussion regarding the mandatory retirement age for board members, board term limits and start dates, and reasons for board removal. Mayor Carmichael suggested that there should be some discussion between the City Commission and the Hospital Board regarding the criteria for board member appointments and possible recommendations to ensure a diverse board. The Commission discussed the merits of this idea. Mayor Carmichael appointed himself, Vice-Mayor Fisher, and Comm. Walters to a committee to serve with two of the Incorporators to review the criteria for the appointment of the initial board.

Mr. LaBarge explained that there is much work to be done on the conversion of the current retirement plan for employees.

The City Commission agreed that there needs to be consensus in order to ensure the success of the conversion process.

Sturgis Hospital CEO Robert LaBarge explained that the Hospital needs to replace the current computer servers which are eight years old. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the bid of Perot Systems for computer servers in the amount of one hundred and forty-five thousand, one hundred and fifty-four dollars and eighty-three cents (\$145,154.83) and authorize the Hospital CEO to sign any necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael opened the Public Hearing for the City's Renewable Energy and Energy Optimization Plan

Electric Department Superintendent John Griffith provided information on Public Act 295 which addressed renewable and efficient energy. He provided details of the Renewable Energy Plan and Optimization Plan. Discussion followed.

There was no comment from the public.

Mayor Carmichael closed the Public Hearing.

City Manager Michael Hughes provided information on the street resurfacing project on West Congress and Surprise Streets and how it relates to the SRF 2008 project.

Moved by Comm. Malone and seconded by Comm. Littman to approve the change order to include repaving and curb and gutter work of the non-SRF portions of West Congress and Surprise Streets in the amount of thirteen thousand, three hundred dollars (\$13,300.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Public Safety Director David Northrop provided information on the Byrne Memorial Justice Grant which will provide funds to manage a digital video evidence system.

Moved by Comm. Fisher and seconded by Comm. Gay to authorize the City Manager to sign the Memorandum of Understanding allowing the request of JAG funds through the grant process outlined by JAG.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Deputy Fire Chief Scott Hopkins provided information on a successful demonstration that was held at Sturgis High School of the dangers of drinking and driving.

The meeting was adjourned at 9:09 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 27, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, Assistant to the City Manager, Electric Department Superintendent, Hospital CEO, City Controller, City Clerk

Shannon White from the Historical Society of Michigan explained the Centennial Farms Program is intended to recognize farms that have remained in the same family for one hundred years or more and highlight the family farm's contributions to Michigan's development. Earl and Helen Stuby, owners of the farm at 22252 Banker Street Road in Centreville applied to be a part of the program and their application was approved. The official green-and-yellow markers are typically sponsored by the farm's local electric utility companies "to commemorate the dramatic changes electricity brought to farm operation and family life." The City of Sturgis is the electric utility for Mr. and Mrs. Stuby's farm and Mayor Carmichael presented the sign to the Stuby's.

City Clerk/Treasurer Kenneth Rhodes provided an update on the student exchange with Wiesloch and efforts towards a Sister City program with Mexico.

Assistant to the City Manager Andrew Kuk provided a brief presentation on some of the informational activities the City has utilized as part of the SRF 2008 project.

Moved by Comm. Mayer and seconded by Comm. Littman to discuss the scheduling of a joint meeting between the City Commission and the Hospital Board.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

There was consensus to move the public hearing for the former Paramount cleanup to the regular City Commission meeting on June 10, 2009.

Moved by Comm. Fisher and seconded by Comm. Malone to approve the agenda as presented with the addition of a joint meeting discussion and change of the public hearing.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of May 27, 2009 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the May 13th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,505,901.57 as presented.
2. RATIFY the Hospital bills in the amount of \$1,585,310.08 as presented.

C. July 4th Children's Parade

APPROVE the request for a July 4th Celebratory Children's Parade to be held on July 4, 2009 at 10:00 a.m. with a route as presented

D. Sturgis Exchange Club 2009 Ribs on the Runway

APPROVE the request of the Sturgis Exchange Club to utilize Kirsch Municipal Airport for Ribs on the Runway 2009 as presented.

E. Board Resignations

ACCEPT the resignations from Scott Swihart, Richard Earl, and Al Kuhlman from the Doyle and Recreation Board and Zoning, Building, & Housing Board of Appeals respectively, and SEND a letter of recognition for their service.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Comm. Mayer suggested the scheduling of a joint meeting between the City Commission and the Hospital Board. Mayor Carmichael explained that he felt the meeting would be unnecessary and was willing to concede the decision of the board appointments for the new organization to the current hospital board. There was discussion amongst the Commission regarding additional issues. Hospital CEO Rob LaBarge suggested that a meeting was possible but recommended that it be held in approximately six weeks to allow a number of issues to be worked on in preparation of a meeting. There was consensus to rely on Mr. LaBarge to inform the City Commission when hospital staff would be prepared for such a meeting.

Mayor Carmichael explained that his current schedule will not allow him to continue as Hospital Board Liaison and asked the other members of the City Commission for their interest.

Electric Department Superintendent John Griffith explained that the proposed shutoff policy is still moving through the State Legislature and more information will be provided at a later date.

Electric Department Superintendent John Griffith explained that Michigan's Energy Efficiency Services Committee plans to use Franklin Energy, Port Washington, Wisconsin, as the implementation contractor. Franklin has also been retained by the Lansing Board of Water and Light as the Board's implementation contractor. No cost estimates for Franklin Energy's services are available at this time, but time is of the essence. The MPSC will determine by July 3, 2009 if the plan filed by the City complies with PA 295. Once that determination has been made, the City will begin implementation of its plan.

Moved by Comm. Stephens and seconded by Comm. Gay to authorize the City Manager to execute an agreement with the MPPA Energy Efficiency Services Subcommittee to retain Franklin Energy as the implementation contractor for the City of Sturgis.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael opened the Public Hearing on the 2009-10 City of Sturgis Operating Millage Rate.

City Clerk/Treasurer Kenneth Rhodes provided information on the proposed millage rate for the upcoming fiscal year. He explained that it is the same rate as last year and the lowest in over forty years. It is also the lowest amongst comparable communities in southwest Michigan. Additionally, the proposed rate is below the maximum 11.8894 rate, which potentially represents an additional \$500,000.00 in revenue.

There was no comment from the public.

Mayor Carmichael closed the public hearing.

Moved by Comm. Stephens and seconded by Comm. Malone to set the fiscal year 2009-10 tax rate at 10.0285 mills as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael commended the City Commission and City staff for their efforts towards maintaining excellent City service levels within budget.

City Clerk/Treasurer Kenneth Rhodes provided information on the necessary boards and commissions appointments.

By Consensus, the City Commission reappointed Alan Carter, Marty Hart, Jim Liston, Robert Morrow, Patrick Murphy, Mike VanMeter, and Doug VanMeter to the Airport Advisory Board for a one year term.

By Consensus, the City Commission reappointed Madeline Murphy Parker and Michael Stiles to the Auditorium Board for a three year term.

Commissioners nominated Jim Brott, Michelle Singleton, and Sheila VanMeter to the Auditorium Board for a three year term.

Voting for Brott – 3, Voting for Singleton – 2, Voting for VanMeter – 4

Voting for Brott – 4, Voting for VanMeter – 5

It was then indicated that an Auditorium Board member must be a City resident which disqualified Mr. Brott, Ms. Singleton, and Ms. VanMeter.

By Consensus, the City Commission appointed Gloria Wallman to the Auditorium Board for a three year term.

By Consensus, the City Commission reappointed Jon Good to the Construction Board of Appeals for a three year term.

By Consensus, the City Commission reappointed Karen Stephens and Karen Stimson to the Downtown Development Authority Board of Directors for a four year term.

By Consensus, the City Commission reappointed Warren Atkins and John Fisher to the Doyle and Recreation Advisory Board for a three year term.

By Consensus, the City Commission appointed Walter Curnow to the Doyle and Recreation Advisory Board to fill the unexpired term of Scott Swihart through May 2011.

By Consensus, the City Commission reappointed Robert Sisson to the EDC and BRA Boards for a six year term.

By Consensus, the City Commission reappointed Warren English and Greg Hackman to the Elected Officials Compensation Commission for a five year term.

Commissioners nominated Warren English and Jeannie Gerchow to the Hospital Board of Trustees for a five year term.

Voting for English – 2, Voting for Gerchow – 7

Jeannie Gerchow was appointed to the Hospital Board of Trustees for a five year term.

By Consensus, the City Commission reappointed Francis Losinski to the Parks and Cemetery Board for a three year term.

By Consensus, the City Commission reappointed Donald Eaton and Peter Stage to the Planning Board for a three year term.

Commissioners nominated Jon Good and Michelle Singleton to the Planning Board to fill the unexpired term of Rachael Sutton.

Voting for Good – 5, Voting for Singleton – 4

Jon Good was appointed to the Planning Board to fill the unexpired term of Rachael Sutton through May 2011.

By Consensus, the City Commission reappointed Georgia Austermann, John Dobberteen, and Marcia Roy to the Sister City Committee for a three year term.

Commissioners nominated Lori Schemmel and Michelle Singleton to the Sister City Committee to fill the unexpired term of Carol Pierce.

Voting for Schemmel – 7, Voting for Singleton – 2

Lori Schemmel was appointed to the Sister City Committee to fill the unexpired term of Carol Pierce through May 2011.

By Consensus, the City Commission reappointed Curtis Barrons and Michael Wilson to the Sturgis Housing Commission for a five year term.

By Consensus, the City Commission reappointed Tammy Ehlert and Scot Jefferies to the Zoning Board of Appeals for a three year term.

Assistant to the City Manager Andrew Kuk explained that recently the Michigan Municipal League developed, with the support of State Legislators, the Michigan Department of Transportation, and several other groups a legislative package of 13 bills designed to help increase transportation funding and improve the ability for the state, county, and local governments to invest in transportation infrastructure of all kinds. The City Commission discussed the proposed resolution and questioned a number of its provisions.

Moved by Comm. Littman and seconded by Comm. Malone to not approve the resolution supporting the transportation funding legislative package as presented.

Voting yea: Seven

Voting nay: Carmichael, Mayer

MOTION CARRIED

Sturgis Housing Commission Chair Michael Wilson explained that they have received a grant and will be expanding the parking lot at Maple Towers. He also explained that the Sturgis National Guard group will be returning to Grand Rapids soon and will be organizing a homecoming here in Sturgis.

The meeting was adjourned at 9:09 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 10, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Electric Department Superintendent, Buildings Supervisor, DDA Director, EDC Director, City Controller, Deputy Fire Chief, Deputy Police Chief, City Clerk

DDA Director Kim Musolff provided an update to the Board's activities including an update to their website, the façade rebate program, anniversary celebrations, new businesses, Fun Fridays, Art Bounce, and Summer Songs.

Deputy Fire Chief Scott Hopkins provided information on the upcoming festivities that will occur in celebration of the department's 150th anniversary.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of June 10, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the May 27th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$901,545.76 as presented.
2. RATIFY the Hospital bills in the amount of \$1,494,271.39 as presented.

C. Abbott Celebration Additional Requests

APPROVE the requests of Abbott Nutrition for use of airport property, access to crossing guard services, and temporary road closure of Lafayette, contingent upon construction conditions, as presented.

D. Hospital Board Resignation

ACCEPT the resignation of John Dobberteen from the Hospital Board of Trustees.

E. Parks and Cemetery Board Resignation

ACCEPT the resignation of Rick Mahler from the Parks and Cemetery Board.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the update to the Line Extension Policy so that all customers requesting a line extension will pay a contribution-in-aid amounting to the difference of costs associated with installation of the extension and a “construction credit” amount established by the Electric Utility.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the new line extension policy as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Buildings Supervisor George Musolff provided information on the Rezoning Request of Contract Management Inc., owner of 109 South Orange Street. At this point in the process, the City Commission’s role is to refer the matter to the Planning Board for research and a Public Hearing. The City Commission will have the final decision on whether or not to re-zone the property.

Moved by Comm. Littman and seconded by Comm. Malone to refer Contract Management Inc.’s rezoning petition for 109 South Orange Street to the Planning Board as presented

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael opened the Public Hearing for the Paramount property cleanup project.

EDC Director John Hayes explained that the City is working to complete the cleanup of the former Paramount property at 303 St. Joseph Street to bring its soils to the acceptable level for residential development. This approximately two acre property which formerly had an industrial use will have contaminated soils removed and replaced with clean fill. The project is expected to be completed by October 2011. The project activities are estimated to cost \$240,000 and the City has obtained an EPA grant to assist with this project in the amount of \$200,000.

Discussion followed.

Roger Krontz, owner of Krontz Tool adjacent to the property, inquired on the total cost of the project which was explained to be a total of \$240,000.00. He also inquired about whether or not a basement would be allowed. It was explained that any additional excavation for a basement would also have to be removed from the site in the same manner as other contaminated soils.

Mayor Carmichael closed the Public Hearing.

The Commission held discussion regarding the potential sale of the former Ram property. City Manager Michael Hughes explained that he has communicated with Elk Distributing that the additional requested acreage can be available. Commissioners discussed whether the City should take a more active approach in pursuit of the sale. EDC Director John Hayes explained that the City has developed a website describing the property. The Commission explained that they were satisfied with the current communication and it would be appropriate to wait for a response from Elk Distributing.

EDC Director John Hayes announced that the DEQ has notified the City that the Kirsch Lofts LLC grant and loan, for a total \$2,000,000.00, for environmental cleanup had been approved.

The meeting was adjourned at 8:23 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 24, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: Walters

Also present: City Attorney, City Manager, Assistant to the City Manager, Electric Department Superintendent, EDC Director, City Controller, DPS Supervisor, Public Safety Director, Deputy Fire Chief, Deputy Police Chief, City Clerk

EDC President John Wiedlea provided highlights on some of the organizations that are assisting in the growth of the Sturgis area. EDC Director John Hayes provided details on many of the projects. Mr. Wiedlea provided information on the marketing committee, a Business to Business website, site selection criteria, the revolving loan fund, and community input.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

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

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of June 24, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the June 10th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,433,425.43 as presented.
2. RATIFY the Hospital bills in the amount of \$1,535,264.55 as presented.

C. Electric Department Cable

APPROVE the bid of Power Line Supply in the amount of thirteen thousand, seven hundred and eighty-one dollars and seventy cents (\$13,781.70).

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

Electric Department Superintendent John Griffith provided information on the discussions with Honeywell International regarding their amended proposal, based on the Performance Based Energy Audit they performed for the City, to reduce energy usage and maintenance costs. Dick Williams of Honeywell provided information on the bidding processes that would be used in performance of the contract. Discussion was held on the calculation of actual costs and projected savings.

Moved by Comm. Stephens and seconded by Comm. Mayer to approve the resolution authorizing the City Manager to sign a letter of intent and contract with Honeywell International as presented.

Voting yea: Seven Voting nay: Gay Absent: Walters MOTION CARRIED

City Manager Michael Hughes explained that the City received a letter from County Administrator Judy West-Wing and 911/Central Dispatch Director Andrew Goldberger requesting use of the City's water tower as a location for a new antenna to be used by the emergency services radio system. The letter details the actions the county would take should the request be approved, as well as a rendering of what the water tower would look like with the antenna in place. According to local zoning codes, the proposed antenna, being taller than 30 feet does not meet the requirements for administrative approval and would require a special land use permit from the Planning Board. Mr. Goldberger provided details on the search for suitable sites. Discussion followed.

The Commission gave consensus to refer the water tower antenna proposal to the Planning Board.

DPS Supervisor Rick Miller provided information on proposals to provide specifications and bidding documents for water tank recoating as well as project administration and inspection services.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the contract with Dixon Engineering Inc. to prepare specifications and bidding documents for water tower painting in the amount of two thousand, eight hundred dollars (\$2,800.00) and authorize the City Manager to review and sign a future proposal to perform project administration and paint inspections for a cost not to exceed eight thousand dollars (\$8,000.00).

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

Assistant to the City Manager Andrew Kuk explained that crack repair work will be a temporary improvement until the scheduled rehabilitation on both Runway 6/24 and Taxiway C can be completed; this work is currently scheduled in the five year plan for 2012. The total estimated project cost is \$109,000.00 and the estimated City share of that cost is \$2,725.00, or 2.5%.

Moved by Comm. Malone and seconded by Comm. Stephens to authorize City Manager Michael Hughes to sign all necessary documents related to the Kirsch Municipal Airport crack repair project (Federal Project No. B-26-0092-0809/MDOT Contract No. 2009-0477).

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

The City Commission will hold a joint meeting with the Hospital Board on Wednesday, July 15, 2009 at 5:30 p.m. at the Sturges-Young Auditorium.

Moved by Comm. Malone and seconded by Comm. Littman to go into closed session for the purpose of discussing collective bargaining agreements.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Gay, Fisher, Carmichael

Voting nay: None Absent: Walters MOTION CARRIED

The meeting recessed at 8:58 p.m.

The meeting reconvened at 9:12 p.m.

The meeting was adjourned at 9:15 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JULY 8, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 5:30 p.m.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, City Controller, Human Resources Director, City Clerk

Gary Gabel, Group Alternatives, Inc., provided information on the current status of the self-funding of medical and prescription insurance benefits by the City. He also offered suggestions for possible changes to the plan in the future. Discussion followed.

City Manager Michael Hughes provided information on the painting of the water tower. Discussion followed.

The meeting was adjourned at 7:10 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JULY 8, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, City Controller, Deputy Police Chief, City Clerk

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of July 8, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the June 24th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,315,526.24 as presented.
2. RATIFY the Hospital bills in the amount of \$1,179,322.06 as presented.
3. AUTHORIZE the payment of the City Retirement bills in the amount of \$442,982.31 as presented.

C. Set Public Hearings for 2009-2010 Budget

SET Public Hearings for July 22nd and August 12th at 7:30 PM in the Wiesloch Raum of City Hall for consideration of the 2009-2010 budget.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the North Centerville Road Task Order with F&V for resurfacing and details on the project. Discussion followed.

Moved by Comm. Fisher and seconded by Comm. Walters to approve Task Order 27 from Fleis & Vandenbrink Engineering for design and bid phase services for North Centerville Road reconstruction in the amount of twenty-eight thousand, five hundred dollars (\$28,500.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that more information is needed for the vegetation control bid that will take place north of the airport.

Moved by Comm. Malone and seconded by Comm. Fisher to postpone consideration of a bid waiver and the proposal from Bryant Excavating for a five-year vegetation control program at Kirsch Municipal Airport).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Mayer and seconded by Comm. Malone to go into closed session for the purpose of discussing the potential purchase of property, pending litigation, and the City Manager evaluation.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

The meeting recessed at 7:40 p.m.

The meeting reconvened at 8:57 p.m.

Moved by Comm. Malone and seconded by Comm. Mayer to authorize the City Manager to seek resolution of the Eaton-Grabe litigation in the amount of \$40,000.00.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Malone and seconded by Comm. Mayer to go into closed session for the purpose of discussing the City Manager evaluation.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

The meeting recessed at 8:58 p.m.

The meeting reconvened at 9:17 p.m.

The meeting was adjourned at 9:17 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JULY 22, 2009
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, City Controller, EDC Director, Electric Department Superintendent, City Clerk

Mark Beauchamp, Utility Financial Solutions, provided long term financial projections for the electric department. Mr. Beauchamp discussed rates, cash reserve policies, bond ratings, and capital programs. Discussion followed. He also explained the affects of a Time Of Use Rate.

The meeting was adjourned at 7:25 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JULY 22, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, City Controller, EDC Director, Electric Department Superintendent, DPS Supervisor, Deputy Police Chief, Deputy Fire Chief, City Clerk

Doug VanMeter, Chair of the Airport Advisory Committee, provided information on the activities of the board including replacement of some of the communication equipment, taxiway installation, and apron reconstruction.

Electric Department Superintendent John Griffith introduced Leo Andeverde who has completed his apprenticeship program. The Commission commended him on his accomplishment.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of July 22, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the July 8th, 2009 work session as presented.
2. APPROVAL of the minutes from the July 8th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$2,241,600.52 as presented.
2. RATIFY the Hospital bills in the amount of \$1,626,159.22 as presented.

C. Transfer of Liquor License

APPROVE the resolution recommending transfer of the Class C liquor license and Dance permit and the issuance of an Entertainment permit to Manga Racing LLC as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael opened the public hearing on the 2009-2010 fiscal year budget for the City of Sturgis.

City Manager Michael Hughes explained that the City is holding two public hearings given the difficulties in balancing this year's budget. Mr. Hughes provided information on the challenges facing the City and the proposed resolutions in order to balance the budget.

There was no comment from the public.

Mayor Carmichael explained that the City Commission has held several work sessions and is very familiar with the proposed budget. He thanked City staff for their efforts in closing the large budget gap.

Mayor Carmichael closed the public hearing.

EDC Director John Hayes provided background on the legislation that created the Tool and Die Renaissance Recovery Zones and the activities of Michigan Tool Works. Tina Stemen of Michigan Tool Works provided information on their business.

Moved by Comm. Stephens and seconded by Comm. Mayer to approve the Resolution to Request a Tool and Die Renaissance Recovery Zone for Michigan Tool Works.

WHEREAS, the City of Sturgis desires to promote economic activity and maintain / increase the number of jobs available to the residents of the area, and;

WHEREAS, certain industries in the state are facing difficult times and the tool and die industry, in particular, has sustained losses due to foreign competition and increased productivity; and

WHEREAS, the designation of a Renaissance Recovery Zone will temporarily reduce the tax burden paid by the businesses enabling them to reposition themselves to compete globally, and;

WHEREAS, the businesses have entered into a collaborative agreement with other business entities having the appropriate North American industrial classification, and;

WHEREAS, the qualified tool and die business property is property owned by tool and die businesses and used primarily for tool and die operations, and;

WHEREAS, should the area be designated a Renaissance Recovery Zone, property within that zone will be exempt from taxes levied by the city, county, and other units of government as provided under the Act, and;

WHEREAS, we estimate the tax revenue lost, which is estimated on the attached schedule would be a small fraction of the benefits the designation of a Renaissance Recovery Zone will bring the community, and;

WHEREAS, letters of support have been provided by our U.S. Congressman, State Senator, State Representative, and County EDC Director,

THEREFORE BE IT RESOLVED that the City of Sturgis requests that the State of Michigan designate the Sturgis properties occupied by Michigan Tool Works as Renaissance Zones under Public Act 376 of 1966 for duration of up to 15 years.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided information on the Kirsch Municipal Airport's Ten Year plan which will be submitted to MDOT.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the Kirsch Municipal Airport Ten Year Development Plan (FY 2010-2020) as presented and authorize City staff to submit it to the Michigan Department of Transportation.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the Energy Optimization and Renewable Energy Program. Tom Kovalak of Franklin Energy Services provided details of the program. Discussion followed.

Moved by Comm. Fisher and seconded by Comm. Mayer to approve the Energy Optimization and Renewable Energy implementation plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Fisher and seconded by Comm. Walters to approve the Energy Optimization and Renewable Energy surcharges as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the vacancies on the City boards.

Mr. Rhodes explained that there has been discussion to wait to fill the Hospital vacancy. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Walters to defer nomination of the Hospital Board of Trustees vacancy.

Voting yea: Seven

Voting nay: Gay, Malone

MOTION CARRIED

Moved by Comm. Malone and seconded by Comm. Stephens to appoint Lee Austermann to the Cemetery and Parks Board to fill the unexpired term of Rick Mahler through May 2011.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Mayer and seconded by Comm. Stephens to appoint Michael Caywood to the Planning Board through May 2012.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to appoint Lee Austermann and Randall Jung to the Zoning Board of Appeals through May 2012.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the proposed budget amendments for the current fiscal year which reflect the cost savings measures implemented April 1, 2009.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the amendments to the fiscal year 2008-2009 budget as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller provided information on the Water Well Pumps and the proposed variable frequency drive and how they can potentially prevent water main breaks.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the purchase of two (2) Variable Frequency Drive's and related equipment from All Phase Electric Supply Co. in the amount of \$13,699.51.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Walters and seconded by Comm. Mayer to go into closed session for the purpose of discussing the potential purchase of property.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Walters, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

The meeting recessed at 9:20 p.m.

The meeting reconvened at 10:15 p.m.

The meeting was adjourned at 10:15 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 12, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 6:30 p.m.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Mayor Carmichael

Commissioners absent: Vice-Mayor Fisher

Also present: City Manager, Assistant to the City Manager, City Clerk

City Manager Michael Hughes began discussion on the possible future uses of the former Arkwright's property; the period for no comment ended at the end of July. There was discussion about a parking lot, a farmer's market, a pavilion, retail space. There was also discussion on how to leave the property regarding seeding or barricades. Discussion with the DDA board was also considered and a joint meeting.

There was also discussion on the casino petition which was submitted, a proposed hunting ordinance, and auction of public assets.

The meeting was adjourned at 7:15 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 12, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Mayor Carmichael

Commissioners absent: Vice-Mayor Fisher

Also present: Assistant to the City Attorney, City Manager, Assistant to the City Manager, Electric Department Superintendent, DPS Supervisor, Director of Public Safety, Deputy Fire Chief, Wastewater Supervisor, Engineer, Hospital CEO, City Clerk

Wastewater Supervisor Tom Sikorski provided information on the City's Industrial Pretreatment Program.

Moved by Comm. Saddler and seconded by Comm. Gay to approve the agenda as presented.

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

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of August 12, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the July 22nd, 2009 work session as presented.
2. APPROVAL of the minutes from the July 22nd, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$2,210,801.56 as presented.
2. RATIFY the Hospital bills in the amount of \$2,429,604.05 as presented.

C. United Way Donut Drive

APPROVE the request of St. Joseph County United Way to distribute donuts in Sturgis on Friday, August 21st.

D. Toy Run 2009

APPROVE the temporary closing of U.S. 12 during the Sturgis Toy Run on Saturday, September 12, 2009.

E. Electric Department Transformers

APPROVE the purchase of one (1) lot of pole and pad mount transformers from Power Line Supply in the amount of thirty-one thousand, nine hundred and thirty-one dollars (\$31,931.00).

F. Electric Department Conductor Wire

APPROVE the purchase of three 1,000 foot reels of conductor from Power Line Supply in the amount of fourteen thousand, one hundred and sixty dollars (\$14,160.00).

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

Sturgis Hospital CEO Robert LaBarge provided an overview of the previously discussed Letter of Intent between the City of Sturgis and Sturgis Hospital, Inc. for the transfer of Sturgis Hospital. Discussion followed.

City Clerk/Treasurer read the following ballot language:

STURGIS HOSPITAL TRANSFER

Shall the City of Sturgis transfer to Sturgis Hospital, Inc., a newly formed, locally controlled not-for-profit Michigan corporation, all of the assets, real estate and facilities of the entity now being operated under the name "Sturgis Hospital" except those assets financed by bonds issued by the City of Sturgis Building Authority ("Leased Assets") which would be leased to Sturgis Hospital, Inc. until such time as the bonds are paid in full?

The consideration for the transfer will be the assumption of all Sturgis Hospital liabilities by Sturgis Hospital, Inc. The City of Sturgis will retain a collateral interest in all assets to secure payment of the liabilities until the bonds are paid in full at which time the Leased Assets would be transferred to Sturgis Hospital, Inc. and the security interests would be discharged.

____ YES
____ NO

Moved by Comm. Taulbee and seconded by Comm. Littman to approve the ballot language entitled Sturgis Hospital Transfer for the November 3rd, 2009 election as presented.

Voting yea: Seven Voting nay: Gay Absent: Fisher MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Mayer to approve the Letter of Intent as presented.

Voting yea: Seven Voting nay: Gay Absent: Fisher MOTION CARRIED

Electric Department Superintendent John Griffith provided details on the Electric Rate Design Adjustments. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Mayer to approve the rate resign as presented for all electric bills due on and after October 1, 2009.

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

Electric Department Superintendent John Griffith provided details on the Electric Department Cash Reserve Policy.

Moved by Comm. Taulbee and seconded by Comm. Malone to approve the Minimum Cash Reserve Policy as presented.

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

Assistant to the City Manager Andrew Kuk provided details on Airport Vegetation Control Contract which will limit growth near the runways.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the bid of Asplundh of Michigan for a five year vegetation control contract in an amount not to exceed \$35,842.36.

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

Mayor Carmichael opened the public hearing on the 2009-2010 fiscal year budget for the City of Sturgis.

City Manager Michael Hughes explained that this is the City's second public hearing given the difficulties in balancing this year's budget. Mr. Hughes provided information on the challenges facing the City and the proposed resolutions in order to balance the budget.

There was no comment from the public.

Mayor Carmichael explained that the City Commission has held several work sessions and is very familiar with the proposed budget. He thanked City staff for their efforts in closing the large budget gap.

Mayor Carmichael closed the public hearing.

Moved by Comm. Stephens and seconded by Comm. Malone to adopt the 2009-2010 annual City of Sturgis Budget Summary and Appropriation Resolution as presented.

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

Engineer Barry Cox provided details on the Crack Sealing Bids for city streets. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the bid of Fahrner Asphalt Sealers LLC for the 2009 Overband Crack Fill Project in a per-unit amount of one dollar and forty-two cents (\$1.42) and authorize total project expenditures not to exceed eighty-five thousand dollars (\$85,000.00).

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

DPS Supervisor Rick Miller and Todd Richter of F&V Construction Management provided details on bids for a new salt shed facility. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Mayer to approve the Construction Management Agreement with F&V Construction Management Inc. for the purpose of building a Salt Storage Facility as presented.

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

DPS Supervisor Rick Miller provided details on the bids for the Water Tower Repainting.

Moved by Comm. Stephens and seconded by Comm. Littman to approve the bid of Aero Painting for overcoating of the water tower in the amount of sixty-seven thousand dollars (\$67,000.00).

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

City Manager Michael Hughes explained that the City has been awarded a Neighborhood Stabilization Program (NSP) competitive grant from the Michigan State Housing Development Authority. The City will receive \$42,000.00 in federal funding to assist with the demolition of at least four abandoned and/or blighted properties.

Moved by Comm. Taulbee and seconded by Comm. Mayer to approve the resolution designating City Manager Michael Hughes and Mayor Carmichael to sign all necessary documents for the NSP grant as presented.

Voting yea: Eight

Voting nay: None

Absent: Fisher

MOTION CARRIED

The meeting was adjourned at 8:58 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 26, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, DPS Supervisor, Deputy Fire Chief, Wastewater Supervisor, Doyle Center Director, Human Resources Director, City Clerk

Michael Liston, Doyle Community Center Director, provided information on membership, the car show, and the upcoming programs.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of August 26, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the August 12th, 2009 work session as presented.
2. APPROVAL of the minutes from the August 12th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,666,164.65 as presented.
2. RATIFY the Hospital bills in the amount of \$1,519,062.46 as presented.

C. Doyle Board Resignation

ACCEPT the resignation of John Fair from the Doyle and Recreation Board and SEND a letter of recognition for his service.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Doyle Community Center Michael Liston explained the Board appointed a committee to review the current membership rates schedule and to develop a recommendation regarding an increase in membership rates.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the recommendation from the Doyle Community Center/Recreation Board to increase the Doyle Community Center membership rates as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser explained that City staff, along with Gary Gabel from Group Alternatives Inc., the City's benefit consultant, has reviewed changes to retiree health care benefits that would have a potential savings of up to \$90,000.00. Discussion followed.

Moved by Comm. Fisher and seconded by Comm. Saddler to approve the changes to the Retiree Health Plan as presented effective November 1, 2009, and authorize City Staff to sign all necessary documents on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Fisher and seconded by Comm. Saddler to authorize City staff to apply future prescription and medical plan changes for active employees to the retiree plan.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Fisher and seconded by Comm. Saddler to approve annual adjustments to retiree health plan contributions for retirees newly-enrolled in the plan.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Tom Sikorski explained that the Wastewater Treatment Plant requested bids to remove and land apply biosolids from the Sludge Storage Tank for the next four (4) years.

Moved by Comm. Stephens and seconded by Comm. Malone to accept the bid of Synagro Central, LLC for the Removal, Transportation, and Land Application of Biosolids as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that the U. S. Economic Development Administration recently announced that the City of Sturgis has been awarded a grant of \$1,166,000 toward the infrastructure build out for Dresser Industrial Park.

Moved by Comm. Stephens and seconded by Comm. Mayer to approve allocation for the Dresser Industrial Park infrastructure project between the water and sewer funds in the total amount of one hundred and thirty-four thousand dollars (\$134,000).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that the Elected Officials Compensation Commission met to review present compensation on August 17, 2009. After consideration of the current economy and compensation for cities of similar size, the Compensation Commission voted to maintain the Commissioner and Mayoral salaries at their current levels.

Moved by Comm. Taulbee and seconded by Comm. Malone to approve the determination of the Elected Officials Compensation Commission.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The City Commission will hold a joint meeting with DDA Board of Directors on Wednesday, September 16, 2009 at 5:30 p.m. at the Sturges-Young Auditorium.

Moved by Comm. Malone and seconded by Comm. Mayer to convene to Closed Session for the purpose of discussing union negotiations.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

Meeting recessed 8:25 p.m.

Meeting reconvened 8:50 p.m.

The meeting was adjourned at 8:52 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 26, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 6:30 p.m.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, City Controller, DPS Supervisor, City Clerk

City Controller Holly Keyser provided information on the list of vehicles scheduled to be replaced in the upcoming fiscal year along with the City's methodology of vehicle replacement. City Mechanic Craig Craibill provided information on the maintenance and replacement costs. Each of the recommended replacements was discussed.

City Manager Michael Hughes explained that John Dobberteen submitted a proposal to perform plumbing and mechanical plan review and inspection services for the City of Sturgis, taking over this function from the State of Michigan. Discussion followed. There was consensus to bring an ordinance amendment to the Commission for consideration.

Mr. Hughes provided information on the standing water at Oaklawn Park. There was consensus to attempt to fill some of the area to eliminate the water.

The meeting was adjourned at 7:27 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 9, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, DPS Supervisor, Deputy Police Chief, Wastewater Supervisor, Auditorium Director, EDC Director, City Clerk

Mike Stiles, Auditorium Board Chair, explained that the facility has been very busy including the Travel & Adventure Series, the Dueling Pianos show, and upcoming programs.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented with the inclusion of item 10I, Sewer Assessment.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of September 9, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the August 26th, 2009 work session as presented.
2. APPROVAL of the minutes from the August 26th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,783,012.87 as presented.
2. RATIFY the Hospital bills in the amount of \$1,110,124.29 as presented.
3. AUTHORIZE the payment of the City Retirement System bills in the amount of \$182,328.85 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that after referral by the City Commission, the Planning Board held a public hearing and considered the petition for re-zoning at 109 S. Orange at their June 16th meeting. The Planning Board voted to deny the rezoning request due to lack of specifics regarding future development and no compelling reason to change zoning for the neighborhood. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to accept the recommendation of the Planning Board and deny the rezoning request for 109 South Orange Street

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that there was an error in the August 21st manager's report pertaining to the allocation amount from water and sewer for the EDA grant match. The amount should have been \$234,000.

Moved by Comm. Stephens and seconded by Comm. Malone to allocate a total of \$234,000 for the remaining match for the Dresser Industrial Park infrastructure project.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that the City received a letter from Gene Curnow requesting use of Free Church Park for Saturday, September 12th starting at 9:11 a.m. The purpose is for a "Patriotic Ceremony recreating the United Feeling we had on 9/12/01". Mr. Curnow provided some of the thoughts on this program.

Moved by Comm. Taulbee and seconded by Comm. Mayer to approve the request for a 912 gathering in Free Church Park on Saturday, 9/12/2009 starting at 9:11 a.m.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Tom Sikorski explained that a new skid steer loader was bid out and would replace a 1999 John Deere 240 skid loader. The proposed skid steer loader will be used in the same capacity as the existing skid loader: loading street sweepings and sewer debris into roll-off dumpsters, removing preliminary solid wastes (grit) and grease, pumping down clarifiers, removing pumps, grounds keeping activities, and facilities maintenance. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Littman to accept the bid of Truelove Bros., Inc. for a Bobcat Skid Steer loader in the amount of fourteen thousand, four hundred and eighteen dollars and thirty cents (\$14,418.30).

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Deputy Police Chief Dave Ives explained that the City Commission approved a schedule of fees for services throughout the City in 2001 and since this time, some of the Police Department services have changed or have been adjusted, necessitating review and adjustments of these fees. Following a review, the Police Department developed a proposed fee schedule. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the Police Department Fee Schedule as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller explained that MDOT is requesting that the City of Sturgis enter into a new 5 year contract to maintain portions of the State Trunkline within the City limits.

Moved by Comm. Fisher and seconded by Comm. Malone to approve the resolution regarding the State Trunkline maintenance contract as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Superintendent John Griffith explained that Michigan Public Act 48 of 2002 requires Verizon to apply for a permit every five years to operate in the City rights-of-way and provided details of the permit process.

Moved by Comm. Stephens and seconded by Comm. Malone to authorize the City Manager to execute the Verizon permit after legal review.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that as part of ongoing remediation and monitoring efforts being undertaken by the Newell Rubbermaid Inc. within the City of Sturgis, various test and monitoring wells are maintained throughout the City, including in City right-of-way and City property. In order to improve the process by which access is granted to Newell Rubbermaid for use of City property, including right-of-way, City legal staff has updated the Access Agreement between the company and the City. Mike Miller, representative of Newell-Rubbermaid provided details on the well monitoring program.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the Access Agreement with Newell-Rubbermaid as presented and authorize the City Manager to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that the Experience Sturgis Committee is requesting the City close off North Street between W. Chicago Road and W. West Street and Pleasant Street between W. Chicago Road and the Christmere House. The Committee has also requested the use of 8-10 picnic tables at Pleasant Street and the closure of the parking and bike lane on the north side of US-12 between Nottawa and North Streets.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the request of the Experience Sturgis Committee to close portions of North Street to John Street and Pleasant Street and utilize picnic tables as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Saddler to deny the request of the Experience Sturgis Committee to close the parking and bike lane on the north side of US-12 as presented due to safety concerns.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that it is necessary to appoint an MML Convention Official Representative for Sturgis.

Moved by Comm. Malone and seconded by Comm. Saddler to appoint Comm. Stephens as the official voting representative and Michael Hughes as the alternate voting representative for the City of Sturgis at the 2009 Michigan Municipal League Conference.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that Samuel and Deborah Armey, 1556 S. Lakeview, have submitted a petition to City staff for connection to the sanitary sewer system for their property. In accordance with City policy and based on the size of the lot, the property owner must pay an assessment fee of \$1,480.50 prior to connecting the property to the City sewer system.

Moved by Comm. Stephens and seconded by Comm. Malone to approve spreading the water assessment of \$1,480.50 for 1556 S. Lakeview Avenue (Parcel #75-052-777-246-00) over five (5) years at an annual interest rate of 6%.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided an update on the efforts to locate a used backhoe for the Cemetery department. DPS Supervisor Rick Miller provided information on a particular model that may be available for sale.

Moved by Comm. Littman and seconded by Comm. Mayer to place on the September 21, 2009 regular meeting agenda the potential purchase of a used backhoe from AIS subject to further review of the equipment by City staff and approval of the purchase agreement by the City Attorney.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:05 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
MONDAY, SEPTEMBER 21, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, City Manager, DPS Supervisor, Public Safety Director, Assistant Electric Department Superintendent, Parks Supervisor, EDC Director, City Clerk

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of September 21, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the September 9th, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,617,157.33 as presented.
2. RATIFY the Hospital bills in the amount of \$1,401,342.41 as presented.

C. DSA Halloween Street Closure Request

APPROVE the request of the DSA to close Pleasant Street and North Street at Chicago Road on Friday, October 30th, 2009 from 4:00 p.m. to 6:00 p.m.

D. Set Public Hearing for VCI IFEC Application

SET a public hearing for consideration of a Industrial Facilities Exemption Certificate (IFEC) for VCI, Inc. on Wednesday, October 14th, 2009 at 7:30 p.m. in the Wiesloch Raum of City Hall, 130 N. Nottawa, Sturgis, MI 49091.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller explained that City staff has reviewed the possible purchase of a used backhoe for the Cemetery department. At the last City Commission meeting, details of the backhoe were presented.

Moved by Comm. Malone and seconded by Comm. Mayer to approve the request to purchase a used John Deere backhoe, Serial Number 939910, from AIS Construction Equipment Corporation for a total of thirty-eight thousand dollars (\$38,000.00) and authorize City staff to sell the current cemetery backhoe via public auction.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller explained that the Sturgis Garden Club made a request to place a Blue Star Memorial plaque to honor our Armed Forces in Memorial Park.

Moved by Comm. Taulbee and seconded by Comm. Stephens to approve the request of the Sturgis Garden Club as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant Electric Department Superintendent Tim Charles provided details on the past and future plans related to holiday decorations.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the bid waiver and approve the proposal from Naylor Landscape Management in the amount of ten thousand, four hundred and nineteen dollars (\$10,419.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that prior to his election, the City has utilized Boal's Salt and Water Resource, owned and operated by City Commissioner Michael Gay, for water and cooler rentals for the City Department of Public Services. This has continued and subject to the City Charter, State statute, and City Attorney opinion, permission by the City Commission is warranted.

Moved by Comm. Taulbee and seconded by Comm. Malone to authorize the use of Boal's Salt and Water Resource, owned and operated by City Commissioner Michael Gay, as a City vendor subject to the City's Purchasing Policy.

Voting yea: Eight

Voting nay: None

Abstain: Gay

MOTION CARRIED

City Manager Michael Hughes provided details on the proposed Strategic Plan. Discussion followed.

Moved by Comm. Fisher and seconded by Comm. Malone to adopt the 2009-2010 Strategic Plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the end of the fiscal year budget amendments.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the amendments to the fiscal year 2008-2009 budget as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 7:59 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 14, 2009
WIESLOCH RAUM – CITY HALL**

Vice-Mayor Fisher called the meeting to order at 6:00 p.m.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher

Commissioners absent: Mayor Carmichael

Also present: City Manager, Assistant to the City Manager, DPS Supervisor, Electric Department Superintendent, Assistant Electric Department Superintendent, City Controller, City Clerk

City Manager Michael Hughes provided a history on the development of plans for an updated DPS facility. Representatives from Fishbeck et al provided details on the project. Discussion followed regarding the necessary space, costs, funding mechanisms, and timing of the project.

The meeting was adjourned at 7:15 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 14, 2009
WIESLOCH RAUM – CITY HALL

Vice-Mayor Fisher called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher

Commissioners absent: Mayor Carmichael

Also present: City Attorney, City Manager, Assistant to the City Manager, DPS Supervisor, Electric Department Superintendent, Auditorium Director, EDC Director, City Clerk

DPS Supervisor Rick Miller provided a report on the activities of the Parks and Cemetery Board including members no longer on the board, status of Langrick Park renovations, and the Civil War cannon at Oaklawn Cemetery.

Vice-Mayor Fisher presented the following proclamation to Jennifer Fair-Margraff, Director of the Sturgis Council of the Arts:

Whereas, the Sturgis Council of the Arts was established in 1974 and through the generosity of Flora Kirsch Beck an endowment was given to the City of Sturgis for the Council's work; and
Whereas, the Council of the Arts strives to fulfill its mission of making the arts and humanities available to the Sturgis area and to foster participation in and encourage greater awareness of the arts; and
Whereas, the Council accomplishes this goal through a variety of programs involving theater, art, and literacy, including the Great Performance Series, Youth Theater Program, Partners in Art, Pen to Paper and more; and

Whereas, the Council of the Arts has worked since their inception, with the generous support of countless donors and volunteers, to offer these and other wonderful programs highlighting the arts to the citizens of Sturgis.

Therefore, on this 14th Day of October, 2009, the City of Sturgis recognizes the Sturgis Council of the Arts for 35 years of service to the community and all those donors, volunteers, and staff who over the past 35 years have worked to fulfill its mission.

Gene Curnow and Michael Wilson provided details on the group F.A.F.S.O.M. (Families and Friends Supporting Our Military) which helps families of deployed members of the armed services. They explained that the 3rd Annual Heroes Dinner will be held on November 5, 2009 at the Sturgis Armory.

Moved by Comm. Saddler and seconded by Comm. Gay to approve the agenda as presented with the additions of Item 10F – Chamber Gaming Resolution and 10G – CDBG Grant.

Voting yea: Eight

Voting nay: None

Absent: Carmichael

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of October 14, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the September 21st, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$2,431,629.09 as presented.
2. RATIFY the Hospital bills in the amount of \$2,441,626.71 as presented.

C. DSA Halloween Street Closure Date Change

APPROVE the request of the Sturgis DSA to close Pleasant and North Streets at Chicago Road on Thursday, October 29th 2009 from 4:00 p.m. to 6:00 p.m. and RESCIND the closure previously requested for October 30th 2009.

D. Set Public Hearing for Dresser Industrial Park Development District Expansion

SET a public hearing for consideration of expansion of the Dresser Industrial Park Development District for Wednesday, October 28, 2009 at 7:30 p.m. in the Weisloch Raum of City Hall, 130 N. Nottawa.

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

EDC Director John Hayes explained that the concept of a Senior Enterprise Zone was proposed by members of the Sturgis EDC and provided details on the proposal. EDC member Robert Sisson provided further information on the concept.

Moved by Comm. Stephens and seconded by Comm. Mayer to adopt the Senior Enterprise Zone resolution as presented.

Whereas, according to the U.S. Census Bureau, the number of persons 65 years old and over would more than double by the middle of the next century to 80 million and has greatly exceeded the growth rate of the population of the country as a whole; and

Whereas, there will be a corresponding need for housing, services, and amenities to service this larger senior community; and

Whereas, the City of Sturgis has often utilized the tools and incentives authorized by the State of Michigan to promote growth in its various industries; and

Whereas, legislation that would create a new Senior Enterprise Zone, which would provide tax incentives, funding mechanisms, or economic opportunities, would entice developers to invest in senior related industries; and

Whereas, the City of Sturgis Commission sees the proposed Senior Enterprise Zone as an additional tool to promote growth in the Sturgis; and

Whereas, the City of Sturgis Commission finds that this proposal is of such economic significance that it warrants its support.

NOW THEREFORE BE IT RESOLVED, the City of Sturgis Commission endorses the creation of a Senior Enterprise Zone, and

Furthermore, the City of Sturgis Commission requests that State Senator Cameron Brown and Representative Matt Lori take whatever action is necessary to support, authorize and implement this proposal.

Furthermore, the City of Sturgis Commission staff is directed to submit a copy of this resolution to Senator Brown and Representative Lori.

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

Vice-Mayor Fisher opened the Public Hearing for consideration of an IFEC to VCI, Inc.

EDC Director John Hayes provided details on the additional manufacturing and computer support equipment which VCI is purchasing. Discussion followed.

There was no comment from the public.

Vice-Mayor Fisher closed the Public Hearing.

Moved by Comm. Stephens and seconded by Comm. Gay to adopt the resolution as presented awarding an Industrial Facilities Exemption Certificate, not-to-exceed \$1,000,000.00 to VCI, Inc., for a period of twelve (12) years, beginning on January 1, 2010 and ending on December 31, 2021.

WHEREAS, VCI, Inc. in conformity with Act 198 of the Public Acts of 1974, as amended (Act 198) has submitted an application providing all information and requirements necessary for granting of an Industrial Facilities Exemption Certificate by the City of Sturgis, County of St. Joseph, State of Michigan to VCI, Inc., and

WHEREAS, on March 27, 1985 the City Commission established the Industrial Development District for the industrial property of VCI, Inc. and

WHEREAS, the Sturgis City Assessor, and representatives of all affected taxing units were notified by certified mail of the time and place of the hearing on the application, and

WHEREAS, a hearing was held by the Sturgis City Commission providing the Assessor, and representatives of all affected taxing units the opportunity to be heard as required by the statute, and

WHEREAS, comments on granting of the Industrial Facilities Exemption Certificate have been heard and considered, and

WHEREAS, it is hereby found and determined by the Sturgis City Commission that the granting of this Industrial Facilities Exemption Certificate, considered together with the aggregate amount of the Industrial Facilities Exemption Certificates previously granted and currently in force under Act No. 198 of the Public Acts of 1974 and Act No. 255 of the Public Acts of 1978, shall not have the effect of substantially impeding the operation of the City of Sturgis, or of impairing the financial soundness of a taxing unit which levies an ad valorem property tax in the City of Sturgis, and

WHEREAS, the Sturgis City Commission, under Section 16 (1) of Act 198, of the P.A. of 1974 and Act No. 255 of the Public Acts of 1978, as amended, has determined that the length of the Industrial Facilities Exemption Certificate shall remain in force and effect for a period of 12 years with an ending date of December 31, 2021.

NOW, THEREFORE BE IT RESOLVED, that the Sturgis City Commission does hereby approve the application of VCI, Inc. for an "Industrial Facilities Exemption Certificate".

Voting yea: Eight

Voting nay: None

Absent: Carmichael

MOTION CARRIED

DPS Supervisor Rick Miller provided information on DPS truck # 615 which is included as one of the vehicles recommended for replacement by the Motor Vehicle Committee for this fiscal year. #615 is a 1992 Ford F-700 flat bed style dump truck. He explained that recently, DPS staff discovered an ad in the Auto-RV magazine for a used 2007 F-450 with 10,731 miles which could be a sufficient replacement and is less than a new truck through the Michigan purchasing program. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Gay to approve the request to purchase a used 2007 Ford F-450 Diesel Dump Truck (Serial Number # 1FDXF46PX7EA80182) from Don Meyer Ford Mercury Inc. in the amount of thirty-one thousand, three hundred and thirty-nine dollars and ninety-five cents (\$31,239.95).

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

Moved by Comm. Littman and seconded by Comm. Littman to approve the sale of unit #615 via public auction.

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

Electric Department Superintendent John Griffith explained that the distribution system along the east side of Omena Lake is in need of an upgrade due to age. Bids were recently received for this work and Bender Electric provided the low responsible bid.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the bid of Bender Electric for work on the Oak & Orchard Rebuild Project in the amount of forty-three thousand, nine hundred dollars (\$43,900.00).

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

City Manager Michael Hughes provided information on the duplication of animal control services provided by the City of Sturgis and St. Joseph County. Based on the analysis conducted and the alternatives available, City staff is recommending that the City maintains its animal control ordinance and continues to provide animal control services.

The City Commission had consensus to keep the City's animal control services the same.

City Clerk/Treasurer Kenneth Rhodes explained that Cathi Abbs informed City staff that the Chamber of Commerce will be conducting a raffle in conjunction with the Hospital Tailgate Fundraiser. In order to do this, the City needs to adopt a resolution permitting a charitable gaming license.

Moved by Comm. Stephens and seconded by Comm. Mayer to approve the Local Governing Body Resolution For Charitable Gaming License for the Sturgis Area Chamber of Commerce as presented.

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

City Manager Michael Hughes explained the City's grant writer is preparing a grant for stimulus funds for energy efficiencies.

Moved by Comm. Saddler and seconded by Comm. Malone to adopt the resolution authorizing the signing and submittal of a grant application to the Michigan Department of Energy, Labor, & Economic Growth (DeLEG) for an Energy Efficiency & Conservation Block Grant Application In An Amount Not To Exceed \$67,892.00.

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

Moved by Comm. Malone and seconded by Comm. Gay to go into closed session for the purpose of discussing the union negotiations.

Voting yea: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Fisher

Voting nay: None

Absent: Carmichael

MOTION CARRIED

The meeting recessed at 8:38 p.m.

The meeting reconvened at 9:03 p.m.

The meeting was adjourned at 9:07 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 28, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 6:30 p.m.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, Deputy Fire Chief, Engineer, EDC Director, City Controller, City Clerk

City Manager Michael Hughes provided information on possible funds from the American Reinvestment and Recovery Act that could be used on local roads in 2011.

Discussion was held regarding the process to redevelop the former Arkwright's property including a possible public forum.

He also provided information on a survey on a potential survey to determine whether or not Sturgis would qualify for low-mod grants.

The meeting was adjourned at 7:15 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 28, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Mayer, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Engineer, Electric Department Superintendent, City Controller, EDC Director, City Clerk

City Clerk/Treasurer Kenneth Rhodes provided information on the activities of the Sister City Committee including the recent student exchange, a new GAPP director, and the Sturgis display in Wiesloch.

Mayor Carmichael presented the following proclamation for the Sturgis Journal:

Whereas, “The Weekly Republican” was launched in 1859 by E. B. Simons and in 1861, Jonathan G. Wait, took over the paper and renamed it “Sturgis Journal”; and

Whereas, the Sturgis Journal has for 150 years provided the community with a local source of news and information, serving a critical role as communicator to the Sturgis area through some of the most important events of our City’s, State’s, and Nation’s history; and

Whereas, the Sturgis Journal has played an important role in the lives of Sturgis citizens, employing thousands over the years and touching the lives of many times more through their stories; and

Whereas, the Sturgis Journal has been and continues to be a valuable asset to the Sturgis community as a newspaper, local business, and community partner.

Therefore, on this 28th Day of October, 2009, the City of Sturgis recognizes the Sturgis Journal for 150 years of service to the Sturgis Journal as communicator, employer, and community contributor and wishes the Journal continued success in the next 150 years.

Jim Vicalvi, 310 N. Lakeview, inquired about the lack of informational hearings related to the hospital ballot issue. Mayor Carmichael explained that the committee’s hearings were open to the public and these were publicized.

Moved by Comm. Fisher and seconded by Comm. Saddler to approve the agenda as presented.

Voting ye: Eight

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of October 28, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the October 14th, 2009 regular meeting as presented.
2. APPROVAL of the minutes from the October 14th, 2009 work session as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$1,718,124.61 as presented.
2. RATIFY the Hospital bills in the amount of \$1,764,455.75 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Carmichael opened the Public Hearing for Dresser Industrial Park Development District Expansion.

EDC Director John Hayes provided information on the proposed development of Dresser Industrial Park. Discussion followed.

There was no comment from the public.

Mayor Carmichael closed the Public Hearing.

Moved by Comm. Taulbee and seconded by Comm. Malone to adopt the resolution expanding the Industrial Development District as presented.

RESOLUTION

WHEREAS, there exists in the City of the Sturgis the need for certain programs to alleviate and prevent conditions of unemployment and to assist and retain local industries and commercial enterprises and to encourage the location of industries and commercial enterprises in order to strengthen and revitalize the City's economy, and

WHEREAS, a program to alleviate the aforesaid conditions has been initiated by the Economic Development Corporation of the City of Sturgis, and

WHEREAS, the Economic Development Corporation of the City of Sturgis has filed a request with the City of Sturgis to establish the Industrial Development District for the property so described on the attached, under the provisions of Act 198, P.A. 1974 as amended, and

WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district, and

WHEREAS, a Public Notice of the Hearing was published in the Sturgis Journal on Thursday, October 22, 2009 and

WHEREAS, the owner of the property was notified by certified mail of the time and place of the Public Hearing, and

WHEREAS, a Public Hearing was held by the Sturgis City Commission on Wednesday, October 28, 2009, providing the opportunity for all citizens or taxpayers of the City of Sturgis to be heard, and

WHEREAS, the Sturgis City Commission hereby finds and determines that designation of the property, as described on the attached, as the Industrial Development District is reasonable and in compliance with Act No. 198, P.A. 1974, as amended.

NOW, THEREFORE, BE IT RESOLVED that the Sturgis City Commission does hereby establish the Industrial Development District for the property described on the attached legal descriptions and site drawings.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Engineer Barry Cox provided information on the Water System Reliability Study which the Michigan Department of Environmental Quality (MDEQ) requires public water systems to conduct a study every five years. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Malone to accept the proposal to complete a water reliability study from Abonmarche in the amount of fourteen thousand, nine hundred and ninety dollars (\$14,990.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Detective Geoff Smith provided information on an upgrade to L3 Mobile Video System and the Justice Assistance Grant (JAG) from the United States Department of Justice which will pay for it.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve a bid waiver to purchase a Mobile Video System as presented from L-3 in the amount of twenty-two thousand, one hundred and thirteen dollars (\$22,113.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on a modification to Electric Department service fees for third party notifications.

Moved by Comm. Fisher and seconded by Comm. Mayer to approve the fee for third party notification and its inclusion in the City's Terms and Conditions for Electric Service as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the history of the Diesel Plant Remediation Contractor which has been monitoring the site for the past ten years.

Moved by Comm. Stephens and seconded by Comm. Malone to approve a bid waiver to hire BLDI Environmental Engineering for continued monitoring and remediation at the Diesel Plant in the amount of fifteen thousand dollars (\$15,000.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the City regulations regarding banking accounts and necessary signatures.

Moved by Comm. Fisher and seconded by Comm. Littman to adopt the Resolution related to City bank accounts as presented.

RESOLUTION

WHEREAS, there may now be and may hereafter from time to time come into the hands of Kenneth D. Rhodes, Clerk/Treasurer of the City of Sturgis, Michigan certain monies belonging to or being held by the state, county, or other political units of the state, or otherwise held according to law, and

WHEREAS, under the law of the State of Michigan, this Commission is required to provide by resolution for the deposit of all monies including tax monies coming into the hands of said

Clerk/Treasurer, in one or more banks, hereinafter called banks, to be designated in such resolution.

NOW, THEREFORE, BE IT RESOLVED, that said Clerk/Treasurer Kenneth D. Rhodes, is hereby directed to deposit all public monies including tax monies coming into his hands as Clerk/Treasurer, in the following banks:

Citizens Bank - Sturgis, Michigan

Century Bank & Trust - Sturgis, Michigan

Farmers State Bank – Sturgis, Michigan

Key Bank - Sturgis, Michigan

Sturgis Bank & Trust Co. FSB - Sturgis, Michigan

BE IT FURTHER RESOLVED, that the City Controller and the City Accounting Manager be appointed as Deputies to the Clerk/Treasurer for the purposes of managing accounts in the aforementioned banks.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:07 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

**ORGANIZATIONAL MEETING
STURGIS CITY COMMISSION
MONDAY, NOVEMBER 9, 2009
WIESLOCH RAUM - CITY HALL**

City Clerk Kenneth Rhodes called the meeting to order at 8:00 p.m.

The Pledge of Allegiance was said by all present.

Commissioners present: Carmichael, Smith, Stephens, Taulbee, Fisher, Malone, Littman, Saddler, Gay

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, City Clerk

The results of the November 3, 2009 Sturgis City General Election, as certified by the St. Joseph County Board of Canvassers, was presented by the City Clerk to be recorded as follows:

Candidate / Office Sought	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Total	%
<i>1st Precinct Commissioner</i>						
Caralee Mayer	199				199	34.19%
David Smith	383				383	65.81%
<i>2nd Precinct Commissioner</i>						
Karen Stephens		76			76	100.00%
<i>3rd Precinct Commissioner</i>						
Kenneth Malone			137		137	100.00%
<i>4th Precinct Commissioner</i>						
Karl Littman				250	250	100.00%
<i>At-Large Commissioner</i>						
Michael Gay	218	55	115	151	539	46.83%
Steven Shevick	110	10	13	48	181	15.73%
Michael Thyng	60	13	11	19	103	8.95%
Keith Waltke	191	21	36	80	328	28.50%
<i>Hospital Transfer</i>						
YES	413	60	106	221	800	68.43%
NO	173	42	71	83	369	31.57%
Total Ballots Cast	587	102	181	350	1220	19.12%

The following received the greatest number of votes and are elected:

David Smith	Commissioner - First Precinct	Four Year Term
Karen Stephens	Commissioner - Second Precinct	Four Year Term
Kenneth Malone	Commissioner - Third Precinct	Four Year Term
Karl Malone	Commissioner - Fourth Precinct	Four Year Term
Michael Gay	Commissioner - At-Large	Two Year Term

City Clerk Kenneth Rhodes administered the oath of office to all newly elected commissioners.

Moved by Comm. Malone and seconded by Comm. Littman to accept the Sturgis City General Election results as presented.

Voting Yea : Nine

Voting Nay : None

MOTION CARRIED

The City Clerk asked for nominations for the Office of Mayor.

Comm. Malone nominated Comm. Carmichael. Comm. Saddler seconded the nomination
Comm. Littman nominated Comm. Stephens. Comm. Taulbee seconded the nomination.

Voting for Carmichael: Carmichael, Smith, Fisher, Malone, Saddler, Gay

Voting for Stephens: Stephens, Taulbee, Littman

Comm. Carmichael was seated as the Mayor of the City of Sturgis.

Mayor Carmichael asked for nominations for the Office of Vice-Mayor.

Comm. Carmichael nominated Comm. Fisher. Comm. Malone seconded the nomination.

The City Commission gave consensus to seat Comm. Fisher as Vice-Mayor.

Comm. Fisher was seated as the Vice-Mayor of the City of Sturgis.

Mayor Carmichael asked the Commission to let him know if they are interested in serving on any committee. He will make the appointments at a future meeting.

City Clerk/Treasurer Kenneth Rhodes provided an explanation on the added provision in the General Rules of Order pertaining to roll call votes.

Moved by Comm. Littman and seconded by Comm. Malone to approve following General Rules of Order for Sturgis City Commission meetings.

Voting Yea : Nine

Voting Nay : None

MOTION CARRIED

I. GENERAL RULES OF ORDER FOR STURGIS CITY COMMISSION MEETINGS

The Mayor, or in the Mayor's absence the Vice-Mayor or appropriate designee, shall preside over the City Commission Meeting. Modern Rules of Order shall govern the conduct of the meeting except as modified pursuant to provisions of the City Charter or special rules adopted by the City Commission.

II. RULES TO GOVERN DEBATE AT A COMMISSION MEETING

1. The maker of the motion is entitled to speak first.

2. A Commissioner may not speak against his or her own motion, but may vote against it.
3. All remarks must be limited to the merits of the subject immediately under discussion.
4. All remarks must be addressed to and/or through the Mayor.
5. Personal comments about other individuals should be avoided.
6. Commissioners are seldom referred to by name; rather by title.
7. No Commissioner may comment adversely on any prior act of the council that is not under consideration.
8. A two-thirds vote is required to close debate.
9. A Commissioner may abstain when there is a conflict of interest. A Commissioner who intends on abstaining must announce his or her intentions to the Mayor. He or she may not debate the issue but may be called upon for information.
10. A Commissioner may request a full roll call vote for any motion which will then be called in random order, with the Mayor being called last. A Commissioner who is present and is silent during any vote will have their vote counted as a "Yea", unless abstaining according to the previous provision.
11. A Commissioner may bring before the City Commission any business that he or she feels should be elaborated upon by the Commission. These matters need not be specifically listed on the City Commission Agenda, but formal action on such matters should be deferred until a subsequent City Commission meeting, except that immediate action may be taken upon a vote of two-thirds of all members.

III. RULES TO GOVERN DEBATE DURING PUBLIC COMMENTS

1. The speaker should state name and address before speaking.
2. Remarks must be confined to the pending issue.
3. Remarks shall be limited to two minutes.
4. No person shall speak a second time on an issue as long as another is requesting recognition to speak for a first time on the issue. The cumulative time for remarks shall not exceed four minutes by any one speaker.
5. Speakers shall not enter into debate with other members of the audience, but shall always address the Mayor.
6. During open debate, the Mayor shall make an effort to alternate between supporting and opposing arguments.
7. Rights in regard to debate are not transferable.
8. Only members of the Commission or City Staff may advance in front of the podium without permission of the Mayor.
9. These rules may be suspended or modified by the Mayor upon a showing of just cause and shall be suspended or modified upon a two-third (2/3) majority vote of the Commission.

There were no changes to the City Commission Procedural Policy.

The meeting was adjourned at 8:08 p.m.

Kenneth D. Rhodes, City Clerk

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, NOVEMBER 11, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Smith, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, Electric Department Superintendent, City Controller, EDC Director, Public Safety Director, Deputy Police Chief, City Clerk

Kim Musolff, Director of the DDA, provided information on the rebate program, new and relocated businesses, the renewal of the TIF, the upcoming Christmas in the City event, and the Winter Blues.

Brian Tallmadge, 121 S. Nottawa, asked about the possibility of better signage for truck traffic on Nottawa south of U.S. 12. The matter was referred to City staff for review.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of November 11, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the October 28th, 2009 regular meeting as presented.
2. APPROVAL of the minutes from the October 28th, 2009 work session as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$695,492.23 as presented.
2. AUTHORIZE the payment of the City of Sturgis Retirement System bills in the amount of \$185,133.47 as presented.
3. RATIFY the Hospital bills in the amount of \$1,314,655.94 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the General Shutoff Rules that have been prepared by the MMEA but have not yet received final approval from the State Legislature.

Moved by Comm. Taulbee and seconded by Comm. Stephens to approve the General Shutoff Rules as presented with the inclusion of “business days” instead of “calendar days”.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that the EDA has delayed the pre-construction meeting for the Dresser Industrial Park infrastructure until December which allows more time to negotiate a cost proposal with the engineering firm.

Moved by Comm. Littman and seconded by Comm. Malone to postpone consideration of the Dresser Industrial Park Engineering Contractor until the Commission meeting on November 23, 2009.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the local bids received for a new Police cruiser and Electric Department vehicle and how they compare to the State Purchasing program. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the purchase of a 2010 Dodge Charger through the State of Michigan Purchasing Program in the amount of twenty thousand, five hundred and eighty-three dollars and fifty cents (\$20,583.50) and authorize the City Controller to sign all necessary documents.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Smith to approve the purchase of a 2010 Ford Focus through the State of Michigan Purchasing Program in the amount of twelve thousand, four hundred and eighty-nine dollars (\$12,489.00) and authorize the City Controller to sign all necessary documents.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided details on the applications received for the current Doyle Board vacancy.

Comm. Fisher nominated Tim DeBoard

Comm. Malone nominated Shannon Goodman

Voting for DeBoard: Smith, Stephens, Taulbee, Saddler, Gay, Fisher

Voting for Goodman: Malone, Littman, Carmichael

Tim DeBoard was appointed to fill the unexpired term of John Fair on the Doyle and Recreation Advisory Board through May 2011.

Assistant to the City Manager Andrew Kuk provided information on the status of the current Airport Management Agreement and changes in the corporate structure of the manager. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Malone to approve the management agreement between the City of Sturgis and RAI Jets LLC and authorize the City Manager to sign on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Malone to approve the lease for the City Hangar between the City of Sturgis and RAI Jets LLC and authorize the City Manager to sign on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Gay to approve the usage agreement between the City of Sturgis and RAI Jets LLC and authorize the City Manager to sign on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:15 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
MONDAY, NOVEMBER 23, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Smith, Stephens, Malone, Littman, Saddler, Gay, Vice-Mayor, Mayor Carmichael

Commissioners absent: Taulbee

Also present: City Attorney, City Manager, City Controller, Assistant to the City Manager, DPS Supervisor, Engineer, Public Safety Director, Deputy Fire Chief, Deputy City Clerk

Tom Picker, Sturgis Post Office supervisor, was present to clear the rumors and state his concerns regarding the recent pit bull attack on a Sturgis mail carrier. He explained that mail delivery service would be suspended on W. Congress St. from S. Nottawa St. to S. Clay St. until the two pit bulls are removed from the home.

By consensus, the Commission will have the City Staff review policies related to animal control and research “vicious breeds” ordinances in surrounding areas.

Moved by Comm. Fisher and seconded by Comm. Malone to approve the agenda with the addition of discussing a possible time change for City Commission meetings under New Business as the first item.

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

Moved by Comm. Littman and seconded by Comm. Gay to approve the Consent Agenda of November 23, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the November 11, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$2,168,844.18 as presented.
2. RATIFY the Hospital bills in the amount of \$1,777,916.27 as presented.

C. Board Resignation

1. ACCEPT the resignation of John Dobberteen from the Sister City Committee and send a letter of recognition for his service.

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

City Manager Michael Hughes spoke regarding an EDC grant to complete the water/sewer extension at Dresser Industrial Park.

Moved by Comm. Stephens and seconded by Comm. Smith that the City Commission approve Task Order No. 29 with Fleis & Vandenbrink Engineering Inc. for engineering services on the Dresser Industrial Park Water and Sewer extension project as presented.

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

City Manager Michael Hughes spoke regarding easements for existing monitoring wells located on City property other than right-of-ways that was needed to provide to Newell Rubbermaid, Inc.

Moved by Comm. Smith and seconded by Comm. Malone that the Sturgis City Commission approve the easement agreement for Newell Rubbermaid, Inc. as presented.

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

Mayor Carmichael explained that the meeting time of the City Commission was not bound by the City Charter and opened the subject for discussion.

Moved by Comm. Smith and seconded by Comm. Saddler that the Sturgis City Commission meetings be changed from 7:30 p.m. to 7:00 p.m. effective immediately.

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

City Manager Michael Hughes explained the need for the Commission to appoint a new set of individuals to the Sturgis Authority Board to take actions necessary in regards to the Hospital. Lee Logan of Dykema, the attorney working on the conversion process, was also present to answer questions.

Moved by Comm. Fisher and seconded by Comm. Littman to appoint Rob Sisson, Ned Heydlauff, and John Wiedlea to the Sturgis Building Authority.

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

Cathi Abbs, Director of the Sturgis Area Chamber of Commerce informed the Commission that the Chamber has decided to no longer hold the Michigan Week events. In its place a new festival is being developed, tentatively titled "Sturgis Dam Early Days." Among other events, a professional rodeo is being planned, and organizers would like to locate the rodeo on City-owned property at Kirsch Municipal Airport, with the permission of the City.

Moved by Comm. Stephens and seconded by Comm. Malone that the Sturgis City Commission approve the use of airport property for the Sturgis Dam Early Days Festival as presented.

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

Rick Miller, DPS Supervisor, explained that the City-owned cemetery rental house on the corner of Fawn River and S. Nottawa Rd. was in need of immediate and future repairs. After review, staff had determined that a better alternative would be to offer the house for sale for \$1.00 with

the purchaser removing the home within six months, and after one year, if not sold, it would be demolished.

Moved by Comm. Gay and seconded by Comm. Malone that the Sturgis City Commission authorize City staff to offer the cemetery rental house for sale as presented, with the condition that the one year demolition time be changed to six months.

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

Director of Public Safety, David Northrop informed the Commission of a recent traffic study conducted on N. Centerville Rd. pertaining to the State Legislature changes in the way speed limits are designated in Michigan. Director Northrop recommended a Traffic Control Order be issued to change the speed limit on N. Centerville Rd. as presented. Engineer Barry Cox was also present to answer questions.

Moved by Comm. Stephens and seconded by Comm. Gay that the Sturgis City Commission approve the new speed limit of forty five (45) miles per hour on North Centerville Road from the north limits to the northern leg of the Lafayette intersection.

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

City Manager Michael Hughes explained the process regarding liens on property for delinquent service charges.

Moved by Comm. Malone and seconded by Comm. Smith that the Sturgis City Commission adopt the resolution regarding Liens on Property for Delinquent Service Charges as presented.

RESOLUTION

Whereas, the City of Sturgis provides various benefits and services to premises located within the City for which reimbursement is authorized; and

Whereas, Section 2-302(c) of the Ordinances of the City of Sturgis provides that all charges for services by the City shall constitute a lien upon the respective property served and if any charge remains delinquent for six (6) months or more, it may be certified to the City Assessor by the City Commission and assessed against that property on the next City tax roll; and

Whereas, the City Commission has determined that all charges for services that remain delinquent for six (6) months or more should be assessed against the property to which such services have been provided and such charges should be collected and returned in the same manner as other City taxes are collected and returned;

NOW, THEREFORE, BE IT RESOLVED that the City Assessor shall assess all properties to which services have been provided for unpaid charges for such services which remain delinquent for six (6) months or more which shall then be collected and returned in the same manner as other City taxes are collected and returned.

Voting yea: Eight Voting nay: None Absent: Taulbee RESOLUTION ADOPTED

Comm. Littman explained that he had done some research regarding the policy and liability procedures regarding invocation guidelines and suggested that they be reviewed.

Moved by Comm. Littman and seconded by Comm. Malone to instruct City Staff to review the invocation guidelines and liability procedures and to present possible alternatives in lieu of a moment a silence.

Shelly Stoddard – Deputy City Clerk

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 9, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said by all present.

A moment of silence was held.

Commissioners present: Smith, Stephens, Taulbee, Malone, Littman, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: Saddler

Also present: City Attorney, City Manager, Assistant to the City Manager, DPS Supervisor, City Controller, EDC Director, Public Safety Director, Deputy Fire Chief, City Clerk

Mayor Carmichael presented to Abbott Nutrition the following 60th Anniversary Proclamation:

Whereas, In 1949 M&R Dietetic Laboratories opened its second manufacturing plant in Sturgis to help meet the growing demand for its products; and

Whereas, The company merged with Abbott Laboratories in 1963 and became Abbott Nutrition in 2007, serving over the course of 60 years as a critical employer, cornerstone business, and exemplary corporate citizen within the Sturgis community; and

Whereas, Abbott Nutrition has shown this citizenship throughout the years by generously sponsoring, organizing, and donating to various community activities, events, and causes, particularly in the area of environmental awareness and stewardship; and

Whereas, Abbott Nutrition has developed close collaborations with the City, School system, Chamber of Commerce and other local groups in numerous activities that have benefited the community.

Therefore, on this 9th Day of December, 2009, the City of Sturgis recognizes Abbott Nutrition for its 60 years as a member of and contributor to the Sturgis community and wishes Abbott continued success in the years to come.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

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

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of December 9, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the November 23rd, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$959,802.56 as presented.
2. RATIFY the Hospital bills in the amount of \$1,384,579.70 as presented.

C. Authorization for New Domain Name

APPROVE the change to the City's domain name and AUTHORIZE the City Manager to sign any necessary documents.

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

City Manager Michael Hughes provided information on the County's request for use of the City's Water Tower for a 911 antenna. County 911 Director Andy Goldberger provided details on the use of the antenna. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Gay to approve the lease with St. Joseph County, Michigan for use of the water tower as presented with date changes as proposed by the City Manager.

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

City Attorney Roger Bird provided information on necessary actions related to the Building Authority bonds in order to complete the transfer of the Hospital. Bond counsel Lee Logan provided details on the resolutions that will approve the sublease of the portion of the Hospital related to the bonds and the reissuance of the bonds because of a change in use. He explained that the Sturgis Building Authority had approved similar resolutions at their meeting earlier in the evening and held the TEFRA Public Hearing for the bonds and there was no public comment. There was discussion on issues related to the asset purchase agreement that will come before the City Commission at a future meeting.

Moved by Comm. Stephens and seconded by Comm. Smith to adopt the resolution regarding the sublease between the City and Sturgis Hospital, Inc. as presented.

Voting yea: Seven Voting nay: Gay Absent: Saddler MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Smith to adopt the resolution approving reissuance of bonds by the Sturgis Building Authority as presented.

Voting yea: Seven Voting nay: Gay Absent: Saddler MOTION CARRIED

City Attorney Roger Bird provided information on the history and legally acceptable uses of an invocation at a governmental meeting. Discussion was held amongst the Commissioners regarding various issues surrounding an invocation. Steve Clark and Doug Carr, Sturgis Ministerial Association members, provided their input on the use of an invocation.

Moved by Comm. Gay and seconded by Comm. Smith to postpone consideration of reinstatement of an invocation until next regular City Commission meeting.

Voting Yea: Fisher, Gay, Smith

Voting Nay: Littman, Malone, Stephens, Taulbee, Carmichael MOTION DEFEATED

Moved by Comm. Littman and seconded by Comm. Malone to reinstate the Invocation and adopt the combined invocation guidelines from City Attorney Roger Bird and Pastor Steve Clark as follows:

1. The City Clerk will provide a sign-up form for the providing of an invocation at each regularly scheduled City Commission meeting. Any person wishing to give an invocation must sign up on the form two weeks prior to the scheduled meeting date. Members of the Clergy or City Commission may, on a first come-first served basis, sign up to give an invocation. Persons will be welcome from any faith traditions to give the invocation, but they should represent a community of faith within the City. To ensure that a variety of faith traditions are represented, persons giving invocations may do so only once every quarter. If no one signs up to give an invocation at a particular meeting, the City Commission may proceed with the remainder of the agenda or hold a moment of silence in lieu of the invocation.

2. The following guidelines were obtained from the office of the U.S. Senate. These guidelines are provided in advance to any clergy presenting or offering the invocation before Senate meetings.

Because the City of Sturgis includes members of many faiths, the Mayor and City Commission ask that you observe the guidelines for public prayer that have been suggested by the National Conference for Community and Justice. These guidelines call for prayer that:

- Seeks the highest common denominator without compromise of conscience;
 - Calls upon God on behalf of the group as a whole and avoids individual petitions;
 - Uses forms and vocabulary that allow persons of different faiths to give assent to what is said;
 - Uses universal, inclusive terms for the deity rather than proper names for divine manifestations. Some opening ascriptions are: “Mighty God”, “Our Maker”, “Source of All Being”, or “Creator and Sustainer”. Possible closing words include “Hear Our Prayer”, “In Thy Name”, or simply “Amen”; and
 - Remains faithful to the purposes of acknowledging divine presence and seeking blessing; not preaching, arguing, or testifying.
-
- Limit the invocation to not more than two minutes.

3. If the presenter fails to comply with the general invocation guidelines as set forth above, he or she will not be permitted to continue the invocation and will not be permitted to present invocations at future City Commission meetings.

Voting Yea: Fisher, Littman, Malone, Smith, Stephens, Taulbee

Voting Nay: Gay, Carmichael

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided information on the revisions to the 2009 Airport 10 Year Plan.

Moved by Comm. Fisher and seconded by Comm. Stephens to approve the revised 2009 Airport Ten Year Plan and authorize City staff to submit the plan to the State of Michigan.

Voting yea: Eight

Voting nay: None

Absent: Saddler

MOTION CARRIED

City Manager Michael Hughes provided information on the appointment of Sturgis Housing Development Corporation shareholders resolution.

Moved by Comm. Malone and seconded by Comm. Smith to adopt the Consent Resolution of Shareholders as presented.

Voting yea: Eight

Voting nay: None

Absent: Saddler

MOTION CARRIED

Moved by Comm. Malone and seconded by Comm. Smith to recess the City Commission.

Voting yea: Eight

Voting nay: None

Absent: Saddler

MOTION CARRIED

John Carmichael convened the meeting of the Sturgis Housing Development Corporation.

City Manager explained that the Sturgis Housing Development Corporation (SHDC) must elect a president, treasurer, and secretary at its annual meeting. The proposed president/secretary is Michael Hughes and the proposed treasurer is Holly Keyser. As in the past, the Consent Resolution of the Board of Directors makes these appointments.

Moved by Dir. Malone and seconded by Dir. Stephens to adopt the Consent Resolution of Board of

Directors as presented.

Voting yea: Nine Voting nay: None Absent: Saddler MOTION CARRIED

Moved by Dir. Malone and seconded by Dir. Littman to go into closed session for the purpose of discussing purchase of property.

Voting yea: Smith, Stephens, Taulbee, Malone, Littman, Gay, Fisher, Carmichael, Hughes

Voting nay: None Absent: Saddler MOTION CARRIED

The S.H.D.C. meeting recessed at 8:20 p.m.

The S.H.D.C. meeting reconvened at 8:45 p.m.

Moved by Dir. Malone and seconded by Dir. Stephens to approve the Commercial Real Estate Option Agreement between the S.H.D.C. and Elks Distributing related to the former Ram property as presented.

Voting yea: Nine Voting nay: None Absent: Saddler MOTION CARRIED

Moved by Dir. Malone and seconded by Dir. Littman to adjourn the annual meeting.

Voting yea: Nine Voting nay: None Absent: Saddler MOTION CARRIED

Mayor Carmichael reconvened the City Commission meeting.

The City Commission set a work session at the next regular meeting on December 21, 2009 at 6:00 p.m. to discuss a snow and ice removal policy.

The meeting was adjourned at 9:00 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
MONDAY, DECEMBER 21, 2009
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Smith, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, DPS Supervisor, City Controller, City Clerk

City Manager Michael Hughes and DPS Supervisor Rick Miller provided details on the proposed changes to the current snow and ice removal policy. Discussion followed.

The meeting was adjourned at 6:58 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
MONDAY, DECEMBER 21, 2009
WIESLOCH RAUM – CITY HALL

Mayor Carmichael called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was said by all present.

Steve Clark, Pastor of Foursquare Church gave the Invocation.

Commissioners present: Smith, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Vice-Mayor Fisher, Mayor Carmichael
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, DPS Supervisor, City Controller, EDC Director, Public Safety Director, Deputy Fire Chief, City Clerk

Santa, from the North Pole, provided holiday wishes and a token of appreciation.

Moved by Comm. Fisher and seconded by Comm. Gay to approve the agenda as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Malone to approve the Consent Agenda of December 21, 2009 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the December 9, 2009 regular meeting as presented.

B. Pay Bills

1. AUTHORIZE the payment of the City bills in the amount of \$727,367.25 as presented.

2. RATIFY the Hospital bills in the amount of \$1,400,674.33 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on Ministerial Association Stations of the Cross Request. George Cleverly, Pastor Church of Christ, provided details on the proposed plan which would have displays on downtown sidewalks beginning on Good Friday. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Malone to authorize the use of downtown sidewalks and authorize the use of Memorial Park for the Good Friday presentation as presented pending the approval of all of the affected merchants and the closure of North and Pleasant streets.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the current phone system and the efforts to replace it with a Voice Over Internet Protocol system. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Malone to approve the bid of Network Solutions, Inc. for a Voice Over IP system as presented in the amount of one hundred and two thousand and fifty-six dollars and fifty-four cents (\$102,056.54).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Attorney Roger Bird provided details on the proposed Asset Purchase Agreement related to the Sturgis Hospital Transfer.

Moved by Comm. Smith and seconded by Comm. Stephens to approve the Asset Purchase Agreement for Sturgis Hospital and approve the Retirement Plan Transfer and Transition Services Agreement in substantially the form as attached and authorize the Mayor and City Manager to take all steps necessary to complete the transfer of the Hospital to Sturgis Hospital, Inc.

Voting yea: Seven

Voting nay: Gay, Malone

MOTION CARRIED

The City Commission gave consensus to recess their meeting.

John Carmichael convened the meeting of the Sturgis Housing Development Corporation.

SHDC President Michael Hughes explained that the former Hardings property that was converted into the Sturgis Commons building is owned by the SHDC, and thus needs that body's approval to complete the transfer.

Moved by Dir. Fisher and seconded by Dir. Stephens to approve the Real Estate Purchase Agreement in substantially the form as attached and authorize the SHDC President to take all steps necessary to complete the transfer of the Hospital to Sturgis Hospital Incorporated.

Voting yea: Eight

Voting nay: Gay, Malone

MOTION CARRIED

Moved by Dir. Littman and seconded by Dir. Saddler to adjourn the S.H.D.C. meeting.

Voting yea: Ten

Voting nay: None

MOTION CARRIED

Mayor Carmichael reconvened the City Commission meeting.

City Clerk/Treasurer Kenneth Rhodes provided information on the proposed 2010 meeting schedule.

Moved by Comm. Stephens and seconded by Comm. Smith to approve the 2010 Commission meeting schedule as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Malone and seconded by Comm. Littman to go into closed session for the purpose of discussing pending litigation.

Voting yea: Smith, Stephens, Taulbee, Malone, Littman, Saddler, Gay, Fisher, Carmichael

Voting nay: None

MOTION CARRIED

The meeting recessed at 8:23 p.m.

The meeting reconvened at 8:45 p.m.

Moved by Comm. Littman and seconded by Comm. Stephens to approve the case evaluation as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:47 p.m.

Kenneth D. Rhodes - City Clerk/Treasurer