

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 11, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Pastor Bob Renner, Sturgis Missionary Church, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

State Representative Matt Lori provided information on issues that the State will focus on in 2012.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of January 12, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the December 19th, 2011 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$598,870.12, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on an agreement related to the Energy Efficiency Community Block Grant (EECBG) received by the County EDC to participate in the Better Buildings for Michigan program. As part of the agreement, the City will assist in the implementation of the grant project by appropriating up to \$130,000.00 in a grant operating account, the funds which may be utilized by the County EDC for payment of invoices associated with the project and as approved under the Grant. The County EDC will implement the grant and as funds are received from the grant, they will reimburse the City for the funds from the account. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Wilson to approve the inter-agency agreement with the St. Joseph County EDC as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith explained that the MMEA conducted a review of the City's General Shutoff Rules that were adopted on November 11, 2009 and recommended minor changes to the City's policy to ensure compliance.

Moved by Comm. Taulbee and seconded by Comm. Smith to approve the request of the Electric Department to amend the current General Shutoff Rules as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith explained that the City has used BLDI for many years to monitor the existing test wells for the presence of diesel fuel near the Diesel Plant. If diesel fuel is found it is collected. Periodic reports are prepared by BLDI and filed with the MDEQ. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Littman 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

Wastewater Superintendent Jeanette Fenner and Dave Harvey, Fleis & Vandenbrink, provided information on potential improvements at the Wastewater Treatment Plant and the requirements for use of State Revolving Funds for financing. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Smith to approve Task Order 37 with Fleis & VandenBrink Engineering, Inc. in the amount of forty-three thousand, four hundred dollars (\$43,400.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on a request to annex a small portion of land owned by the EDC adjacent to the City and near Stapleton Industrial Park.

Moved by Comm. Smith and seconded by Comm. Stephens to adopt the resolution for the annexation of property as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the updated 2012 Strategic Plan.

Moved by Comm. Taulbee and seconded by Comm. Gay to adopt the 2012 Strategic Plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Gay to recess their regular meeting of January 11, 2012.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Dir. Sisson and seconded by Dir. Gay to convene the Sturgis Housing Development Corporation meeting.

Voting yea: Ten

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that he was approached by Dr. and Mrs. Orca for a donation of three residential lots on the northwest corner of the intersection of Chella Street and Cato Lane. These lots could be used by Habitat for Humanity for potential housing projects.

Moved by Dir. Smith and seconded by Dir. Gay to accept the warranty deed from Mariano L. Orca and Eva Orca as presented and authorize President Michael Hughes to sign a warranty deed transferring property as presented to Habitat for Humanity of St. Joseph County.

Voting yea: Ten

Voting nay: None

MOTION CARRIED

Moved by Dir. Littman and seconded by Dir. Gay to adjourn the Sturgis Housing Development Corporation meeting.

Voting yea: Ten

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Smith to reconvene their regular meeting of January 11, 2012.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Littman to go into Closed Session for the purpose of discussing union negotiations.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 8:47 p.m.

Meeting reconvened at 9:08 p.m.

The meeting was adjourned at 9:10 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 25, 2012
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, Electric Department Superintendent, Deputy Fire Chief, City Controller, City Clerk

Marcia Saunders of Building Science Energy Services provided information about the upcoming BetterBuildings for Michigan program. Included in her presentation was an overview of the marketing plan for the grant program and an update on the contractor training held at City Hall on January 18th. Discussion followed.

The meeting was adjourned at 7:00 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 25, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Cliff Brubaker, Amigo Center Director, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Dick Williams, Honeywell project manager, provided a report on how the project is proceeding.

Deputy Police Chief David Ives provided information on the recognition received for the National Night Out event the past summer.

Ed Miller, 517 S. Jefferson, requested more information on various City issues.

Jamie Crites explained that he is requesting a waiver of connection fees for his property on North Nottawa Street. Mayor Malone asked that the issue be placed on a future agenda.

Moved by Comm. Littman and seconded by Comm. Gay to approve the agenda as presented with the addition of a Gridiron Club resolution.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of January 25, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the January 11th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,036,651.96, as presented.

C. MDOT Performance Resolution

ADOPT the MDOT Performance Resolution for Governmental Entities as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes, along with Eric Wynes and Scott Swihart, provided information on the requests related to the Homegrown Music and Arts Festival in Oaklawn Park.

Moved by Comm. Taulbee and seconded by Comm. Smith to approve the requests for the Homegrown Music and Arts Festival as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Doyle Director Michael Liston explained that this year the United Way and event sponsor Thurston Woods have chosen to utilize the Doyle Community Center as the host of the victory celebration. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Smith to approve the use of the Doyle Community Center for the United Way Victory Celebration, including the serving of alcohol, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Calli Berg, EDC Consultant, provided information on the amendment to the Grav-Co RLF loan terms.

Moved by Comm. Stephens and seconded by Comm. Wilson to approve the terms of the Grav-Co LLC loan restructuring as presented pending legal review.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Attorney Roger Bird provided information on trust proceeds that were granted to the former Community Schools Council. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Littman to approve the Chipman Trust Proceeds Agreement as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on bids for poles that will be used as part of the new 69,000 volt transmission line along the Shimmel corridor.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve a bid waiver and the bid of Laminated Wood Systems for purchase of a laminated wood structure in the amount of fourteen thousand, one hundred and seventy-two dollars (\$14,172.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the bid of Dis-Tran Steel for purchase of self-supporting steel poles in the amount of one hundred and thirty-six thousand, sixty-nine dollars (\$136,069.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Sisson to adopt the Resolution for Charitable Gaming Licenses for the Sturgis Gridiron Club as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:10 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 08, 2012
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Sisson, Stephens, Taulbee, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Smith, Wilson

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

Monica Smith and Roger Bird of the Sturgis Neighborhood Program discussed recent projects and a proposal for funding future housing activities between SNP and the City. Discussion followed.

Andrew Kuk, Assistant to the City Manager, presented the results of the Property Maintenance survey completed in 2011, which also included several code enforcement topics as it relates to rental units. Included as part of the presentation were recommendations and suggestions for future considerations.

The meeting was adjourned at 7:30 p.m.

Mary M. Stoddard, Deputy City Clerk

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 08, 2012
WIESLOCH RAUM – CITY HALL

Mayor Malone called the meeting to order at 7:36 p.m.

The Pledge of Allegiance was said by all present.

Reverend Paul Woods, Sturgis Missionary Church, gave the Invocation.

Commissioners present: Sisson, Stephens, Taulbee, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Smith, Wilson

Also present: City Manager, City Attorney, Assistant to the City Manager, Electric Department Superintendent, Wastewater Superintendent, City Controller, Deputy City Clerk

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

Voting yea: Seven Voting nay: None Absent: Smith, Wilson MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Gay to approve the Consent Agenda of February 08, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the January 25th, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the January 25th, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$984,949.75, as presented.

Voting yea: Seven Voting nay: None Absent: Smith, Wilson MOTION CARRIED

City Manager Michael Hughes spoke regarding the request for a change in the fee structure for the connection and meter fees in the Tawelfan case.

Property owner Jamie Crites was present to provide information and answer any questions regarding his request.

Discussion followed.

Moved by Comm. Gay that the Tawelfan property be included in the grandfathered properties and that the fees be waived.

Motion died due to lack of support.

Moved by Comm. Stephens and seconded by Comm. Taulbee that the City Manager and Mr. Crites work together to come up with an acceptable payment plan for the connection and meter fees.

Voting yea: Seven Voting nay: None Absent: Smith, Wilson MOTION CARRIED

John Griffith, Electric Department Superintendent, spoke regarding Diesel Plant Engineering requests.

Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay that the Sturgis City Commission APPROVE bid waivers and the use of SSOE Group for engineering, bid and construction management services for the diesel plant oxidation catalyst and cooling tower projects in the total amount not-to-exceed thirty-nine thousand dollars (\$39,000.00) as presented.

Voting yea: Seven Voting nay: None Absent: Smith, Wilson MOTION CARRIED

Several commissioners and the City Attorney shared positive comments and praise received by citizens and businesses regarding City Manager Mike Hughes and his job performance.

The meeting was adjourned at 8:30 p.m.

Mary M. Stoddard, Deputy City Clerk

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 22, 2012
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Smith

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

Assistant to the City Manager Andrew Kuk continued presentation of the results of the Property Maintenance survey completed in 2011, which included several code enforcement topics as it relates to rental units. Discussion followed. The Commission requested that City staff consider increased charges that may approach the costs of property maintenance, a program that would deal with repeat offenders differently, and frequency of registrations.

The meeting was adjourned at 7:20 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 22, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Commissioners present: Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Smith

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

Public Safety Director David Northrop presented the Officer of the Year Award to William Lentz and a Citizen Citation to Bryan Static.

City Manager Michael Hughes and Gene Curnow presented information on the Generate Sturgis program. Discussion followed.

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

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

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of February 22, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the February 8th, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the February 8th, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,833,074.35, as presented.

C. 2012 Cross Walk

APPROVE the request for the 2012 Cross Walk as presented.

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

City Engineer Barry Cox provided information on the proposed 2012 Street and Water Main Improvements and the bids that were received for the project. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Taulbee to approve the bid of Balkema Excavating for the 2012 Street and Water Main Improvements project in the amount of two hundred and nine thousand, eight hundred and twenty-seven dollars (\$209,827.00) and authorize the City Manager to sign the contract on behalf of the City.

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

Electric Department Superintendent John Griffith presented information on the HVAC General Maintenance Contract for the City and the bids that were received for this service. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Littman to approve the bid of IPM for 3-year HVAC maintenance in the amount of fifty-three thousand, four hundred and eighty-eight dollars (\$53,488.00) as presented.

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

Assistant to the City Manager Andrew Kuk explained that as part of the Better Buildings for Michigan grant program, there has been a request for a sign that would be placed at City Hall regarding the program.

Moved by Comm. Wilson and seconded by Comm. Littman to approve the request for placement of a banner sign at Free Church Park as presented.

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

City Attorney Roger Bird provided details on an addendum to the City Manager agreement.

Moved by Comm. Littman and seconded by Comm. Sisson to approve the Fourth Addendum to City Manager Employment Agreement as presented.

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

City Attorney Roger Bird provided information on his research and the City's regulations related to "Human Billboards" or "Pedestrian Signs". Discussion followed. Roger and City staff will work on an ordinance or policy to address this and bring it back to the Commission.

Commissioner Sisson discussed the high teen pregnancy rate in St. Joseph County. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Sisson to go into Closed Session for the purpose of discussing union negotiations.

Voting yea: Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None Absent: Smith MOTION CARRIED

Meeting recessed at 9:15 p.m.

Meeting reconvened at 9:28 p.m.

Moved by Comm. Littman and seconded by Comm. Wilson to approve the agreement with the IBEW as presented.

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

The meeting was adjourned at 9:35 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 14, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Paul Comino, developer of the mobile home park, inquired about the process regarding the transfer of mobile homes into the City. The City Manager and City Attorney provided information on how the City's ordinance works in this process. City staff will review the process and bring information back to the Commission at a future meeting.

Moved by Comm. Wilson 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. Taulbee to approve the Consent Agenda of March 14, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the February 22nd, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the February 22nd, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,606,035.80, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk and Pastor George Cleverly provided information on the Stations of the Cross display that will occur on Good Friday.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the request of the Sturgis Ministerial Association for the 2012 Stations of the Cross as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of an Industrial Facilities Exemption Certificate for Sturgis Molded Products.

EDC Consultant Calli Berg provided information on the company expansion. Discussion followed.

Mayor Malone closed the Public Hearing.

Moved by Comm. Smith and seconded by Comm. Taulbee to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed three million, five hundred thousand dollars (\$3,500,000.00) to Sturgis Molded Products, for a period of twelve (12) years.

**GRANTING AN INDUSTRIAL FACILITIES EXEMPTION CERTIFICATE BY THE
CITY OF STURGIS FOR: STURGIS MOLDED PRODUCTS CO.
RESOLUTION**

WHEREAS, Sturgis Molded Products Co., 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 Sturgis Molded Products Co., and

WHEREAS, on September 14, 1983 the City Commission established the Industrial Development District for the industrial property of Sturgis Molded Products Co., 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.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

EDC Consultant Calli Berg provided information on the regionalization of the City's Revolving Loan Fund. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Taulbee to adopt the Regional Revolving Loan Fund Management Resolution of Support.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

WHEREAS, the Michigan Strategic Fund (MSF) has been informed by the U. S. Department of Housing and Urban Development (HUD) of its concern regarding the low utilization rate and non-revolving nature of local business Revolving Loan Funds; and

WHEREAS, the MSF has mandated the regionalization of local revolving loan funds; and

WHEREAS, the MSF believes regional revolving loan funds (RLF) will lead to:

- Stronger loan volume associated with deeper risks;
- Significant Statewide improvement in HUD reporting, guideline compliance, and on-going monitoring compliance;
- Improvement in the quality of project management including stronger collateralization structures more focused cash flow analysis more organized and uniform communication about loan opportunities;
- Closer regional cooperation based upon shared resources; and,
- More stable RLFs with more flexible eligibility criteria: and,

WHEREAS, once the MSF board has designated the Revolving Fund Manager (RFM) for a region all existing revolving loan funds assets in a region will be recalled and the MSF will reissue the recalled assets in the form of a grant to the respective region's designated RFM; and

WHEREAS, the MSF has asked every community with a local revolving loan fund to endorse an entity they believe has the ability to effectively manage and administer a regional revolving loan fund for their region;

THEREFORE BE IT RESOLVED, that the Great Lakes Capital Fund and its subsidiary, Capital Fund Services (a Community Development Financial Institution) have the resource, knowledge, experience and staff necessary to manage a Regional Loan Fund; and

THEREFORE BE IT RESOLVED, that the City of Sturgis, St. Joseph County, Michigan, hereby endorses Capital Fund Services (CFS) as the entity to administer and manage the Regional Revolving Loan Fund for its region.

City Clerk/Treasurer Kenneth Rhodes provided information on the draft City Records Management Policy.

Moved by Comm. Taulbee and seconded by Comm. Wilson to approve the City of Sturgis Records Management Policy as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:12 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 28, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Pastor George Cleverley, Sturgis Church of Christ, gave the Invocation.

A moment of silence was held in remembrance of former Mayor Donald Easterday.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Moved by Comm. Wilson and seconded by Comm. Gay to approve the agenda as presented with a modification of Item 10A to “Event Requests”.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of March 28, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the March 14th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,768,260.45, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided information on the request from the St. Joseph County Relay for Life to place ribbons downtown.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the request of the St. Joseph County Relay for Life to place ribbons downtown as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that the City staff received a letter from the CA/N Council again requesting use of Free Church Park for a display to recognize April as National Child Abuse Prevention Month with the placement of pinwheels.

Moved by Comm. Wilson and seconded by Comm. Stephens to approve the request of the Child Abuse / Neglect Council for use of Free Church Park as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that Trinity Lutheran Church has amended the route of their CrossWalk.

Moved by Comm. Smith and seconded by Comm. Taulbee to approve the amended request for the 2012 Cross Walk as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that again this year, Domestic and Sexual Abuse Services has again requested that the City enter into a contract for funding.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Buildings Supervisor George Musolff provided information on the request to relocate a mobile home into the City.

Moved by Comm. Smith and seconded by Comm. Wilson to approve relocation of the 1988 refurbished mobile home, ID number 1427, to 960 W. Chicago Road as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Buildings Supervisor George Musolff provided history and information on a proposed ordinance amendment for siting mobile homes in the City. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Stephens to consider this the first reading of an amendment to the City's Zoning Code Section # 1.1401 relating to building permits.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller provided information on the recent bids related to greenspace mowing. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Taulbee to approve the bids of Backyard Kreations, Custom Lawn Care, and Rickett's Lawn Care for green space mowing as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller provided information on the proposed changes to the City's brush pickup schedule to April, May and October and a shift in compost site hours.

Moved by Comm. Taulbee and seconded by Comm. Smith to approve the changes to the brush pickup and compost site schedules as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Deputy Police Chief David Ives explained that the City currently has no specific ordinances addressing any discharge of firearms, use of BB guns or bow and arrows within the city other than that covered under state law regarding careless or reckless use. The City Commission had consensus not to move forward with any creation of an ordinance.

Moved by Comm. Littman and seconded by Comm. Wilson to go into Closed Session for the purpose of collective bargaining discussions.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 8:30 p.m.

Meeting reconvened at 9:10 p.m.

The meeting was adjourned at 9:25 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 11, 2012
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Smith

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

City Manager Michael Hughes provided information on a request for the relocation of a little league softball field at the Sturgis Middle School. Ray McKercher, Softball board member provided additional information. The Commission discussed many options and was comfortable with utilizing some of the Chipman Trust funds for this project. City staff will work with the league group and bring back a formal proposal at the next meeting.

City Engineer Barry Cox provided information on reconstruction of the City's brick streets. Discussion followed relating to funding options, methods for reconstruction, and the areas that will take priority.

The meeting recessed at 7:30 p.m.

The meeting reconvened at 8:34 p.m.

Discussion continued on the options for reconstructing the brick streets.

The meeting was adjourned at 9:10 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 11, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Dr. Doug Carr, His House Church, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

Also present: City Manager, City Attorney, Assistant to the City Manager, Buildings Supervisor, Wastewater Supervisor, Assistant Electric Department Superintendent, City Controller, City Clerk

Moved by Comm. Littman 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 April 11, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the March 28th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$581,667.02, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Buildings Supervisor George Musolff briefly discussed the ordinance amendment related to the siting of mobile homes introduced at the previous meeting.

Moved by Comm. Sisson and seconded by Comm. Gay to consider this the second reading of and approve an amendment to Article XIV, Section 1.1401 of the Zoning Ordinance of the City of Sturgis pertaining to building permits to be effective May 7, 2012.

**AMENDMENT TO ZONING ORDINANCE 1.1401 PERTAINING TO MOVEMENT OF
BUILDINGS WITHIN THE CITY**

An Ordinance to amend Article XIV of the Zoning Ordinance of the City of Sturgis to modify the approval process for certain manufactured buildings to be moved within the City of Sturgis and to provide for an effective date of this Ordinance.

WHEREAS, the City Commission has determined that it is in the best interest of the residents of the City to modify the approval process for the moving of certain manufactured buildings within the City;

NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan ordains:

Article XIV. Administration and Enforcement, Section 1.1401 Building permits is hereby modified as follows, effective as of May 7, 2012.

Section 1.1401 BUILDING PERMITS.

...

(B) Approval of Sturgis City Commission for movement of buildings. It shall be unlawful to move an existing building having a floor area of more than 100 square feet or

over 14 feet in height onto property within the city without the written approval of the Sturgis City Commission. In determining whether to grant approval, the city commission shall enforce:

- (1) The terms and conditions of this section;
- (2) All state statutes;
- (3) All other city ordinances and regulations; and
- (4) Such additional conditions as the city commission shall impose by written agreement with the owner of the site upon which the building is to be moved.
- (5) The applicant must obtain all applicable state and local permits within 60 days after such approval by the city commission.

No agreement shall be made, the terms and provisions of which shall have the effect of waiving the provisions of any state statute or any ordinance, resolution or regulation of the city.

The following buildings shall be exempt from the approval provisions of this Sub-section (B):

Any manufactured home that meets all of the following: (i) the manufactured home is intended to be installed at a properly-licensed mobile home park, (ii) the owner of the home or the owner of the mobile home park must provide proof of previous certification by the federal Department of Housing and Urban Development ("HUD"), and (iii) the HUD certification confirms that the manufactured home at one time met the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 US 5401 to 5428 (as referenced in §125.2307 of the Michigan Compiled Laws).

With respect to any such building, the Committee established pursuant to Sub-section (C) shall, within Ten (10) days after receipt by the City of a completed application to move a manufactured home within the City, including pictures and such other documentation as reasonably requested by the Committee, review the building to be moved and determine compliance with Sub-section (D). If the Committee determines that the building does not comply with Sub-section (D), the City Building Official shall inform the applicant of the concerns to be resolved. If no response is provided to the applicant within Fifteen (15) days from the date of receipt of the completed application, the application to move the building shall be deemed approved.

Upon receiving notification from the City Building Official that the building does not comply with Sub-Section D, the applicant may, if the applicant does not agree with the determination, request the City Commission at its next regularly scheduled meeting to grant permission to move the building.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided information on the Airport Fly-In that will be sponsored by the Kiwanis and takes place on June 24, 2012 from 11:00 am to 3:00 pm.

Moved by Comm. Wilson and seconded by Comm. Smith to approve the requests of Sturgis Noon Time Kiwanis for the Airport Fly-In as presented and approve the airport fuel discount as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk and Chamber of Commerce Director Cathi Abbs provided details on the upcoming Sturgis Fest activities at the end of June. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the requests for Sturgis Fest as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Jeannette Fenner and F&V Engineer David Harvey provided information on the overall SRF Project Plan process for wastewater treatment plant improvements, the priority scoring system used by MDEQ for funding, what goes into a typical project plan, and typical design and construction schedules. Discussion followed.

Assistant Electric Department Superintendent Tim Charles provided information on the proposed GIS Plan that identifies the next steps for improving the City's GIS system, including establishing staff responsibilities, gathering data, and related activities. Discussion followed.

Mayor Malone appointed Comm. Littman to the GIS Steering Committee.

Moved by Comm. Wilson and seconded by Comm. Sisson to approve the GIS Implementation Plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:34 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 25, 2012
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

City Manager Michael Hughes led discussion related to the Sturgis 2022 plan presentations.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 25, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Pastor Deb Johnson, First United Methodist Church, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

Also present: City Manager, City Attorney, Assistant to the City Manager, Buildings Supervisor, Wastewater Supervisor, Assistant Electric Department Superintendent, City Controller, City Clerk

Michael Wilson, Norman & Paulsen, provided the Fiscal Year 2010-2011 Audit Report.

Ed Miller commented on the Sturgis 2022 project and business growth in Sturgis.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of April 25, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the April 11th, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the April 11th, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,429,448.57, as presented.

C. 2012 Stroller Roll

APPROVE the requests of the Great Start Collaborative for the 2012 Stroller Roll as presented.

D. Thurston Woods Street Name Approvals

ADOPT the resolution approving the private road names of Thurston Woods Village.

E. Ross Substation Circuit Breaker

APPROVE the bid of Siemens Power T&D for a 69 kV circuit breaker with 5 year warranty in the amount of thirty-six thousand, four hundred and forty-eight dollars (\$36,448.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on discussions with Little League Softball representatives regarding improvements to facilities. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the sub-lease with Sturgis Little League Softball for a storage shed and batting cage as presented and authorize the City Manager to sign the agreement.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the proposed lease between the City and VCI, Inc. for the former meter building.

Moved by Comm. Sisson and seconded by Comm. Smith to approve the lease agreement with VCI, Inc. as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Deputy Fire Chief Scott Hopkins provided information on the bids which were received related to repairing the façade of the Police/Fire building.

Moved by Comm. Stephens and seconded by Comm. to approve the bid of National Restoration for repair work to the Police / Fire Building in the amount of sixty-nine thousand dollars (\$69,000.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the agreement between the City and MDOT for a grant related to reconstruction of West LaFayette Street.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the contract between the City of Sturgis and MDOT (#12-5144) for completion of the West Lafayette Street and Broadus Street Reconstruction project and authorize City Manager Michael Hughes and Mayor Ken Malone to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Tom Sikorski provided information on the necessary repairs to one of the digester tanks. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Littman to approve the bid of F.E. Gates Company with alternate #1 for repair of digester tank #1 in the total amount of twenty-two thousand, five hundred and ninety-five dollars (\$22,595.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on grant opportunities for reconstruction of brick streets and a proposed agreement with Grand Rapids for grant writing services. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Taulbee to approve the Joint Endeavor Agreement Between the City of Sturgis and City of Grand Rapids for Grant Writing Services as presented 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 City's compensation plan that will comply with the State's Economic Vitality Incentive Program requirements. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the Employee Compensation Plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser explained that the current interest rate on the Fire Department ladder truck is high and can be paid early with no penalty.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve early payment of the equipment financing lease in the amount of two hundred and fifty-eight thousand, three hundred and forty-nine dollars and thirty-three cents (\$258,349.33) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that there is no State requirement to have the Commission take official action to set a public hearing for an IFEC.

Moved by Comm. Smith and seconded by Comm. Stephens to approve eliminating formally setting public hearings for IFEC applications.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

By consensus, the Commission directed City staff to review the possibility of extending the bricks on south Nottawa to US 12.

Moved by Comm. Littman and seconded by Comm. Sisson to go into Closed Session for the purpose of considering material exempt from discussion or disclosure by state or federal statute.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 9:10 p.m.

Meeting reconvened at 9:22 p.m.

Moved by Comm. Littman and seconded by Comm. Smith to approve the City of Sturgis Emergency Operations Plan as amended.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:23 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 9, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Major DeWayne Duskin, Salvation Army, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Mayor Malone read the following proclamation:

WHEREAS, audiologists and hearing instrument specialists in Sturgis, Michigan, and nationwide observe and celebrate Better Hearing Month each year during the month of May; and

WHEREAS, the Sturgis City Commission recognizes and values the efforts of all who work to eliminate or minimize the isolating effects of communication disorders in the one in five families affected by them; and

WHEREAS, more than half of the people with hearing loss are younger than age 65; and

WHEREAS, hearing loss is the third most common health problem in the United States; and

WHEREAS, our citizens who have overcome communication disabilities through the services of audiologists and hearing instrument specialists are now able to lead independent, productive, and fulfilling lives; and

WHEREAS, Sturgis is proud and honored to have audiologists and hearing instrument specialists offering quality education and health care services to its citizens.

NOW, THEREFORE, I, Ken Malone, Mayor of Sturgis, do hereby proclaim May 2012 as:

“Better Hearing Month”

and encourage all citizens to recognize the achievements of audiologists and hearing instrument specialists in improving the quality of life for people with communication disorders.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of May 9, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the April 25th, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the April 25th, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$926,546.79, as presented.

C. Second June Commission Meeting Date Change

SET the second June Regular Sturgis City Commission meeting for Monday, June 25th at 7:30 p.m. at the Wiesloch Raum of City Hall.

D. Memorial Day Parade Request

APPROVE the use of South Nottawa from Fawn River Road to Oaklawn for a Memorial Day parade.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes introduced Jeff Brazo, Sturgis Little League Softball, who provided information on the construction of a new softball field at the Sturgis Middle School and the request for use of Chipman Trust funds to assist in the construction. Discussion followed in the intent of the former Community Schools group, the many needs for funding throughout the City related to recreation, and the use of Spence Field and the relationship with International Paper.

Moved by Comm. Smith and seconded by Comm. Gay to approve the proposal of Sturgis Little League Softball to fund improvements to the Middle School softball field with proceeds from the Chipman Trust up to fourteen thousand, eight hundred and ninety dollars and eighty-two cents (\$14,890.82) subject to requirements as presented contingent upon Sturgis Little League Softball filing the proper non-profit registration with the State of Michigan.

Voting yea: Eight

Voting nay: Littman

MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of an IFEC for LTI Printing, Inc.

Cathy Knapp, Southwest Michigan First, provided information on the equipment which LTI will be installing and how it will be used.

Mayor Malone closed the Public Hearing.

Moved by Comm. Smith and seconded by Comm. Taulbee to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed eight hundred and seventy-four thousand dollars (\$874,000.00) to LTI Printing, Inc. for a period of twelve (12) years.

RESOLUTION

WHEREAS, LTI Printing, 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 LTI Printing, Inc., and

WHEREAS, on April 22, 1987 the City Commission established the Industrial Development District for the industrial property of LTI Printing, 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, 2024.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DDA Director Kim Musolff provided information on the Flower Fest on May 18th and the request for closure of Pleasant Street to the parking lot entrances and North Street to John Street from 11:00 a.m. to 8:30 p.m.

Moved by Comm. Taulbee and seconded by Comm. Stephens to approve the requests for Flower Fest as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Chamber of Commerce Director Cathi Abbs provided information on additional needs for Sturgis Fest at the end of June. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Stephens to approve the requests for Sturgis Fest as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the bids that were received for reconstruction of West Lafayette and Broadus streets.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the contract for the West Lafayette and Broadus Street Improvements Project to Milbocker & Sons, Inc. in the amount of \$437,387.90 and authorize the City Manager to sign the contract on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Tom Sikorski provided information on the condition and need for replacement of a piston pump at the plant.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve a bid waiver and the purchase of a piston pump from Kerr Pump and Supply in the amount of twenty-two thousand, nine hundred and ninety-five dollars (\$22,995.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the bids for a new digger truck and the condition of the existing vehicle. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Littman to approve the purchase of a digger-derrick with chassis from Altec Industries in the amount of two hundred and twenty-six thousand, three hundred and fifty-seven dollars (\$226,357.00) as presented.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Moved by Comm. Wilson and seconded by Comm. Taulbee to authorize the sale of a 1990 digger-derrick (#212) via public auction.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith explained that the Forestry Department contracts for tree maintenance service. In April of 2012, the department sent out bid requests to nine different tree maintenance companies for a five-year contract for tree maintenance services and received three bids.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve a five year contract for tree maintenance services with Professional Tree Climbers as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the bids received for replacement of certain equipment at the Ross Substation.

Moved by Comm. Wilson and seconded by Comm. Littman to approve a bid waiver and approve the purchase of six current transformers from ABB in the amount of eleven thousand, eighty-two dollars (\$11,082) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the upcoming visit from a group from Sturgis' Sister City, Wiesloch Germany.

Moved by Comm. Sisson and seconded by Comm. Smith to approve the use of Oaklawn Park, including the serving of alcohol, by the Sister City Committee as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

There was discussion regarding a potential COA/Senior Center facility.

The meeting was adjourned at 9:38 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, MAY 23, 2012
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Smith, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile,
Mayor Malone

Commissioners absent: Sisson

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

Buildings Supervisor George Musolff provided details on the proposed changes to the Property Maintenance Program fees and procedures. Discussion followed.

City Manager Michael Hughes provided information the enforcement of the noxious weeds ordinance.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 23, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Reverend Ross Gerber, Grace Christian Fellowship, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Mayor Malone presented former Mayor Caralee Mayer with a plaque honoring her time on the City Commission.

Katie Pederson from the Relay the Life presented the City with a sign showing that Sturgis supports the cause.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of May 23, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the May 9th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,738,801.22, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Terra Draper, organizer of “Chasing the Cure” provided information on the 5K event organized to help raise funds to fight ovarian cancer.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the requests of Chasing the Cure for their 5K event as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of an IFEC for Mayer Tool and Engineering, Inc.

Cathy Knapp, Southwest Michigan First, provided information on the equipment which Mayer Tool and Engineering, Inc. will be installing and how it will be used. Discussion followed.

Mayor Malone closed the Public Hearing.

Moved by Comm. Sisson and seconded by Comm. Gay to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed three hundred and ninety-six thousand dollars (\$396,000.00) to Mayer Tool for a period of twelve (12) years.

RESOLUTION

WHEREAS, Mayer Tool and Engineering, 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 Mayer Tool and Engineering, Inc., and

WHEREAS, on November 26, 1986 the City Commission established the Industrial Development District for the industrial property of Mayer Tool and Engineering, 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, the aggregate SEV of real and personal property exempt from ad valorem taxes within the (governmental unit), after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; 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.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that at the previous Commission meeting, there was consensus to draft a resolution in support of exploring the development of a new senior center. COA Director Lynn Coursey provided information on the activities of the agency and what funds are expended in the City. Discussion followed. County Commissioners Doberteen and Eaton provided further information on the possibility of a new senior center.

Moved by Comm. Sisson and seconded by Comm. Smith to adopt the Resolution Supporting Development of a Senior Center.

RESOLUTION SUPPORTING DEVELOPMENT OF A SENIOR CENTER

WHEREAS, a committee of interested area citizens has developed a proposal for a new senior center located in Sturgis; and

WHEREAS, the proposed senior center would provide an updated facility offering resources for a variety of senior activities, services, classes, and social interactions; and

WHEREAS, several potential partnerships are available to be explored for building, developing, and staffing such a facility; and

WHEREAS, numerous details of the facility's design, construction and operation have yet to be fully developed.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STURGIS: That we support the concept of exploring a new facility for seniors located in Sturgis and would like to be informed of and included in the process as plans for the facility, its construction, and its operation are developed.

LET IT BE FURTHER RESOLVED: That we support the exploration of all potential partnerships with existing senior service providers including the Sturgis Senior Center and St. Joseph County Commission on Aging (COA).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox explained that at the April 25th and May 9th City Commission meetings, the Commission has approved a Category F grant funding contract with MDOT and the bid of Milbocker and Sons Inc. for construction of improvements to W. Lafayette Street and Broadus Street. Fleis and Vandenbrink Engineering (F&V) has submitted a task order for construction phase services on the project. This would include 35 hours of oversight on the project per week, construction-phase engineering, handling of all pay estimates, surveying, and materials testing for project.

Moved by Comm. Wilson and seconded by Comm. Stephens to approve Task Order #37 from Fleis and Vandenbrink Engineering, Inc. in the amount of forty-two thousand, one hundred dollars (\$42,100.00) and authorize the City Manager to sign all necessary documents related to the task order.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser explained that on April 26th, the Michigan Legislature made some significant changes to the EVIP/Statutory Revenue Sharing process. The Legislature passed a supplemental appropriations bill which extended the deadline for the 3rd category of EVIP to June 1st (from the former May 1st deadline) and added a second avenue for locals to comply. Under the supplemental bill, local communities can certify that they are in compliance with PA 152 (the health care law regarding the 80/20, hard cap or opt out) and qualify for the third category. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Taulbee to approve the amended Economic Vitality Incentive Program submission as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that all expiring board members have requested reappointment to their current position and that Mary Beth Brenneman and Lee Austermann have submitted the only applications for the vacancies on the District Library Board and Sister City Committee respectively.

The Commission gave consensus to reappoint all current board members and to fill the vacancies with the available applicants.

Additionally, the Commission by consensus appointed Andy Boyd, who was present at the meeting and willing to serve, to fill a vacancy on the Elected Officials Compensation Commission through May 2015.

The meeting was adjourned at 8:53 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 13, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Reverend Bob Keim, First Methodist Church (retired), gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Attorney John Barnes provided information on his candidacy for Probate Judge.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of June 13, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the May 23rd, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the May 23rd, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$819,360.23, as presented.

C. Board Resignations

ACCEPT the resignations of Dr. Timothy DeBoard from the Doyle and Recreation Advisory Board and Madeleine Murphy Parker from the Auditorium Board and SEND letters of recognition for their service.

D. July 4th Children's Parade

APPROVE the request for a July 4th Children's Parade in the South Lakeview neighborhood to be held on Wednesday, July 4, 2012 at 10:00 a.m. with a route as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that on Wednesday, June 20th the Sturgis Area Community Foundation is planning a celebration in recognition of their 50th Anniversary. As part of their celebration, the Foundation is requesting the ability to serve beer and wine at the event.

Moved by Comm. Taulbee and seconded by Comm. Wilson to approve the serving of alcohol on Doyle Community Center property for the Sturgis Area Community Foundation Anniversary Celebration as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing on the Fiscal Year 2013 Millage Rate.

City Manager Michael Hughes provided a history, challenges and opportunities related to the City's millage rate.

Discussion was held regarding the maximum millage rate, a potential road millage, the economy, public hearing procedures, and other similar items.

Mayor Malone asked for any comments from the public.

Jim Vicalvi, 310 N. Lakeview, explained that roads are a priority.
Ed Miller, explained that the economic times are difficult.

The Commission continued their discussion.

Mayor Malone closed the Public Hearing.

Moved by Comm. Littman and seconded by Comm. Taulbee to set the fiscal year 2013 tax rate at 10.0285 mills.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

Mayor Malone opened the public hearing for consideration of a Clean Water Revolving Fund Project (SRF) which provides a 20 year basis of design and proposed wastewater improvements.

Wastewater Superintendent Jeanette Fenner introduced Dave Harvey and Randy Kriscunas of Fleis and Vanderbrink who presented detailed alternatives that were involved in the final project plans for wastewater system improvements and an overview of the wastewater system. Discussion followed.

Mayor Malone asked for any comments from the public.

Ed Miller, 517 S. Jefferson, asked when any additional costs would be passed along to the rate payers. It was explained that if any increased fees would be assessed at the end of the program.

Mayor Malone closed the Public Hearing.

Moved by Comm. Wilson and seconded by Comm. Littman to adopt the resolution approving the State Revolving Loan Fund project plan for wastewater improvements and designating an authorized representative for the project.

**RESOLUTION ADOPTING A FINAL PROJECT PLAN
FOR WASTEWATER SYSTEM IMPROVEMENTS AND
DESIGNATING AN AUTHORIZED PROJECT REPRESENTATIVE**

WHEREAS, the City of Sturgis recognizes the need to make improvements to its existing wastewater treatment and collection system; and

WHEREAS, the City of Sturgis authorized Fleis & VandenBrink Engineering, Inc. to prepare a Project Plan, which recommends converting the Diesel Plant lift station to a submersible type lift station; construct improvements at the wastewater treatment plant that includes new influent screw pumps and surge basin, a Headworks Building including new screening, grit removal, and influent flow meter, provide by-pass piping for existing nitrogen removal tower; upgrade & improve lift station telemetry; construct gravity sewer extension in S.

Centreville Rd, and adjust wet well structure at Wade St Lift Station; and
WHEREAS, said Project Plan was presented at a Public Hearing held on June 13, 2012 and all public comments have been considered and addressed;
NOW THEREFORE BE IT RESOLVED, that the City of Sturgis formally adopts said Project Plan and agrees to implement the selected alternative (Alternative 3).
BE IT FURTHER RESOLVED, that the City Manager, a position currently held by Mr. Michael Hughes, is designated as the authorized representative for all activities associated with the project referenced above, including the submittal of said Project Plan as the first step in applying to the State of Michigan for a revolving fund loan to assist in the implementation of the selected alternative.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that provided information on the permits and closures related to the July 4th fireworks display.

Moved by Comm. Sisson and seconded by Comm. Littman to approve the requests for the Fourth of July fireworks as presented and authorize Deputy Fire Chief Scott Hopkins to sign all necessary permits pending verification of insurance.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that the second Commission meeting of the month needs to be moved to accommodate Sturgis Fest activities.

Moved by Comm. Stephens and seconded by Comm. Taulbee to set the date of the second regular Commission meeting to Tuesday, June 26th at 7:30 p.m. in the Wiesloch Raum of City Hall and approve the requests as presented.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

The meeting was adjourned at 9:30 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 26, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Reverend Deb Johnson, First Methodist Church, gave the Invocation.

Commissioners present: Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Smith, Sisson

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

David Tomlinson provided his credentials as he is running for County Probate Judge.

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

Voting yea: Seven Voting nay: None Absent: Smith, Sisson MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of June 26, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the June 13th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,127,046.51, as presented.

C. Property Transfers

ADOPT the resolution transferring property from Fawn River Township to the City of Sturgis as presented.

ADOPT the resolution transferring property from Sturgis Township to the City of Sturgis as presented.

D. Thurston Woods Charitable Gaming License

ADOPT the Local Governing Body Resolution for Charitable Gaming License for Thurston Woods Village as presented.

E. United Way Donut Drive

APPROVE the request of the St. Joseph County United Way for Donut Day on August 21st as presented.

Voting yea: Seven Voting nay: None Absent: Smith, Sisson MOTION CARRIED

Electric Department Superintendent John Griffith explained that as has been discussed at past City Commission meetings, one of the Electric Department's capital projects is an extension of the 69 kV (69,000 volt) transmission line to serve a new electric distribution substation to be constructed on Balk Road. Two bids have been received as part of the overall project.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the bid from Kent Power Systems for the 69 kV line construction in the amount of three hundred and twenty-two thousand, two hundred and four dollars and forty-six cents (\$322,204.46) as presented.

Voting yea: Seven Voting nay: None Absent: Smith, Sisson MOTION CARRIED

Moved by Comm. Wilson and seconded by Comm. Hile to approve the bid from Kent Power Systems for construction of the Ross Substation 3rd terminal in the amount of one hundred and fifty-two thousand, eight hundred and seventy-two dollars (\$152,872.00) as presented.

Voting yea: Seven Voting nay: None Absent: Smith, Sisson MOTION CARRIED

Electric Department Superintendent John Griffith explained that in February of this year, the City Commission approved the hiring of SSOE Group to complete engineering, bid specification, and construction management services for a pair of Diesel Plant improvement projects: installation of an oxidation catalyst and replacement of the cooling tower. Bids were received and the City's Purchasing Policy allowed IPM, as a local vendor within 5%, to lower their bid to match the lowest responsive bid.

Moved by Comm. Wilson and seconded by Comm. Littman to approve the use of Industrial Piping and Maintenance for the diesel plant oxidation catalyst project in the amount of seventy-six thousand, two hundred and ninety-nine dollars (\$76,299.00) as presented.

Voting yea: Seven Voting nay: None Absent: Smith, Sisson MOTION CARRIED

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the use of Industrial Piping and Maintenance for the diesel plant cooling tower in the amount of one hundred and thirty-three thousand, three hundred and eighty-four dollars (\$133,384.00) as presented.

Voting yea: Seven Voting nay: None Absent: Smith, Sisson MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that each year the City is required to complete a plan for airport improvements and submit it to the Michigan Department of Transportation (MDOT) Aeronautics Division. The City's proposed 2012 submittal remains largely unchanged from last year. The only changes were additions to the plan for 2023 of a ten-unit t-hangar building and replacement of the fuel farm at the airport. The notable project on the plan for 2013 is the rehabilitation of Taxiway C and Runway 6/24; the City's match for this project has been included in the FY 2013 City budget.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the 2012 Airport Improvement Program Plan as presented and authorize City staff to submit it to MDOT Aeronautics.

Voting yea: Seven Voting nay: None Absent: Smith, Sisson MOTION CARRIED

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JULY 11, 2012
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

City Manager Michael Hughes and Assistant to the City Manager Andrew Kuk provided information the progress of the Sturgis 2022 project. Discussion followed. There was consensus to complete the requests for input on August 8th with a presentation of results at the August 22nd meeting.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JULY 11, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Dr. Doug Carr, His House Church, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Katie Pederson, Sturgis Relay for Life, presented the City of Sturgis as a Rising Star.

Rob Pattison presented his credentials as he runs for District Judge.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of July 11, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the June 26th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,063,065.30, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided information on the Shrine Club's request for use of a parking space in downtown Sturgis during the days of July 16th to July 20th to park a restored 1942 fire truck. The fire truck will be used to call attention and raise awareness of the Shrine Club's "Cash in for the Children" fundraising campaign.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the Sturgis Shrine Club's request for use of a parking space July 16th to July 20th as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Marcia Saunders of Building Science Energy Services provided an update of the Sturgis Saves program.

Moved by Comm. Gay and seconded by Comm. Littman to allow the Sturgis Saves program to be expanded to the four surrounding townships and permit Marcia to offer the program to the employees of a City business who live in the four surrounding townships.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the bids received for new circuit breakers for the Southeast Substation.

Moved by Comm. Stephens and seconded by Comm. Wilson to approve the bid from Siemens for two gas insulated circuit breakers in the amount of seventy-four thousand, three hundred sixty-one dollars (\$74,361.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Gay to approve the bid from ABB Kuhlman for six potential transformers in the amount of thirty-six thousand, three hundred and eighteen dollars (\$36,318.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the proposed fiscal year 2013 budget.

Moved by Comm. Wilson and seconded by Comm. Stephens to set a public hearing for consideration of the City's 2012-2013 budget at 7:30 p.m. on August 8th, 2012 at City Hall, 130 N. Nottawa.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Wilson and seconded by Comm. Sisson to go into Closed Session for the purpose of considering the potential purchase of property.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 8:45 p.m.

Meeting reconvened at 9:10 p.m.

The meeting was adjourned at 9:12 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JULY 25, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Pastor Stephen Middleton, Christian Fellowship Center, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Mayor Malone presented the following presentation to the Chamber of Commerce and Hamilton Harley Davidson:

WHEREAS, Sturgis Fest 2012 was a community-driven event presented by the Sturgis Area Chamber of Commerce and Hamilton Harley-Davidson; and

WHEREAS, Sturgis Fest offered a week of events that provided recreation and entertainment for Sturgis citizens of all ages and interests as well as visitors to our community; and

WHEREAS, The success of Sturgis Fest is directly attributable to the support, hard work and tireless efforts of the businesses and volunteers that provided sponsorships and time to the event.

THEREFORE, on this 25th Day of July 2012, the City of Sturgis recognizes the Chamber of Commerce, Hamilton Harley-Davidson, and all the sponsors, businesses, and individual volunteers for their hard work and support in making the 2012 Sturgis Fest such a wonderful community event and a success.

Robert Dutka and Matt Davidson provided their credentials on their candidacy for Probate Judge and District Judge respectively.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of July 25, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the July 11th, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the July 11th, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of, \$2,302,145.20 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the upcoming Sturgis Toy Run and explained that the route and requests are similar to those in the past.

Moved by Comm. Taulbee and seconded by Comm. Stephens to approve the requests for the 2012 Sturgis Toy Run as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that only one application has been received for the Doyle Board vacancy.

Moved by Comm. Stephens and seconded by Comm. Hile to appoint Terra Draper to fill the unexpired term of Tim DeBoard on the Doyle and Recreation Board ending May of 2013.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Smith and seconded by Comm. Hile to go into Closed Session for the purpose of considering the potential purchase of property.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:55 p.m.

Meeting reconvened at 8:21 p.m.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 8, 2012
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Electric Department Superintendent John Griffith provided a history and information on the City's series street lighting policy. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 8, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Reverend Bob Renner, Sturgis Missionary Church, gave the Invocation.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Mayor Malone

Commissioners absent: Vice-Mayor Hile

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

Mayor Malone presented a plaque to former Mayor John Carmichael for his service.

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

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

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of August 8, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the July 25th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of, \$1,353,424.08 as presented.

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

Assistant to the City Manager Andrew Kuk explained that the Salvation Army, in partnership with local church congregations, has submitted an event request form for a Gospel Music Concert at Oaklawn Park. The concert is planned to run from 4:00 to 5:30 p.m. on Sunday, September 16th. The concert would make use of the amphitheater at the park and a waiver of the \$40.00 amphitheater use fee is requested.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the request of the Salvation Army for the Community Gospel Music Concert as presented.

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

City Engineer Barry Cox explained that the City has been investigating the possibility of reconstructing brick streets in the City with the assistance of Michigan Department of Transportation (MDOT) grant funding. In April the Commission approved a collaboration agreement with Grand Rapids to help complete the grant-writing process. City staff is requesting approval of the plan as a framework for moving forward with grant requests. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the City of Sturgis Brick Street Replacement Plan as presented.

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

Mayor Malone opened the Public Hearing for the proposed 2012-2013 fiscal year budget.

City Manager Michael Hughes provided details on the proposed budget. Discussion followed. Ed Miller inquired about the wastewater received from LaGrange County.

Mayor Malone closed the public hearing.

Moved by Comm. Sisson and seconded by Comm. Wilson to adopt the 2012-2013 annual City of Sturgis Budget Summary and Appropriation Resolution.

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

Wastewater Superintendent Tom Sikorski explained that part of the wastewater treatment plant's operations is a supervisory control and data acquisition (SCADA) system, which helps to monitor and control plant operations via computer and this system requires certain upgrades.

Moved by Comm. Smith and seconded by Comm. Stephens to approve the proposal from Windemuller for SCADA system software upgrades for total price of \$13,075.00.

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

Electric Department Superintendent John Griffith explained that the City of Sturgis' hydroelectric plant operates under a license issued by the Federal Energy Regulatory Commission (FERC). One of the license requirements is to develop and implement a recreation plan. The City's plan has been developed and filed with the FERC and includes several improvements at Pahl Point Park and Covered Bridge Park. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the revised project scope bid of Cross Lake Construction for recreation improvements in the amount of one hundred and forty-seven thousand, six hundred dollars (\$147,600.00) as presented.

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

Electric Department Superintendent John Griffith explained that during the summer, there were two separate relay failures at the Southeast Substation. Based on the age of the relays, lack of reliability and the critical nature of the load, it is the recommendation of staff that the best solution is to replace the relay not only at the Southeast substation, but also those at the Franks and Central Substations.

Moved by Comm. Smith and seconded by Comm. Stephens to approve the bid of Harlo Corporation for purchase of substation relays in the amount of fifty-four thousand, nine hundred and sixty-four dollars (\$54,964.00) as presented.

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

DPS Supervisor Rick Miller provided information on the bids received for a fence around the City's water tower. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Gay to approve the bid from Dewitt Fence Co. for water tower fencing in the amount of eleven thousand, nine hundred and eighty-two dollars (\$11,982.00).

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

City Controller Holly Keyser and DPS Supervisor Rick Miller provided information on an existing forklift used by City staff and ongoing needs. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Stephens to approve a bid wavier for and authorize City Staff to purchase a used telehandler and a used all-terrain forklift meeting specifications as presented for an amount not-to-exceed sixty thousand dollars (\$60,000.00) total.

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

Moved by Comm. Sisson and seconded by Comm. Stephens to authorize City staff to sell unit 696, the current forklift truck via public auction.

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

Moved by Comm. Smith and seconded by Comm. Hile to go into Closed Session for the purpose of considering the potential purchase of property.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone
Voting nay: None MOTION CARRIED

Meeting recessed at 9:00 p.m.

Meeting reconvened at 9:20 p.m.

Moved by Comm. Littman and seconded by Comm. Wilson to approve purchase of the five properties detailed on the Foreclosure List For St. Joseph County, located within the City limits, (206 Jacob, 207 McKee, 209 McKee, 506 E. Hatch, and 400 E. West) for the amount of delinquent property taxes and any other fees determined by the County Treasurer.

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

The meeting was adjourned at 9:25 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 22, 2012
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Littman

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

City Manager Michael Hughes and Assistant to the City Manager Andrew Kuk provided information about services provided by City Staff for community events, related expenses, and possible cost recovery options. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 22, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Littman

Also present: City Attorney, City Manager, Assistant to the City Manager, City Engineer, Electric Department Superintendent, Deputy Fire Chief, City Controller, City Clerk

Mayor Malone presented a plaque to former Mayor Barb Fisher for her service.

Moved by Comm. Sisson and seconded by Comm. Wilson to approve the agenda as presented.

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

Moved by Comm. Sisson and seconded by Comm. Taulbee to approve the Consent Agenda of August 22, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the August 8th, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the August 8th, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of, \$2,324,174.20 as presented.

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

City Manager Michael Hughes provided information on a request to move the parking from the east side of the 100 block of North Maple from the east side to the west side of the street.

Mike Oxender, property owner on North Maple Street, explained why he would like the parking moved from one side of the street to the other.

Keith Thorton, Zach Foley, Chad Carpenter, Amanda Reed, and Deanna Denton, property owners on North Maple Street, explained why they are opposed to the movement of the parking.

Discussion followed. City staff will review possible options to provide a recommendation at the next regular meeting.

Mayor Malone opened the Public Hearing for consideration of an IFEC to Parma Tube Corporation.

City Manager Michael Hughes provided information on the equipment being purchased by Parma Tube. The City Commission explained that they were pleased with the growth of the company and their continued investment in the community.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Taulbee and seconded by Comm. Gay to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed two hundred and sixty-two thousand, three hundred seventy-three dollars (\$262,373.00) to Parma Tube Corporation for a period of twelve (12) years.

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

WHEREAS, Parma Tube Corporation 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 Parma Tube Corporation, and

WHEREAS, on October 6, 1980 the City Commission established the Industrial Development District for the industrial property of Parma Tube Corporation, 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, the aggregate SEV of real and personal property exempt from ad valorem taxes within the (governmental unit), after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; 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.

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

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

Mayor Malone opened the Public Hearing for consideration of an IFEC to Johnson Precision Mold and Engineering.

City Manager Michael Hughes provided information on the equipment being purchased by Johnson Precision Mold and Engineering. The City Commission explained that they were pleased with the growth of the company and their continued investment in the community.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Wilson and seconded by Comm. Stephens to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed one hundred and forty-nine thousand, seven hundred eighty-nine dollars (\$149,789.00) to Johnson Precision Mold and Engineering for a period of twelve (12) years.

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

WHEREAS, Johnson Precision Mold and Engineering 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 Johnson Precision Mold and Engineering, and

WHEREAS, on November 26, 1986 the City Commission established the Industrial Development District for the industrial property of Johnson Precision Mold and Engineering, 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, the aggregate SEV of real and personal property exempt from ad valorem taxes within the (governmental unit), after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; 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.

NOW, THEREFORE BE IT RESOLVED, that the Sturgis City Commission does hereby approve the application of Johnson Precision Mold and Engineering for an "Industrial Facilities Exemption Certificate".

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

Deputy Fire Chief Scott Hopkins provided information on the condition apparatus floor and bids received for resurfacing. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the bid of LIPE Industrial Flooring for the Fire Department apparatus floor resurfacing in the amount of twenty-four thousand, four hundred dollars (\$24,400.00).

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

City Engineer Barry Cox provided information on this year's crack sealing program and the bids received. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Taulbee to approve the bid of Scodeller Construction, Inc. for the 2012 crack sealing program for a total project amount not-to-exceed seventy-five thousand dollars (\$75,000.00) as presented.

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

City Engineer Barry Cox provided information on the refurbishment of South Street and the task order for engineering work for that project. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Stephens to approve Task Order 38 with Fleis and VandenBrink Engineering for design and bid phase services of the South Street Improvement project in the amount of thirty-nine thousand, five hundred dollars (\$39,500.00) as presented.

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

Electric Department Superintendent John Griffith provided information on the needed repairs on the exterior of the diesel plant and the bids that were received. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the bid from Bornor Restoration, Inc. for the Diesel Plant Masonry Restoration project in the amount of forty-five thousand, eight hundred twenty dollars (\$45,820.00) as presented.

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

Assistant to the City Manager Andrew Kuk provided information on the data received as part of the Sturgis 2022 project. Discussion followed. City staff will be preparing a packet of information on the next steps in the project.

State Representative Matt Lori provided information on vocational education, personal property tax, healthcare, and road funding. Discussion followed.

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

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Gay, Hile, Malone

Voting nay: None Absent: Littman MOTION CARRIED

Meeting recessed at 9:10 p.m.

Meeting reconvened at 9:35 p.m.

Moved by Comm. Smith and seconded by Comm. Wilson to approve an addendum to the City Manager Agreement including a 2% increase in salary and adding the provision of providing payment for mileage, at the IRS mileage rate, for travel outside of St. Joseph

County, as the result of a positive evaluation.

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

The meeting was adjourned at 9:37 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 12, 2012
WIESLOCH RAUM – CITY HALL

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

Pastor Ross Gerber, Grace Christian Fellowship, gave the Invocation

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Wilson

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

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

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

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of September 12, 2012 as presented.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the August 22nd, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the August 22nd, 2012 work session as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,815,176.75 as presented.

C. 2012 Airport Capital Improvement Plan Revision

APPROVE the 2012 Airport Improvement Program Plan as amended and AUTHORIZE City staff to submit it to MDOT Aeronautics.

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

City Manager Michael Hughes provided information on the proposed changes to the on street parking in the 100 block of North Maple. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Stephens to approve the traffic control order related to changes to parking on North Maple Street as presented.

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

Assistant to the City Manager Andrew Kuk provided information on the request from La Vina for a fee waiver use of the Oaklawn Park pavilion for an Evangelic Event / Concert on Saturday, September 15. The concert would take place from 1:00 p.m. to 7:00 p.m. and feature live music. La Vina is also requesting permission to sell concessions in the park during the event. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the requests of La Vina for their Evangelic Event on September 15th as presented.

Voting yea: Seven Voting nay: Littman Absent: Wilson MOTION CARRIED

City Manager Michael Hughes explained that City of Sturgis staff, the City of Three Rivers and St. Joseph County have been discussing the future of the shared grant writer position and have developed a new MOU for Commission consideration. Under the new MOU, the City of Sturgis, City of Three Rivers, and St. Joseph County would seek to hire a new shared grant writer and split the cost of the position. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Littman to adopt the Memorandum of Understanding for a Shared Grant Writer Position as presented.

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

Electric Department Superintendent provided details on the proposed Street Lighting Policy. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the Street Lighting Policy as presented.

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

Assistant to the City Manager Andrew Kuk explained that currently the Airport Advisory Committee has no set bylaws, necessitating reappointment of members each year. With the proposed bylaws, Committee members would serve three year terms. The bylaws also specify rules for the makeup of the Committee, election of officers, schedule of meetings, and other organizational details. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Smith to approve the Airport Advisory Committee Bylaws as presented.

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

The meeting was adjourned at 8:25 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 26, 2012
WIESLOCH RAUM – CITY HALL

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

Reverend Deborah Johnson, First United Methodist Church, gave the Invocation

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Mike Moroz provided his qualifications as he campaigns to be the 59th District State Representative.

Moved by Comm. Littman 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. Taulbee to approve the Consent Agenda of September 26, 2012 as amended.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the September 12th, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,016,382.21 as presented.

C. Auditorium Board Resignation

ACCEPT the resignation of Lori Wright from the Auditorium Board and SEND a letter of recognition for her service.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided information on the details of the upcoming Sturgis High School Homecoming parade. Student Body Vice-President Nathan Stemen provided further information.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the requests of Sturgis High School for the Homecoming Parade.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided information on the requests related to the 2nd Annual “Dip Dive & Dodge for Breast Cancer” for sign and ribbon placement in the downtown.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the requests for breast cancer awareness month as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the request from Sturgis Hospital for a blanket liquor license at the Sturgis Armory. Joe Haas provided details on the upcoming Autumn Feast.

Moved by Comm. Wilson and seconded by Comm. Hile to adopt the Local Legislative Body Resolution for Special Licenses on Military Installations for Sturgis Hospital as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk provided details on the bids received for new playground equipment and related items at Memorial Park. There was discussion on costs and the use of rubber as opposed to wood mulch.

Moved by Comm. Smith and seconded by Comm. Wilson to accept the bid of Cobalt Rubber for rubber playground mulch in the amount of \$15,200.00.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Smith and seconded by Comm. Stephens to approve the bids for playground equipment in Memorial Park as presented in the total amount of \$23,780.00.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Smith and seconded by Comm. Littman to purchase silver rubber mulch.

Voting yea: Eight

Voting nay: Sisson

MOTION CARRIED

City Engineer Barry Cox explained that starting in 2006 the City of Sturgis began work on a Wellhead Protection Program (WHPP) Plan. With grant assistance from the Michigan Department of Environmental Quality (MDEQ), the City contracted with Fleis & Vandenbrink Engineering, Inc. (F&V) to develop the initial plan document for the program. The City has been approved for a MDEQ Wellhead Protection Program grant of \$8,750.00 to assist with plan updates and ongoing program implementation. Discussion followed.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the agreement with the Michigan Department of Environmental Quality to provide grant funds in the amount of eight thousand, seven hundred and fifty (\$8,750.00) and authorize City Manager Michael Hughes to sign the Agreement on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the budget amendment to the Water Fund as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Stephens and seconded by Comm. Taulbee to approve the task order with Fleis & Vandenbrink Engineering, Inc. for wellhead protection program plan activities in the amount of seventeen thousand, five hundred dollars (\$17,500.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox explained that MDOT's office of Economic Development has a grant program called a TEDF Category A grant which leverages industrial job creation and retention to fund road improvements associated with the job creator's location and the details of the City's proposed application. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Stephens to adopt the resolution of support as presented and authorize City Manager Michael Hughes to sign all necessary documents to submit the grant application for the MDOT TEDF Category A grant.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Public Safety Director David Northrop provided information on the memorandum of understanding (MOU) with St. Joseph County to provide an officer to the St. Joseph County Area Narcotics (SCAN) unit. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Littman to adopt the Memorandum of Understanding with St. Joseph County for SCAN officer services as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the current vacancies on City boards and the applications that have been submitted.

Moved by Comm. Stephens and seconded by Comm. Littman to approve appoint Suzy Saddler to fill the unexpired term of Madeline Murphy-Parker on the Auditorium Board ending May of 2015 and appoint Vivian VanNest to fill the unexpired term of Richard Eames on the Cemetery and Parks Board through May 2013.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the necessary fiscal year end budget amendments. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Littman to approve the amendments to the fiscal year 2011-2012 budget as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Smith and seconded by Comm. Hile to go into Closed Session for the purpose of discussing ongoing union negotiations.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 9:30 p.m.

Meeting reconvened at 10:05 p.m.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**SPECIAL MEETING - STURGIS CITY COMMISSION
THURSDAY, OCTOBER 4, 2012
CONFERENCE ROOM – CITY HALL**

Mayor Malone called the meeting to order at 2:30 p.m.

Commissioners present: Gay, Mayor Malone

Smith, Sisson, Stephens, Wilson, Littman, Vice-Mayor Hile (via telephone conference)

Commissioners absent: Taulbee

Also present: City Manager, Assistant to the City Manager, Deputy Fire Chief, City Clerk

Deputy Fire Chief Scott Hopkins explained that earlier this week, the City received a permit application from RKM Fireworks Company to put on a fireworks display at the Homecoming festivities at Sturgis High School this Friday, October 5, 2012. He has reviewed the application and insurance certificate and everything seems to be in order.

Moved by Comm. Littman and seconded by Comm. Wilson to approve the fireworks display permit from RKM Fireworks Company for the Sturgis High School Homecoming festivities on Friday, October 5, 2012 as presented.

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

The meeting was adjourned at 2:35 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 10, 2012
WIESLOCH RAUM – CITY HALL

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

Reverend Ross Gerber, Grace Christian Fellowship, gave the Invocation

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Sisson

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

Rev. Ross Gerber, Grace Christian Fellowship provided information on current activities of area churches.

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

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

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of October 10, 2012 as amended.

A. Action of Minutes of Previous Meetings

1. APPROVAL of the minutes from the September 26th, 2012 regular meeting as presented.
2. APPROVAL of the minutes from the October 4th, 2012 special meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$665,590.31 as presented.

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

Mayor Malone opened the Public Hearing for consideration of an IFEC to Telemark Corporation.

Cathy Knapp, Southwest Michigan First, explained that Telemark is investing \$608,400 in a 65" wide-web, flexographic printing press, four-color upgrade and platemaking equipment. The investment in this technology will allow them to enter into new markets in which they have not recently been able to compete and generate new sales revenue.

The Commission commended Telemark for their willingness to expand in Sturgis. There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Smith and seconded by Comm. Gay to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed six hundred and eight thousand dollars (\$608,400.00) to Telemark Corporation for a period of twelve (12) years.

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

RESOLUTION

WHEREAS, Telemark Corporation 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 Telemark Corporation, and

WHEREAS, on October 22, 1980 the City Commission established the Industrial Development District for the industrial property of Telemark Corporation, 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, the aggregate SEV of real and personal property exempt from ad valorem taxes within the (governmental unit), after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; 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.

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

Mayor Malone opened the Public Hearing for consideration of an IFEC to VCI, Inc.

Cathy Knapp, Southwest Michigan First, explained that VCI is investing \$709,500 in increased welding capacity, a Waterjet cutting machine and expanded engineering and design capabilities. The investment in this technology will allow them to meet increased customer demand and expand the types of materials they can utilize in their products.

The Commission commended VCI for their commitment to advanced technology. There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Taulbee and seconded by Comm. Gay to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed seven hundred and nine thousand, five hundred dollars (\$709,500.00) to VCI, Inc. for a period of twelve (12) years.

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

RESOLUTION

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, the aggregate SEV of real and personal property exempt from ad valorem taxes within the (governmental unit), after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; 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.

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

City Manager Michael Hughes explained that on September 18, 2012, the Indiana Northeastern Railroad Company filed a Notice of Abandonment with the United States Department of Transportation, Surface Transportation Board for the portion of its Old Road Branch between Coldwater and Sturgis. Mr. Hughes and Jim Coury, Michigan Trails and Greenways, provided detailed information on the process that is involved in investigating a conversion of the railway to a trail.

Mr. and Mrs. Harper, Janet Delevan, Timothy Smoll, Andrew Brandt, Nelson Miller, property owners along the railway, expressed concerns about the conversion to a trail. Discussion followed.

The Commission took no action.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 24, 2012
DPS BUILDING – 805 N. CENTERVILLE

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

Cliff Brubaker, Amigo Centre, gave the Invocation

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Sisson

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

Deputy Fire Chief Scott Hopkins introduced Jason Albarran, who is the Department's newest firefighter.

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

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

Moved by Comm. Littman and seconded by Comm. Wilson to approve the Consent Agenda of October 24, 2012 as amended.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the October 10, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,761,758.80 as presented.

C. Closing of North St. and Pleasant St. for DSA Halloween

APPROVE the request to close North St. and Pleasant St. on Wednesday, October 31st between 4:00 p.m. and 6:00 p.m. as presented.

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

Mayor Malone opened the Public Hearing for consideration of an IFEC to LTI Inc.

Cathy Knapp, Southwest Michigan First, explained that the City received an application from LTI Printing, Inc. a tax abatement on new equipment and technology investments. They are investing \$464,364.00 in a computer-to-plate flexographic plate-making system, a new management information system and forklifts. The investment in this technology and equipment will afford them greater productivity, increased quality and cost efficiencies.

The Commission commended LTI for their willingness to expand in Sturgis. There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Stephens and seconded by Comm. Gay to adopt a resolution awarding an

Industrial Facilities Exemption Certificate, not to exceed Four Hundred Sixty Four Thousand Three Hundred Sixty Four Dollars (\$464,364.00) to LTI Printing, Inc. for a period of twelve (12) years.

RESOLUTION

WHEREAS, LTI Printing, 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 LTI Printing, Inc., and

WHEREAS, on April 22, 1987 the City Commission established the Industrial Development District for the industrial property of LTI Printing, 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, the aggregate SEV of real and personal property exempt from ad valorem taxes within the (governmental unit), after granting this certificate, will exceed 5% of an amount equal to the sum of the SEV of the unit, plus the SEV of personal and real property thus exempted; 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.

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

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

City Clerk/Treasurer Kenneth Rhodes explained that in 2011, the DDA Board adopted the practice of setting aside one of the board positions for a student at Sturgis High School; this is similar to the Sturgis Community Foundation. Emily Campbell was the first student appointed to the DDA Board, but she graduated. The High School Principal's office provided a number of applications from interested students to the DDA Board for their evaluation. Included in your packet is the application from Bryce Airgood, who the DDA Board chose to serve in this position.

Moved by Comm. Wilson and seconded by Comm. Littman to appoint Bryce Airgood to the DDA Board of Directors to fill the unexpired term of Emily Campbell through May 2014.

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

DPS Supervisor Rick Miller provided information on the research that was done related to the evaluation of the current Cemetery fees. Discussion followed.

Comm. Sisson joined the meeting.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the changes to Cemetery Fees as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the type of maintenance that has been performed at the hydroelectric plant. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Stephens to approve a bid waiver and a contract with American Governor Company to overhaul and calibrate two governors at the hydroelectric plant in the amount of Eleven Thousand Seven Hundred Fifty Dollars (\$11,750.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided information on the State's limits regarding municipal health care costs and details on the City's plan.

Moved by Comm. Littman and seconded by Comm. Hile to adopt the Resolution to Control Municipal Health Care Costs as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided information on the recommended non-union employee benefit change which include pension and insurance contribution changes for new employees as suggested by the Governor's Economic Vitality Incentive Program.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the non-union employee benefit changes as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided information on the changes to the pension ordinance which are related to references to Sturgis Hospital and member contributions. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Stephens to consider this the introduction and first reading of amendments to Part II, Article III, Division 2 of the Ordinances of the City of Sturgis, Sections 2-84, 2-85, 2-161, 2-182, 2-183, 2-184 and 2-271.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Hile to go into Closed Session for the purpose of discussing ongoing union negotiations.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 8:15 p.m.

Meeting reconvened at 8:30 p.m.

Moved by Comm. Stephens and seconded by Comm. Gay to approve the agreement between the City of Sturgis and the Sturgis Firefighters Association (IAFF Local 722) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:32 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**ORGANIZATIONAL MEETING
STURGIS CITY COMMISSION
MONDAY, NOVEMBER 12, 2012
CONFERENCE ROOM - CITY HALL**

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Malone, Wilson, Littman, Hile, Gay
Commissioners absent: None

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

City Clerk/Treasurer Kenneth Rhodes provided a summary of the November 6th General Election results.

The City Clerk asked for nominations for the Office of Mayor.

Comm. Littman nominated Comm. Malone

Moved by Comm. Littman and seconded by Comm. Taulbee to close the nominations for the Office of Mayor and cast a unanimous ballot for Comm. Malone.

Voting Yea : Nine

Voting Nay : None

MOTION CARRIED

Comm. Malone was seated as the Mayor of the City of Sturgis.

Mayor Malone asked for nominations for the Office of Vice-Mayor.

Comm. Gay nominated Comm. Hile

Moved by Comm. Gay and seconded by Comm. Sisson to close the nominations for the Office of Vice-Mayor and cast a unanimous ballot for Comm. Hile.

Voting Yea : Nine

Voting Nay : None

MOTION CARRIED

Comm. Hile was seated as the Vice-Mayor of the City of Sturgis.

Mayor Malone and the Commission discussed the various committee appointments. Mayor Malone confirmed the following appointments:

Ambulance: Gay

Auditorium: Hile

Finance Committee: Malone, Littman, Wilson

EDC: Smith

Employee's Retirement Board: Littman, Malone

IFEC / Idle Buildings: Gay, Wilson, Stephens, Taulbee

Investment Committee: Taulbee, Hile, Sisson

Recycling Committee: Stephens

St. Joe County Traffic Committee: Malone

Senior Center: Taulbee

Sister City Committee: Wilson

City Clerk/Treasurer Kenneth Rhodes provided information on the City Commission Procedural Policy which contained the addition of rules for Special Meetings.

Moved by Comm. Sisson and seconded by Comm. Smith to approve the City Commission Procedural Policy as presented.

Voting Yea : Nine

Voting Nay : None

MOTION CARRIED

The meeting was adjourned at 8:09 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, NOVEMBER 14, 2012
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

City Manager Michael Hughes and Assistant to the City Manager provided information on the existing Recycling contract and Borden's willingness to extend the contract five years at the same price and terms. Discussion followed. The Commission had consensus to move forward with a new contract with Borden as opposed to bidding the service out.

Wastewater Superintendent Jeanette Fenner provided information and a video on the history and operation of the wastewater plant including the problems with the rag and grit removal systems. Bob Wilcox, Fleis & Vanderbrink, provided details on the proposed improvements that will be part of the State Revolving Fund plan. Discussion followed.

The meeting was adjourned at 7:30 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, NOVEMBER 14, 2012
WIESLOCH RAUM – CITY HALL

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

Reverend Bob Renner, Sturgis Missionary Church, gave the Invocation

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Comm. Wilson provided a review and update on the Generate Sturgis program. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Taulbee 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 November 14, 2012 as amended.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the October 24, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$781,128.85 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser explained that no changes have been made to the retirement ordinance amendment since the first reading. The amendment reflects the percentage of payroll contributions approved by the City Commission on February 23, 2011 for all members of the General Group (Benefit Group A) and removes language calling for a twenty percent (20%) contribution by Benefit Group A employees hired after January 1, 2009.

Moved by Comm. Taulbee and seconded by Comm. Wilson to consider this the second reading of and approve amendments to Part II, Article III, Division 2 of the Ordinances of the City of Sturgis, Sections 2-84, 2-85, 2-161, 2-182, 2-183, 2-184 and 2-271 effective January 1, 2013.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Deputy Fire Chief Scott Hopkins provided information on the bids received related to replacement of the overhead doors at the fire station. Discussion followed related to previous work done by the bidders.

Moved by Comm. Wilson and seconded by Comm. Smith to approve the bid with Burr Oak Overhead Doors for the purchase of the six (6) overhead doors at the Fire Department in the amount of twelve thousand nine hundred seventy five dollars (\$12,975.00).

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to go into Closed Session for the purpose of discussing the potential purchase of property.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 9:14 p.m.

Meeting reconvened at 9:33 p.m.

Moved by Comm. Sisson and seconded by Comm. Littman to approve a contract with QoE Consulting for land acquisition and property mapping services related to the airport as presented in the amount of forty-four thousand, three hundred and sixty dollars (\$44,360.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Littman to approve a grant contract with the Michigan Department of Transportation for land acquisition and property mapping services related to the airport as presented for forty-eight thousand dollars (\$48,000.00) with a City match amount of one thousand, two hundred dollars (\$1,200.00) and authorize City Manager Michael Hughes to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:35 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, NOVEMBER 28, 2012
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant to the City Manager, City Controller, Public Safety Director, Buildings Supervisor, City Clerk

Ed Miller, provided his thoughts on the City issues such as street repair, taxes, business growth, zoning, and other issues.

Moved by Comm. Littman and seconded by Comm. Taulbee 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 November 28, 2012 as amended.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the November 14, 2012 work session as presented.

APPROVAL of the minutes from the November 14, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,018,152.99 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Taulbee and seconded by Comm. Gay to appoint Karen Gleason to the Auditorium Board to fill the unexpired term of Lori Wright through May 2014.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant to the City Manager Andrew Kuk explained that Borden Waste Away is willing to extend the existing curbside recycling agreement for an additional five years at the same cost.

Moved by Comm. Sisson and seconded by Comm. Stephens to approve a five (5) year contract extension for curbside recycling services with Borden Waste-Away Services, Inc. as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Public Safety Director David Northrop provided information on a proposed ordinance amendment to address the remediation of buildings where toxic substances are found to be present. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Wilson to consider this the introduction and first reading of an amendment to Part II-Chapter 34 of the ordinances of the City of Sturgis adding Article V, Cleanup and Removal of Toxic Substances, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Buildings Supervisor George Musolff provided information on proposed ordinance amendments to the property maintenance code.

Moved by Comm. Wilson and seconded by Comm. Littman to consider this the introduction and first reading of amendments to Part II - Chapter 14, Article III of the Ordinances of the City of Sturgis, Sections 14-61 and 14-63.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:45 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 12, 2012
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

Also present: City Manager, Assistant to the City Manager, City Controller, Deputy Fire Chief, Detective Sergeant, City Clerk

Police Detective Sergeant Geoff Smith and Deputy Fire Chief Andy Strudwick explained that the Insurance Services Office (ISO) contacted the Sturgis Fire Department at the end of March 2012, requesting a re-inspection of City fire protection capacity; the last ISO inspection was performed in 2002 and at that time the Fire Department was rated as a Class 6. As a result of the re-inspection, the Fire Department is now rated as a Class 4. They explained what ISO is, the areas of inspection, the process involved, and information on the Fire Department's new classification. Discussion followed.

City Manager Michael Hughes provided information on consideration of the closure of some Oaklawn Cemetery entrances. Discussion followed.

Mr. Hughes provided information on a portable ice rink and its possible location downtown. Discussion followed.

Mr. Hughes provided information on a proposed "Sturgitarod" race downtown. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 12, 2012
WIESLOCH RAUM – CITY HALL

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

Chaplain Al Hargett, American Legion, gave the Invocation

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Norville Smith explained that he is concerned about the area's methamphetamine and homelessness problem.

Jim Vicalvi, 310 N. Lakeview, expressed concerns about the Christmas lighting, his utility bill, and playground equipment. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Hile to approve the agenda as presented with the movement of the Sherman Township property transfer and the addition of City election dates discussion to New Business.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Gay to approve the Consent Agenda of December 12, 2012 as amended.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the November 28, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,129,647.86 as presented.

C. Property Transfer Resolutions

ADOPT the resolution transferring property from Sturgis Township to the City of Sturgis as presented.

ADOPT the resolution transferrintg property from Fawn River Township to the City of Sturgis as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the proposed ordinance related to cleanup and removal of toxic substances in a structure which was introduced at the previous City Commission meeting.

Moved by Comm. Smith and seconded by Comm. Stephens to consider this the second reading of and approve the amendment to Part II-Chapter 34 of the ordinances of the City of Sturgis adding Article V, Cleanup and Removal of Toxic Substances, effective January 14, 2013.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

AMENDMENT TO PART II-CHAPTER 34 OF THE ORDINANCES OF THE CITY OF STURGIS

An ordinance to amend Part II-Chapter 34 of the ordinances of the City of Sturgis by adding Article V Cleanup and Removal of Toxic Substances.

WHEREAS, the City Commission has determined that activities involving the manufacture and possession of methamphetamine and other noxious, hazardous or toxic substances within the City limits create public health and safety risks for current and future occupants of the property, adjoining properties and the public at large; and

WHEREAS, requiring property owners to remediate and remove such risks is in the best interest of occupants, adjoining properties and the citizens of the City of Sturgis.

NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan ordains: Part II-Chapter 34, Article V is hereby added and is to provide as follows effective as of January 14, 2013.

ARTICLE V

Sec. 34-201. Purpose and Intent.

The purpose of this ordinance is to protect occupants of real property, as well as occupants of adjoining properties and the public at large, from hazardous and contaminated living environments by requiring owners of real property to remediate contamination of property caused by methamphetamine activity, or activities involving other noxious, hazardous and toxic substances, prior to resumed occupancy.

Sec. 34-202. Definitions.

For purposes of this Chapter, the following definitions shall apply:

(a) "Activity" or "activities" shall include the manufacture and possession of methamphetamine and other noxious, hazardous or toxic substances; or other acts involving such substances that present public health and safety risks to current or future occupants of real property, adjacent properties or the public at large.

(b) "Property" or "real property" shall include land, buildings, or other residential or commercial structures and facilities designed for human occupancy that are owned by an individual, firm, corporation or entity, and that are contaminated by activity or activities.

Sec. 34-203. Condemnation of Contaminated Property.

Upon notification to the City that a property has been reported to the local health department pursuant to MCL 333.12103 as a potentially contaminated property at which an activity has occurred, the property shall be condemned as unfit for human habitation by the City Building Inspector and all occupants shall immediately vacate the property.

Sec. 34-204. Prohibition of Occupancy.

Once a property has been condemned pursuant to Sec. 34-203 of this Ordinance occupation of the property for human habitation is prohibited until the local health department certifies that the property has been properly remediated and meets applicable cleanup criteria and the property complies with all applicable building and property maintenance code requirements. The owner, or agents of the owner, may access the property only to conduct an assessment or cleanup activities.

Sec. 34-205. Assessment and Remediation by Owner.

The owner, or agent of the owner, shall, within Ten (10) days of the issuing of the order to vacate by the local health department, submit documentation to the City Building Inspector that appropriate cleanup activities have been commenced. The owner, or agent of the owner, shall complete all appropriate assessment and cleanup activities and submit certification as provided in Sec. 34-204 of this Ordinance within Forty-five (45) days of the issuing of the order to vacate by the local health department. Upon demonstration of extenuating circumstances by the owner, the City Building Inspector may extend the time in which to complete remediation and submit certification.

Sec. 34-206. Assessment and Remediation by City.

(a) In the event the owner has not completed a cleanup of the property and the local health department has not certified that the property has been properly remediated and meets applicable cleanup criteria within the period of time provided in Sec. 34-205 of this Ordinance, the City may perform an assessment and remediation of the property in conformity with the cleanup criteria established or adopted by the local health department. During any such assessment and remediation period by the City, the City may terminate utility services to the property.

(b) The owner and occupants of any property located within the City which has been the location of any toxic substance activity assessed and remediated by the City shall be jointly responsible for reimbursing the City for the assessment and remediation costs incurred by the City.

- (1) For purposes of this section, “assessable costs” means those costs for services incurred by the City in connection with the cleanup and removal of a methamphetamine laboratory or related components or any other clandestine drug laboratory or related components, including, but not limited to, actual labor and material costs of the City (including, without limitation, employee wages, fringe benefits, costs of equipment, costs of equipment operation, costs of materials, costs of transportation, costs of material disposal and contractual costs), whether the services are provided by the City or by a third party on behalf of the City, and costs associated with the termination of utility services to the property.
- (2) “Assessable costs” also include any attorney fees, litigation costs or other costs, charges, fines or penalties to the City imposed by any court or state or federal governmental entities related to the laboratory and/or components.

(c) The City shall provide the owner and occupants of the affected property with written notice of the completion of the cleanup and removal, the amount of assessable costs incurred in the cleanup and removal and an order to pay the assessable costs to the City. Notice may be given by the following means:

- (1) In writing, by first-class mail, addressed to the owner of the property at the last known address as shown by the City tax records. The notice and order shall at the same time also be mailed to the occupants of the property, if different than the owner. If the notice and order are served by mail, they shall be deemed received by the addressee two mail delivery days after deposit in the United States mail.
- (2) In writing, addressed to the owner and occupant of the property, posted in a conspicuous location at the property. The notice and order shall be deemed to have been served to the owner and/or occupant, as applicable, at the time the notice and order is posted at the property.
- (3) Notice may be given to the owner and or occupant orally or by telephone but, in addition to the oral notice, notice shall be provided

under either subsection (1) or (2) above.

(d) The owner and occupant are jointly and severally liable for the assessable costs and shall pay the assessable costs to the City within six (6) months after service of the notice provided under sub-section (c) above.

Sec. 34-207. Penalty; Lien; Other Remedies.

(a) If the assessable costs are not paid when due, the assessable costs shall be considered delinquent and shall constitute a lien upon the affected real property. Such lien shall be of the same character and effect as a lien for real property taxes and shall include accrued interest and penalties. The City Treasurer shall certify to the City Assessor the fact that such assessable costs are delinquent and unpaid and the Assessor shall then enter the delinquent amount on the next general ad valorem tax roll as a charge against the affected property.

(b) In addition to the remedy set forth in sub-section (a) above, the City shall be entitled to pursue any other remedy or may institute an appropriate action or proceeding in a court of competent jurisdiction as permitted by law to collect assessable costs from the owner and/or occupant.

(c) A violation of this ordinance is deemed to be a nuisance per se. In addition to any other remedy available at law, the City may bring an action for an injunction or other process against a person, to restrain, prevent, or abate any violation of this ordinance.

(d) A person convicted of violating a condemnation order issued pursuant to Section 34-203 of this ordinance shall be punished by a fine not to exceed \$500.00, imprisonment for a period of not more than Ninety (90) days, or both such fine and imprisonment.

Sec. 34-208. Severability.

Severability is intended throughout and within the provisions of the ordinance. If any provision, including any exception, part, phrase, or term, or the application thereof to any persons or circumstances is held invalid, the application to other persons or circumstances shall not be affected thereby and the validity of the ordinance in any and all other respects shall not be affected thereby.

Buildings Supervisor George Musolff provided information on the proposed amendments to the Property Maintenance Code which was introduced at the previous City Commission meeting.

Moved by Comm. Taulbee and seconded by Comm. Gay to consider this the second reading of and approve the amendments to Part II - Chapter 14, Article III of the Ordinances of the City of Sturgis, Sections 14-61 and 14-63, effective January 13, 2013.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

**AMENDMENT TO PART II – CHAPTER 14, ARTICLE III
OF THE ORDINANCES OF THE CITY OF STURGIS**

An ordinance to amend Part II – Chapter 14, Article III of the Ordinances of the City of Sturgis pertaining to the Property Maintenance Code and to provide for an effective date of this Ordinance.

WHEREAS, the City of Sturgis has determined that it is in the best interest of the residents of the City to amend the Ordinances regulating the Property Maintenance Code to update the referenced code edition and provide for regular future updates;

NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan, ordains:

Part II – Chapter 14, Article III is hereby amended by revising Sections 14-61 and 14-63 as follows, effective as of January 14, 2013:

Sec. 14-61. - Adoption by reference.

The International Property Maintenance Code, 2009, Edition and any subsequent edition of the International Property Maintenance Code referenced in the Michigan Building Code, is hereby adopted by reference and made a part of this article as if fully set forth in this section. The modifications adopted by the City shall be incorporated by reference in the applicable sections of any subsequent edition of the International Property Maintenance Code referenced in the Michigan Building Code that modifies the numbering of those sections.

Sec. 14-63. - Amendments.

The following sections of the International Property Maintenance Code are amended as follows:

...

(3) 105.1 shall be amended to state in its entirety as follows:

105.1 Modifications: Where there are practical difficulties involved in carrying out structural or mechanical provisions of this code, the code official shall have the right to vary or modify such provisions upon application of the owner or the owner's representative, provided that the spirit and intent of the law is observed and that the public health, safety and welfare is assured.

The code official shall have the power, with the consent of both the city manager and the chief of the fire department, to modify any of the provisions of the Property Maintenance Code on application in writing by the owner or the owner's representative when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed and any such modification does not pose an unreasonable threat to the health, safety or welfare of an occupant of the property. The particulars of such modification, when granted or allowed, and the decision of the code official thereon, together with the consent in writing thereto of the city manager and the chief of the fire department, shall be kept within the records of the city and a signed copy shall be furnished to the applicant. Any refusal of a request for modification hereunder may be appealed by the applicant as provided for under this code.

The application for modification and the final decision of the code official shall be in writing and shall be officially recorded in the permanent records of the department.

...

(6) Section 113.1 shall be added to state in its entirety as follows:

113.1 Registration of rental units. No property owner shall lease, rent or otherwise allow a rental unit to be occupied unless the rental unit has been registered with the city and a person designated as responsible local agent. For purposes of this section "rental unit" is defined to be a single unit providing complete, independent living facilities for one or more persons. The responsible local agent shall be obligated to assure operation of the registered rental unit in compliance with the Code of Ordinances adopted by the city, shall be responsible for providing access to the rental unit for the purpose of making any and all inspections necessary to ensure compliance with the Code of Ordinances adopted by the city, and shall accept all legal notices or service of process with respect to the rental unit on behalf of the owner if the responsible local agent is a person other than the owner of the registered rental unit. The responsible local agent shall maintain a list of the names and number of occupants of each rental unit for which they are responsible.

113.2 Registration term and renewal of existing rental units. Within 90 days of the enactment of this chapter, property owners shall register any and all rental units within the city, and shall designate a responsible local agent. Said registration shall be effective for two years and it shall be the responsibility of the property owners to re-register said rental unit on the first day of the month immediately preceding the expiration of the registration for each rental unit.

113.3 Registry of new rental units. A property owner of a rental unit constructed after the enactment of this chapter shall register such rental unit and shall designate a responsible local agent; the certificate of compliance shall then be obtained pursuant to 113.8 prior to permitting occupancy of any new rental unit.

113.4 Change in registration information. The property owner of a rental unit registered with the city shall re-register within 60 days after any change occurs in registration information. A new owner of a registered rental unit shall re-register the rental unit as provided in this chapter and shall pay a registration fee. An existing owner shall re-register the rental unit as provided in the chapter but shall not be obligated to pay a registration fee as a result of re-registration under this section.

113.5 Re-registration. A property owner shall re-register prior to expiration of a certificate of compliance.

113.6 Registration of rental units. An application for registration of a rental unit shall be made in such form and in accordance with such instructions as may be provided by the city and shall include at least the following information:

...

113.7 Inaccurate or incomplete registration information. It shall be a violation of this chapter, punishable as provided in Section 106.2, as amended, for a property owner or a responsible local agent to willfully provide materially inaccurate information for the registration of rental units or to fail to provide information required by the city for said registration. In those cases in which the owner is not a natural person, responsibility for providing the owner information shall be that of the chief executive officer of the organization or his or her designee. Where more than one natural person has an ownership interest, the required information shall be provided by each such owner.

113.8 Certificate of compliance.

...

113.9 Posting of certificate of compliance. The following information shall be posted in a conspicuous place agreed upon by both lessor and lessee either within each rental unit or in a common area shared by all occupants of a building if the building contains three or more rental units.

- (i) A copy of the current certificate of compliance; and
- (ii) The name, address and telephone number of the responsible local agent.

113.10 Revocation of certificate of compliance. If the city shall ascertain the failure of any property owner to comply with a notice of violation issued pursuant to Section 106.2 of this code, the certificate of compliance shall be revoked and the property owner or responsible

local agent shall immediately surrender such certificate to the city.

113.11 Appeal or denial of registration or revocation of certificate of compliance. Any property owner whose rental unit registration has been denied or whose certificate of compliance has been revoked may file an appeal pursuant to this code.

113.12 Vacation and/or fine for a revocation of certificate.

(i) Upon revocation of a certificate of compliance or a determination by the board of appeals that a rental unit is unfit for human habitation, the owner or operator of said unit shall immediately vacate said unit, and no person shall thereafter occupy for sleeping or living purposes the unit therein until such unit shall again be in compliance with the code and same shall have been inspected and re-registered.

(ii) When a rental unit is found to be in violation of the provisions of this code but determined to be habitable, the code enforcement officials may determine that an order to vacate shall not issue but, rather that the certificate of compliance shall be deemed to have expired and the rental unit shall then be in Violation of the terms of this code.

113.13 Expiration of certificate of compliance. A certificate of compliance shall expire on the date stated on the certificate or on the repair date stated on any notice to repair issued to the property owner or responsible local agent. Sixty days after such expiration date, it shall be unlawful for any rental unit to be occupied unless a new certificate of compliance has been issued. A rental unit which has not been previously certified shall be deemed to have an expiration date on the date the responsible local agent is notified to register the rental unit.

113.14 Notification of expired certificate. At least 30 days prior to the expiration of a certificate of compliance, the city shall notify the registered owner to re-register the rental unit and to arrange for a compliance inspection. The property owner shall be responsible for re-registering a rental unit and arranging a compliance inspection prior to the expiration date on the certificate. When a certificate of compliance is reissued in accordance with this chapter, it shall have a two-year expiration date with the same month as shown on the previous certificate, regardless of the date that the new certificate is actually issued.

113.15 Certificate of compliance not required. A certificate of compliance shall not be required for living or sleeping accommodations in jails, hospitals, nursing homes, school dormitories, convalescent homes, foster homes or temporary group shelters provided by legal not-for-profit agencies which are inspected, certified and/or licensed by the State of Michigan.

113.16 Basis of inspections. Inspections may be made to obtain and maintain compliances with the standards of this chapter based upon any one of the following:

...

113.17 Inspection procedures. Except with respect to inspections involving an unreasonable threat to the health, safety or welfare of an occupant of the property, the code official shall attempt to provide notice to the owner or the responsible local agent designated by the owner by telephone or personal contact of a complaint or alleged violation of this chapter and if unable to do so shall provide written notice thereof by first class mail at least nine days prior to an inspection of the property.

...

113.18 Complaint initiated inspections. If an inspection is initiated by a complaint and no violation is found to exist, no inspection fees will be assessed against the owner of the inspected rental unit but an inspection fee will be assessed against the complainant.

113.19 Re-inspection. Where a re-inspection must be made to insure conformity of this chapter, or before a certificate of compliance is issued for those rental units that have been issued violation notices, there will be charged a separate fee for every inspection when the violation has not been abated or corrected, which fee shall be specified in a fee schedule compiled, from time to time, by the city commission.

113.20 Transfer of ownership inspection.

...

113.21 Fees. Fees for registration of rental units, inspections, reinspections and certificates of compliance shall be as established from time to time by resolution of the city commission.

...

(8) Section 304.14 shall be amended as follows:

304.14 Insect screens. During the period from April 1 to November 1, every door, window and other outside opening utilized or required for ventilation purposes serving any structure containing habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch and every swinging door shall have a self closing device in good working condition.

Exception: Screen doors shall not be required for out-swinging doors or other types of openings which make screening impractical, provided other approved means, such as air curtains or insect repellent fans are employed.

...

(9) Section 308.3.1 shall be amended to state in its entirety as follows:

308.3.1 Rubbish storage facilities: The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish. With respect to single-family rental properties the occupant, not the owner, shall supply approved covered containers for rubbish, and the occupant of the premises shall be responsible for the removal of rubbish.

City Manager Michael Hughes explained that the property owner involved in the proposed Sherman Township property transfer had concerns about the transfer into the City. Property owners Bill and Charles Walters explained that their understanding was that the property would not transfer and did not want to pay higher taxes. City Attorney Roger Bird explained that given the terms of the agreement between the City and Sherman Township, the property has effectively already been transferred because of the change in ownership and that the resolution simply memorializes the transfer. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Smith to adopt the resolution transferring property from Sherman Township to the City of Sturgis as presented.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the proposed cost of service study for the Electric Department. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Stephens to approve a bid waiver for, and approval of, the proposal of Utility Financial Solutions of Holland, Michigan, to conduct the FYE 2013 Electric Cost of Service Study and two (2) year rate design in the amount of fifteen thousand dollars (\$15,000.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided details on the Utility Terms and Conditions. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Wilson to approve the amended Utility Terms and Conditions as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that City staff is working on a Joint Endeavor Agreement for Interim Vehicle Maintenance Services with the St. Joseph County Road Commission, but it is not yet completed. Discussion followed.

City Clerk/Treasurer Kenneth Rhodes provided information on the proposed City Commission meeting schedule for 2013.

Moved by Comm. Stephens and seconded by Comm. Hile to approve the 2013 Commission Meeting dates as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on pending State legislation regarding the dates of City elections. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to set a Public Hearing for consideration of movement of the City Commission election from November in the odd years to the even years.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Commissioner Sisson explained that the Sturges-Young Auditorium's sign is failing and needs to be replaced. The Auditorium Board is very anxious to address the issue with a new electronic marquee sign, however currently there is no provision in the zoning code to allow theaters or auditoriums the ability to use electronic marquee signs. He requested that the Commission refer this issue to the Planning Commission and ask that they review the zoning code provisions that regulate theaters and auditoriums and consider a solution to allowing electronic marquee signs not only to address the auditorium issue, but also the Strand Theater.

Moved by Comm. Littman and seconded by Comm. Hile to refer the issue of electronic marquee signs in the City to the Planning Board for their review.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Smith to go into Closed Session for the purpose of discussing pending litigation and the potential purchase of property.

Voting yea: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 9:05 p.m.

Meeting reconvened at 9:55 p.m.

The meeting was adjourned at 9:55 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 19, 2012
WIESLOCH RAUM – CITY HALL

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

Chaplain Al Hargett, American Legion, gave the Invocation

The Pledge of Allegiance was said by all present.

Commissioners present: Smith, Sisson, Stephens, Taulbee, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Moved by Comm. Littman and seconded by Comm. Taulbee 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 December 19, 2012 as amended.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the December 12, 2012 work session as presented.

APPROVAL of the minutes from the December 12, 2012 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,830,686.34 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided details on the proposed agreement for temporary vehicle and equipment maintenance between the City and the County Road Commission due to the sick leave of the City's mechanic. Discussion followed.

Moved by Comm. Smith and seconded by Comm. Stephens to approve the Joint Endeavor Agreement for Interim Vehicle Maintenance Services with the St. Joseph County Road Commission as presented and allow the City Manager and City Attorney to negotiate the final terms.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on Senate Bill 810 which will allow cities, after adopting a resolution, to move their odd year general election to the even years. Although the bill passed both the House and Senate, it did not have the sufficient number of votes to provide immediate effect and thus the City may not any resolution until the bill becomes law next year. Discussion followed.

City Manager Michael Hughes provided details on a proposed Round Up for the Arts program. In 2011, the City Commission was presented with a proposal by area arts and culture organizations to institute a “round up” program in the utilities department; under the proposed program funds collected by the utilities departments would be distributed to arts organizations operating in the community. Discussion followed which included the idea of expanding the program to allow any groups that would enhance Sturgis 2022.

Moved by Comm. Sisson and seconded by Comm. Hile to approve development of a utility round up program as presented and discussed

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided details on the City Commission resolution expressing commitment to these Focus Areas and Goals, as well as the Sturgis 2022 project as a whole. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Wilson to adopt the Sturgis 2022 City Commission Resolution as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Sturgis Journal reporter Terry Katz explained that this will be her last meeting and explained that she has enjoyed covering the City Commission. She was applauded for her efforts.

The meeting was adjourned at 8:20 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer