

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 8, 2014
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.

Al Hargett gave the Invocation.

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

Commissioners absent: Huber

Also present: City Attorney, City Manager, Assistant City Manager, Director of Public Safety, City Clerk

Ed Miller, 517 S. Jefferson, spoke regarding the blocking of his driveway by semi-trucks.
Discussion followed.

Don Lampe, 28501 Fawn River Road, spoke regarding pot holes on South Lakeview.
Discussion followed.

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

Voting yea: Eight

Absent: Huber

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of January 8, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the December 18, 2013 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$669,984.08 as presented.

C. Board Resignation

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

Voting yea: Eight

Absent: Huber

Voting nay: None

MOTION CARRIED

Director of Public Safety Geoff Smith explained that in 2010 the City Commission approved changes to the City's Snow Emergency Routes ordinance to help remove vehicles from the roads during significant snow events and improve plowing efficiency. As was past practice, the intent was that those in violation of the ordinance could be towed. While the Uniform Traffic Code provides for options to tow vehicles, City staff is recommending that towing be expressly permitted in the ordinance language. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to consider this the first reading of an amendment to the Snow Emergency Ordinance adding Section 58-155-Penalty-provisions.

Voting yea: Eight

Absent: Huber

Voting nay: None

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Littman to approve the amendment to the Fine Schedule for Municipal Civil Infractions by adding a \$50.00 fine for violation of the Snow Emergency Ordinance.

Voting yea: Eight

Absent: Huber

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on State legislation related to election date changes. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Wilson to set a public hearing for consideration of a City Commission Election Date Change on Wednesday, March 26, 2014.

Voting yea: Eight

Absent: Huber

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the agreement with Fishbeck, Thompson, Carr & Huber for the construction phase professional services on the South Nottawa reconstruction and plans to utilize Soil and Material Engineers, Inc. out of Kalamazoo, MI, as a sub-contractor for the material testing services. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Gay to approve a Professional Services Agreement with Fishbeck, Thompson, Carr & Huber, in the amount of ninety-seven thousand seven hundred dollars (\$97,700.00) and authorize City Manager Michael Hughes to sign all necessary documents.

Voting yea: Eight

Absent: Huber

Voting nay: None

MOTION CARRIED

The City Commission commended City Staff on their efforts regarding the snow removal.

The City Commission had no objection to the donation of a foreclosed home from Wells Fargo to the City at 210.5 S. Maple.

The meeting was adjourned at 8:13 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 22, 2014
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: Sisson, Austermann, Taulbee, Huber, Wilson, Littman, Gay, Vice-Mayor Hile, Mayor Malone
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Electric Department Superintendent, DPS Supervisor, Deputy Police Chief, City Clerk

John Bippus, Three Rivers, explained that he is running for the House of Representatives in the 59th District. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Hile 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 22, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the January 8, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,490,622.24 as presented.

Voting yea: Nine Voting nay: None MOTION CARRIED

Assistant City Manager Andrew Kuk provided further details on the amendment to the City's Snow Emergency Ordinance.

Moved by Comm. Taulbee and seconded by Comm. Sisson to consider this the second reading of and approve an amendment to the Snow Emergency Ordinance adding Section 58-155-Penalty-provisions with an effective date of February 14, 2014.

Voting yea: Nine Voting nay: None MOTION CARRIED

**AMENDMENT TO PART II – CHAPTER 58 OF THE ORDINANCES
OF THE CITY OF STURGIS**

An ordinance to amend Part II – Chapter 58- Traffic and Vehicles- of the Ordinances of the City of Sturgis, by adding Section 58-155 pertaining to penalties for the violation of the snow emergency ordinance 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 to add an expressed penalty provision for violation of the snow emergency ordinance;

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

Part II – Chapter 58 is hereby amended by adding Section 58-155- Penalty- as follows, effective as of February 14, 2014:

Sec. 58-155. Penalty.

a) Violation of this section shall be a civil infraction carrying a fine as specified in Appendix B to this code. Citations for violation of this section may be issued whenever a snow removal emergency takes effect under Sec. 58-152 (a).

b) During a snow removal emergency, vehicles parked in violation of Section 58-152(a) may be caused to be towed by the City, with all expense from the towing charged to the vehicle owner. Such towing may occur at any time during the duration of the snow removal emergency.

Mayor Malone opened the Public Hearing for consideration of the use CDBG funds related to purchase of the Wood Motel property.

City Manager Michael Hughes explained that in discussions with the MEDC, the City received a favorable response to the Part I application with a recommended grant / match split of seventy-thirty (70-30). The total project is estimated to cost two hundred forty-three thousand two hundred fifty dollars (\$243,250.00) (including purchase and demolition); under the proposed split grant funds are being requested in the amount of one hundred seventy thousand two hundred seventy-five dollars (\$170,275.00); the City would provide matching funds of seventy-two thousand nine hundred seventy-five dollars (\$72,975.00). The next step will be to submit a Part II Application to the MEDC, after which a formal grant agreement will be offered.

There was no comment from the public. City Clerk/Treasurer Kenneth Rhodes explained that no comments, written or verbal, had been received in the City offices regarding this issue.

Mayor Malone closed the Public Hearing.

Moved by Comm. Austermann and seconded by Comm. Littman to adopt the Authorizing Resolution for Blight Elimination Community Development Block Grant Funds as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

**CITY OF STURGIS AUTHORIZING RESOLUTION FOR BLIGHT ELIMINATION
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS**

WHEREAS, The City of Sturgis has requested CDBG funds for the demolition of a blighted motel located on the gateway to Sturgis' downtown known as Wood Motel at 606 West Chicago Road; and

WHEREAS, demolition of the Wood Motel would eliminate a public nuisance and help create a safer, healthier urban space which is important to Sturgis' local economy; and

WHEREAS, the total estimated project cost is \$243,250 of which Sturgis is requesting

CDBG funds in the amount of \$170,275, representing 70% of the project cost, and Sturgis will provide matching funds in the amount of \$72,975; and

WHEREAS, the proposed demolition project is consistent with the City's community development plan as described in the Part 2 Application; and

WHEREAS, the proposed project will clearly eliminate objectively determinable signs of blight and will be strictly limited to eliminating specific instances of blight (spot blight); and

WHEREAS, no project costs will be incurred prior to a formal grant award, completion of the environmental review procedures, and formal, written authorization to incur costs has been provided by the City's CDBG Project Manager.

NOW, THEREFORE, BE IT RESOLVED, that the City of Sturgis Commission authorizes submission of the Michigan CDBG Application; and

BE IT FURTHER RESOLVED, that the City of Sturgis City Manager Michael Hughes is authorized to sign the Part 2 Application and all attachments; and

BE IT FURTHER RESOLVED that the City of Sturgis City Manager Michael Hughes is authorized to sign the project Grant Agreement.

Electric Department Superintendent John Griffith provided information on the bids received for the painting of a fuel oil storage tank installed at the Diesel Plant.

Moved by Comm. Sisson and seconded by Comm. Austermann to approve the bid of Fedewa, Inc., for the painting of the fuel oil storage tank in the amount of fifteen thousand six hundred fifty dollars (\$15,650.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the bids received related to the distribution circuit supplying power along South Nottawa Street which needs to be rebuilt. The circuit must be rebuilt to accommodate normal load growth and provide adequate supply for Dresser Industrial Park.

Moved by Comm. and seconded by Comm. to approve the bid from Hydaker-Wheatlake for the South Nottawa Rebuild in the amount of eighty-nine thousand one hundred thirty dollars and twenty-four cents (\$89,130.24) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the two vacancies on the DDA Board of Directors. Discussion followed.

Moved by Comm. Wilson and seconded by Comm. Littman to appoint Jim Fearnow and Laura Johnson to the DDA Board of Directors through May 2015.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided information on the bids that were received for vehicles for the current fiscal year. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the purchase of a 2014 Ford Focus from Gorno Ford in the amount of fifteen thousand, nine-hundred and ninety-five dollars (\$15,995.00), the purchase of one 2014 Dodge Charger Police Cruiser from Bill Snethkamp-Fleet, Lansing, MI in the amount of twenty-two thousand, four hundred and ninety-three dollars (\$22,493.00), and the purchase of a 2014 Dodge RAM 5500 from Galeanas Van Dyke Dodge in the amount of forty-five thousand, two hundred and seventy dollars (\$45,270.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The City Commission and Electric Department Superintendent John Griffith commended the Electric Line Crew for their assistance with the recent ice storm in Lansing Michigan.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 12, 2014
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: Sisson, Austermann, Taulbee, Huber, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Wilson, Littman

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

Ed Miller, 517 S. Jefferson, explained that trucks are no longer parking in front of his house. He also commented on tax breaks and utility costs.

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

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

Moved by Comm. Sisson and seconded by Comm. Hile to approve the Consent Agenda of February 12, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the January 22, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,391,359.32 as presented.

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

Mayor Malone opened the Public Hearing for consideration of an IFEC for Midwest Plastics.

Cathy Knapp, Southwest Michigan First, provided information on the equipment being purchased by Midwest to expand their operations. Discussion followed.

Mayor Malone closed the Public Hearing.

Moved by Comm. Austermann and seconded by Comm. Taulbee to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed one hundred ninety thousand and ninety-four dollars (\$190,094.00) to Midwest Plastics Engineering, Inc. for a period of twelve (12) years.

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

RESOLUTION

WHEREAS, MIDWEST PLASTICS 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 MIDWEST PLASTICS ENGINEERING, Inc., and

WHEREAS, on March 27, 1985 the City Commission established the Industrial Development District for the industrial property of MIDWEST PLASTICS 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 MIDWEST PLASTICS ENGINEERING, Inc. for an "Industrial Facilities Exemption Certificate".

Assistant City Manager Andrew Kuk explained that as part of the City's participation in state and federal grant funding for Kirsch Municipal Airport, there are requirements that property within the airport approach be controlled by the City/Airport and that a clear approach be maintained. Discussion followed

Moved by Comm. Huber and seconded by Comm. Taulbee to adopt the Resolution for Maintenance of Airport Approach on City Property as presented.

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

**RESOLUTION FOR MAINTENANCE OF AIRPORT APPROACH
ON CITY PROPERTY**

WHEREAS, the City, owns the Kirsch Municipal Airport (KIRS) (the “Airport”);

WHEREAS, the City, through the Sturgis Housing Development Corporation, owns three parcels of land underlying the existing 500’ x 2,000’ x 5,000’, 20:1 non-precision instrument (NPI) approach path to Runway 24 (the “Approach Path”) at the Airport. Those parcels are identifiable as Tax ID#s 75-052-777-001-03, 75-052-777-021-00, and 75-052-777-511-00;

WHEREAS, the City wishes to apply for and receive certain grant monies for maintenance of the Approach Path;

WHEREAS, application for said grants requires that the City provide the Michigan Department of Transportation with certain assurances regarding future maintenance of the Approach Path, including maintenance of a clear, 20:1 approach to Runway 24 at the Airport, in compliance with published approach procedures and Part 77 requirements for the published approach, as depicted for reference purposes on the “City Land MOU” attached as Exhibit A.

NOW THEREFORE BE IT RESOLVED, the City hereby agrees that it will maintain a clear, 20:1 approach path to Runway 24 at the Airport, on City properties described as Tax ID #s 75-052-777-001-03, 75-052-777-021-00, and 75-052-777-511-00; in compliance with published approach procedures and Part 77 requirements for the published approach, as depicted for reference purposes on the “City Land MOU” attached as Exhibit A, in consideration of, and only upon receipt of, grant monies from any State, Federal or private source sufficient to enable the City to pay for such maintenance.

BE IT FURTHER RESOLVED that the City authorizes the City Manager to apply for and execute all documents necessary to secure any such State, Federal or private funds for said maintenance.

BE IT FURTHER RESOLVED that the City will revisit and modify this document if changes to the Approach Path to runway 24 are made and that all resolutions in conflict in whole or in part with this Resolution are revoked to the extent of such conflict.

City Engineer Barry Cox provided information on the agreement with MDOT for the reconstruction of South Nottawa Street.

Moved by Comm. Austermann and seconded by Comm. Hile to approve the contract between the City of Sturgis and MDOT (#13-5712) for completion of Phase 1 of the South Nottawa Street Reconstruction and authorize City Manager Michael Hughes and City Engineer Barry Cox to sign the necessary contract documents.

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

City Manager Michael Hughes provided information on the process and initial work that needs to be done in regards to the demolition of the Wood Motel. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the cost proposal from Envirollogic Technologies, Inc. for demolition project management and oversight for the Wood Motel as presented.

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

City Controller Holly Keyser provided information on the budgeted vehicle and equipment being purchased for the Electric Department. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to approve the purchase of a Bucket Truck with aerial lift from Altec in the amount of two hundred and twenty-one thousand, five-hundred and twenty-eight dollars (\$221,528.00).

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

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve the purchase of a DB37 Digger Derrick with trailer from Altec in the amount of one hundred and thirty-five thousand, five hundred and twenty dollars (\$135,520.00).

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

Electric Department Superintendent John Griffith provided details on the mutual aid agreement through the Michigan Municipal Electric Association, which has 41 members.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the execution of the Mutual Aid Agreement between the City of Sturgis and Consumers Energy.

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

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 26, 2014
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, United Methodist Church gave the Invocation.

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

Commissioners absent: Huber

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Electric Department Superintendent, City Engineer, Public Safety Director, Deputy Police Chief, Doyle and Recreation Director, City Clerk

Jim Cook, who heads the Sturgis Police V.I.P. (Volunteers in Policing) Unit, was presented with the Citizen Corps' Coordinator of the Year Award recently at the 5th District Homeland Security meeting in Kalamazoo.

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

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

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of February 26, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the February 12, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,514,708.12 as presented.

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

City Manager Michael Hughes, Doyle and Recreation Director Mike Liston and Board Chair John Mikulenas provided information on the possible implementation of a non-resident rate at the Doyle. After discussion, the Board felt that it was in the best interest of the Doyle, as a business, to not recommend a non-resident rate. The City Commission discussed competitive rates, consideration for City taxpayers, capital costs, a recreation authority, and participation with the area Townships.

City Manager Michael Hughes provided details on the Master Agreement with Fleis and Vandenbrink for engineering services.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the Fleis and Vandenbrink Master Service Agreement as presented.

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

City Engineer Barry Cox provided information on the task orders for the proposed street improvements. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve Task Order #49 with Fleis and Vandenbrink Engineering, Inc. for preliminary design, final design, and bidding services on the 2014 Enhanced Mill and Resurfacing Project in the amount of thirty-nine thousand, four hundred dollars (\$39,400.00), Task Order #50 with Fleis and Vandenbrink Engineering, Inc. for preliminary design, final design, and bidding services on the E. West Street Reconstruction Project in the amount of sixty-one thousand, five hundred dollars (\$61,500.00), and Task Order #51 with Fleis and Vandenbrink Engineering, Inc. in the amount of \$65,100.00 dollars for preliminary design, final design, and bidding services associated with the reconstruction of N. Centerville Road.

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

Electric Department Superintendent John Griffith provided details on the amendments to the current Power Supply Agreement which will shorten the length of notice to terminate the agreement.

Moved by Comm. Wilson and seconded by Comm. Taublee to approve the amendments to the 2006 Power Supply Agreement as presented.

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

The meeting was adjourned at 8:40 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 12, 2014
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Taulbee, Huber, Littman, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Sisson, Austermann, Wilson, Gay

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

Electric Department Superintendent John Griffith introduced Tom Asp from Utility Financial Solutions who presented detailed information and updates regarding the advanced metering strategy and planning project. 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, MARCH 12, 2014
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 Doug Carr, His House Church gave the Invocation.

Commissioners present: Austermann, Taulbee, Huber, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Sisson, Wilson

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Electric Department Superintendent, City Engineer, Public Safety Director, Deputy Police Chief, Doyle and Recreation Director, City Clerk

Sheldon Fiebelkorn explained that there have been many difficulties with private plow operators causing damage and piling snow on adjacent properties. Discussion followed. City staff will review the issue.

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

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of March 12, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the February 26, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,511,316.06 as presented.

C. Child Abuse Prevention Demonstration

APPROVE the request of the Child Abuse/Neglect Council for the use of Free Church Park as presented.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

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

Cathy Knapp, Southwest Michigan First, provided information on the expansion at Summit. The City Commission thanked them for their commitment to the community.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Littman and seconded by Comm. Austermann to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed two million four hundred-twenty four thousand two hundred twenty-nine dollars (\$2,424,229.00) to Summit Polymers, Inc. for a period of twelve (12) years.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

RESOLUTION

WHEREAS, Summit Polymers, 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 Summit Polymers, Inc., and

WHEREAS, on March 27, 1985 the City Commission established the Industrial

Development District for the industrial property of Summit Polymers, 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 Summit Polymers, Inc. for an "Industrial Facilities Exemption Certificate".

City Engineer Barry Cox provided information on MDOT's Small Urban Program for fiscal years 2014 through 2017 which grants funds for street projects. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Hile to approve the project selection priority list as presented for submission to the Small Urban Committee.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Littman to recess their regular meeting of March 12, 2014.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

Moved by Dir. Hile and seconded by Dir. Littman to convene the Sturgis Housing Development Corporation.

Voting yea: Eight

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that last year the City was made aware by Sturgis Bank & Trust Company that the Wood Motel property located at 600 W. Chicago Rd. was available for sale. After discussion with the City Commission, City staff pursued and received Community Development Block Grant (CDBG) funding for the purchase and demolition of the buildings on the property. Discussion followed.

Moved by Dir. Taulbee and seconded by Dir. Hile to approve the purchase of the Wood Motel property in the amount of ninety-three thousand dollars (\$93,000.00) as presented.

Voting yea: Eight

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

Moved by Dir. Hile and seconded by Dir. Austermann to adjourn their meeting.

Voting yea: Eight

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Austermann to reconvene their regular meeting of March 12, 2014.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

DPS Director Rick Miller provided information on the bids related to green space mowing. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve the low bids from Grass Guy's LLC, First Impressions Lawn Care, and Backyard Kreations Inc. for 2014 Green Space Mowing Services in the total dollar amount of seven thousand, eight hundred and twenty-eight dollars (\$7,828.00) as presented.

Voting yea: Six

Absent: Sisson, Wilson

Voting nay: Gay

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the investigation and remediation of an old diesel fuel spill at the Diesel Plant. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to approve a bid waiver for and a contract with BLDI Environmental Engineering to close the Diesel Plant remediation site in the amount of forty-nine thousand five hundred dollars (\$49,500.00) over three (3) years.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information regarding the brownfield site at 400 West Chicago.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the resolutions terminating the brownfield redevelopment plans for 400 W. Chicago Road as presented.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that a committee is being formed to study the possibility of a public safety model for police and fire services. Discussion followed.

Moved by Comm. Gay and seconded by Comm. Littman to appoint Mayor Malone as the City Commission representative on the public safety study committee.

Voting yea: Seven

Absent: Sisson, Wilson

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that he has been contacted by the property owner to see if the City was interested in acquiring land between Big Hill Road and Thurston Woods. Discussion followed. The City Commission had consensus for the City Manager to review the issue.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 26, 2014
WIESLOCH RAUM – CITY HALL

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

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

Commissioners absent: Huber

Also present: City Manager, Assistant City Manager, City Controller, Public Safety Director, City Clerk

City Manager Michael Hughes and Public Safety Director Geoff Smith provided information regarding the efforts to enforce the removal of snow from sidewalks throughout the winter. Discussion followed related to requirements, fines, liens, winter parking, and other issues. There was also discussion about code enforcement.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 26, 2014
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 Harold Miller, Evangelical Church gave the Invocation.

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

Commissioners absent: Huber

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

Rob LaBarge and other staff presented the Sturgis Hospital Community Health Needs Assessment. Discussion followed.

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

Voting yea: Seven

Absent: Huber

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of March 26, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the March 12, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,245,976.51 as presented.

C. 2014 Cross Walk

APPROVE the request for the 2014 Cross Walk as presented.

Voting yea: Seven

Absent: Huber

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of a change in City Election Dates.

City Clerk/Treasurer provided information on the change in legislation that allowed a City to move its odd year general election to the even year. Discussion followed.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Sisson and seconded by Comm. Hile to adopt the resolution changing the regular City Commission election date as presented.

Voting yea: Seven

Absent: Huber

Voting nay: None

MOTION CARRIED

**RESOLUTION CHANGING THE CITY OF STURGIS CITY COMMISSION ELECTION
FROM THE ODD YEAR NOVEMBER GENERAL ELECTION
TO THE EVEN YEAR NOVEMBER GENERAL ELECTION**

WHEREAS, the City of Sturgis currently holds its regular City Commission election in the odd year on the November General Election date; and

WHEREAS, the State of Michigan has adopted legislation that allows cities which currently hold their regular election for City offices in the odd year on the November regular election date the ability to change their regular election schedule to the even year; and

WHEREAS, this legislation states that the change in the city's general election date will take effect the year following adoption of a resolution by the local City Commission; and

WHEREAS, the change in the City Commission regular election date to the even year would provide cost savings to the City of Sturgis through the elimination of one regular election every other year ; and

WHEREAS, Michigan Election Law states that if the regular election date for holding a jurisdiction's regular election is changed, the term of an official who was elected before the effective date of the change continues until a successor is elected and qualified at the next regular election; and

WHEREAS, the Sturgis City Commission held a Public Hearing, which was advertised in the local newspaper and a media release provided to the newspaper and radio station, for consideration of the election date change on March 26, 2014 at their regular meeting.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STURGIS, that, in compliance with MCL 168.642 and 168.642a adopts this resolution changing its regular election for City Commissioner from the odd year November General Election date to the even year November General Election date; and

LET IT BE FURTHER RESOLVED, that the terms of the City of Sturgis Commissioners which were to end in November 2015 will be extended to November 2016 and the terms of the City of Sturgis Commissioners which were to end in November 2017 will be extended to November 2018; and

LET IT BE FURTHER RESOLVED, that a copy of this resolution will be filed with the Secretary of State's Office Bureau of Elections.

The Commission had consensus to add Vice-Mayor Hile to the Public Safety Committee.

Mayor Malone appointed Commissioner Sisson to the EDC and Brownfield Boards of Directors to replace former Commissioner Wilson. Commissioner Sisson therefore resigned his position as an at large member of the EDC/BRA. The vacancy will be advertised.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 9, 2014
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, Camp Amigo gave the Invocation.

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

Commissioners absent: None

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

Mike Mort provided information on the plans for the Sturgis Historical Society. Discussion followed.

Ed Miller, 517 S. Jefferson, explained that he is unhappy with the number of potholes. Discussion followed.

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

Voting yea: Eight

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of April 9, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the March 26, 2014 work session as presented.

APPROVAL of the minutes from the March 26, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,232,754.40 as presented.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the request to place decorative bicycles in the downtown area from Spring to Fall. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Austermann to approve the request from the Downtown Sturgis Association to display decorative bikes downtown as presented.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the changes to the zoning ordinance as it relates lighted signs in the downtown area. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to consider this the first reading of an amendment to the Sturgis Code of Ordinances, Appendix A, Zoning, Article X sections 1.001, 1.006 and Article XIII section 1.1301 related to signage.

Voting yea: Seven

Voting nay: Gay

MOTION CARRIED

City Controller Holly Keyser explained that all recipients and sub-recipients of federal financial assistance are required to comply with Title VI of the Civil Rights Act of 1964 and provided details of the City's policy. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Sisson to approve the Title VI Plan as presented and authorize the City Manager to sign all documents and assurances.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Hile to adopt the resolution approving the Limited English Proficiency Plans as presented.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided details on the plan for the relocation of the Depot. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. to Sisson approve the Depot relocation plan as presented and allow City staff to work with the architect to finalize any changes.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:40 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 23, 2014
WIESLOCH RAUM – CITY HALL**

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

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

Commissioners absent: Huber

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

The City Commission conducted interviews for 3rd Precinct Commissioner with Mark Dvorak, Mark Ritter, and Kimberly Wilson

City Manager Michael Hughes provided updates on various City issues.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 23, 2014
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: Sisson, Austermann, Taulbee, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Huber

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

Mayor Malone asked for nominations for the position of 3rd Precinct Commissioner.

Comm. Littman nominated Mark Dvorak

Comm. Gay nominated Kimberly Wilson

Comm. Sisson nominated Mark Ritter

Voting for Dvorak: Austermann, Hile, Littman, Sisson

Voting for Wilson: Gay, Taulbee

Voting for Ritter: Malone

Mark Dvorak was seated as 3rd Precinct Commissioner and he was given the oath of office by the City Clerk.

Ed Miller, 517 S. Jefferson, gave a report on his observations related to City streets. He also inquired about the expenses of the Depot. Discussion followed.

Aaron Miller, Sherman Township, provided his credentials for his candidacy for the 59th District in the State House of Representatives. Discussion followed.

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

Voting yea: Eight

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of April 23, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the April 9, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,278,500.41 as presented.

C. Commission Meeting Date Change

SET the second June regular Sturgis City Commission meeting for Tuesday, June 24th 2014 at 7:30p.m. at the Wiesloch Raum of City Hall.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

Mike Wilson, Norman & Paulsen, presented the Fiscal Year 2012-2013 Financial Audit. Discussion followed.

Mayor Malone opened the Public Hearing for consideration of amendments to the Zoning Ordinance.

Assistant City Manager Andrew Kuk provided information on the previously introduced amendments to the Zoning Ordinance as it relates to signage in the Central Business District. There was discussion regarding the original passage of the ordinance. There was no comment from the public.

Mayor Malone closed the Public Hearing

Moved by Comm. Austermann and seconded by Comm. Taulbee to consider this the second reading and approve amendments to the Sturgis Code of Ordinances, Appendix A, Zoning, Article X sections 1.001, 1.006 and Article XIII section 1.1301 related to signage effective May 16th, 2014.

Voting yea: Seven

Voting nay: Gay

MOTION CARRIED

AMENDMENTS TO ZONING ORDINANCE
PERTAINING TO THE REGULATION
OF SIGNS IN THE CITY AND
DESIGN REVIEW IN THE CENTRAL BUSINESS DISTRICT

An ordinance to amend Articles X and XIII of the Zoning Ordinance of the City of Sturgis to provide for the modification of regulation of signs in City; modification of Design Review in the Central Business District; and an effective date of this Ordinance.

WHEREAS, the City Commission, upon recommendation from the Planning Board, has determined that it is in the best interest of the residents of the City to modify the Zoning Ordinance to provide for the further regulation of signs in the City and modification of Design Review within the Central Business District;

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

Article X, Sections 1.1001 and 1.1006, and Article XIII of the Zoning Ordinance are hereby modified as follows effective as of May 16, 2014.

ARTICLE X. SIGNS

1.1001. General requirements.

Following are the general requirements for all signs:

- A. *Wind pressure and dead load requirements.* Ground, projecting, wall and marquee signs shall be designed and constructed to withstand a wind pressure of not less than 30 pounds per square foot of surface area and shall be constructed to receive dead loads as required elsewhere in the city code.
- B. *Permit number to be on sign.* Signs shall have placed in a conspicuous place thereon, in letters not less than one-half inch in height the permit number.
- C. *Illumination.* Internally and externally lighted, reflectorized, glowing, and other forms of illumination shall be permitted on all signs except as regulated elsewhere in this zoning ordinance. All illuminated signs shall meet the following provisions:
 - 1. All illumination shall be concentrated on the area of the sign or landscape feature so as to prevent glare upon the street or adjacent property.
 - 2. No sign shall be illuminated by other than electric means or devices, and wiring shall be installed in accordance with the National Electrical Code.
 - 3. All Electrical transformer boxes, raceways, and conduits shall be concealed from view. Any concealment or other visible part of these elements should be painted to match the building area to which they are attached, or otherwise painted to be harmonious with the building.
- D. *Obstruction to doors, windows and fire escapes.* No sign shall be erected or maintained so as to prevent free ingress and egress from any door, window or fire escape.
- E. *Signs not to construct a traffic hazard.* No sign shall be erected at the intersection of any streets in such a manner as to obstruct free and clear vision or any location where, by reason of the position, shape, or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or which makes use of the word, "Stop," "Look," "Danger," or any word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic. At street intersections, no signs other than municipal traffic control signs shall be located within eight feet of the ground surface in the triangle formed by the property lines paralleling the streets and extending for a distance of 25 feet each way from the intersection of the right-of-way lines at the corner lot.

- F. *Removal of certain signs.* Any sign now or hereafter existing which no longer advertises a bonafide business conducted, or a product, or entertainment, service, or commodity offered or sold on the lot, shall be taken down and removed by the owner, agent or person having the beneficial use of the building or structure upon which said signs shall be found 60 days after written notice from the city.
- G. *Sign area.* The area of all signs shall be computed as follows:
1. The total area of the lettering and display background where the sign background is separated from the principal building.
 2. The total area of the lettering and display background where the background is illuminated from within, whether attached to or separate from the principal building.
 3. The total area encompassed by an imaginary line which can be drawn around all the lettering or designs where the lettering or signs are affixed to the wall of a building and the wall constitutes the background.
- H. *Permits.* No sign shall be erected, constructed, repaired, or relocated without a building permit or a temporary permit. This is meant to include those commercial signs of a temporary nature advertising special events. The relettering, repainting, or changing of lighting elements of a sign shall not require a building permit. A permit for political signs shall not be required.
- I. *Signs on Michigan Department of Transportation routes.* No sign shall be installed on the Michigan Department of Transportation controlled routes, commonly known as M-66 and US-12, without a permit by the Michigan Department of Transportation.
- J. *Directional signs.* Directional signs such as entrance and exit signs not exceeding four square feet in area per sign are permitted in R-4, B-OS, B-C, B-H, M, and P districts exclusive of the maximum sign area requirement for the district in which they are located.
- K. *Prohibited sign types.* Sign types not specifically permitted in any zoning district shall be interpreted to be prohibited from such district.
- L. *Tourist oriented directional signs.* Tourist oriented directional signs, as defined in Michigan Public Act 299 of 1996 are permitted if approved by the Michigan Department of Transportation pursuant to the PA 299 of 1996 and by a vote of the Sturgis City Commission.

1.1006. Signs in the B-C central business district.

In the central business district, the boundaries of which are defined in the Sturgis master plan, no sign shall be permitted which is not accessory to the business conducted on the property. Accessory signs may only be erected, painted or placed in accordance with the following requirements:

- A. No establishment shall have a total of more than two signs facing upon any one street or parking area, provided the total area for all signs permitted shall not exceed ten percent of the area of the front face of the building. An additional sign relating to business open and hours may be provided.
- B. Sign area computation shall include:
 - 1. The total area of the lettering and display background where the sign background is separated from the building.
 - 2. The total area encompassed by an imaginary line which can be drawn around all the lettering or designs where the lettering or signs are affixed to the wall of a building and the wall constitutes the background.
- C. All signs attached to a building whose wall is located on the property line, shall comply with the following requirements:
 - 1. No sign shall extend further than 24 inches over a street or public property where a sign extends more than three inches from the face of the building, the sign shall not be closer than eight feet to the ground.
 - 2. The maximum width of any sign attached parallel to a wall shall not exceed 60 percent of the width of the wall.
 - 3. No wall sign shall be placed above the first floor or above the bottom window ledge of the second-floor windows.
- D. A freestanding or pylon sign is permitted, computed as part of the maximum total area permitted in [subsection] (A) [of this section] above. The sign shall not exceed 60 square feet in area. The freestanding sign shall not exceed six feet in height if located on the ground, and no pylon sign shall be higher than 30 feet or closer to the ground than eight feet.
- E. Where a building has a canopy constructed as an integral part of the building, signs may be placed upon the canopy if parallel to the building face.
 - 1. The permitted area of awning and canopy signs shall be determined as part of

the total area for signs as provided in [subsection] (A) [of this section] above.

2. Awning and canopy signs can be internally lighted provided that only the letters and/or logo of the sign are illuminated and are designed with a translucent and not transparent material. Any other part of the awning must be made of an opaque material.
- F. Nonconforming signs shall be permitted to continue provided no business name change is made nor any alteration other than ordinary maintenance is performed. Should a business move or vacate a premises all nonconforming signs shall be removed and building walls shall be left in good repair and properly maintained pursuant to chapter 31 of the basic building codes as adopted by the city within 60 days. Buildings that have been vacant for more than one year prior to the effective date of this zoning ordinance, shall immediately have all signs removed and building walls left in good repair. Upon failure of any person to comply with the provisions of this section, the city may effectuate compliance through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the owner of the real estate upon which the building is located and any such cost shall be a lien upon such real estate.
- G. Sign materials and lighting shall be harmonious with the historic character of the buildings in the district and shall utilize materials as may be appropriate such as wood, brass, vintage painting, etc. in conformity with design guidelines established by the Downtown Development Authority, a copy of which is incorporated herein by reference and which is available in the office of the city clerk. The building department shall be responsible for determining if the sign design is in conformity with those design guidelines, subject to review by the planning board or its designated design review committee.
- H. Internal and external illumination on signage in the Central Business District (B-C) is allowed as regulated in this zoning ordinance.
1. Provided lighting must be steady and stationary in source and intensity. Acceptable sources include incandescent, halogen, neon, LED, and metal halide lighting.
 2. For internally lighted signs and awnings, only letters, numerals, and logos may be illuminated.
 3. Acceptable forms of internally lighted signs include:
 - i. Backlit (halo) signs
 - ii. Individual internally-illuminated letters (channel or dimensional lettering)

- iii. Box-type signs with three-dimensional push-through or inset graphics
 - iv. Awning or canopy signs where letters and logos are translucent
- 4. All proposed internally illuminated signage will be approved by the design review committee before a building permit is issued.
- I. Internally illuminated box signs shall only be permitted with metal or completely opaque material backgrounds. Letters and logos must be stencil cut through the surface and filled with three-dimensional push-through or inset graphics that are of a translucent and not transparent material.
- J. Internally lit, channel letter / logo signs may be lit using either exposed neon tubing within the letter/logo channel or another light source behind a translucent, not transparent material. For non-neon signs, letter forms must contain soft, diffused light sources inside each letter or logo. Regulations for distance of the letters from the building will be as follows:
 - 1. Channel letters with transformers mounted inside the letters shall not extend more than 16 inches from the building wall.
 - 2. Channel letters with remote transformers shall not extend more than 12 inches from the building wall.
 - 3. Channel letters mounted on a raceway shall not extend more than 16 inches from the building wall.
- K. Window signage equal to not more than ten percent of each individual window and up to a total of 25 square feet per building façade is allowed. This signage is also counted against the total signage allowed for a building. Such signage should be applied to the window or mounted on the interior of the building using high quality materials and application methods such as paint or vinyl film, wood or metal panels with applied lettering, or neon signs conforming to the other provisions of this zoning code. Illuminated tube band signs, or neon surrounding an entire window is prohibited.
- L. No flashing sign, rotating or moving sign, animated sign or sign with moving lights or creating the illusion of movement shall be permitted. A sign whereon the current time and/or temperature is indicated by intermittent lighting shall not be deemed to be a flashing sign if the lighting changes are limited to the numerals indicating the time and/or temperature and are not more frequent than every 15 seconds.
- M. For rent, lease or property for sale signs no larger than 16 square feet in area advertising the property on which they are located are permitted provided such signs are promptly removed upon rent, lease or sale of such property.

- N. The building department may request a review by the planning board design review committee where a question may exist as to the application of this section.
 - O. A design review committee shall be appointed by the planning board for the purpose of assisting the planning board to preserve, protect and enhance the aesthetic appeal of the central business district as it relates to signage and to protect property values through the application of good design principles; and promote the general health, safety and welfare of the central business district and the community. The design review committee shall consist of not less than three regular members and shall include one member of the planning board, one member of the downtown development authority and one member at large. The review committee, as it determines necessary or appropriate, shall utilize the assistance of planning, architectural and other consultants. The review committee shall seek the assistance of relevant experts in an effort to achieve accord in those instances in which the applicant objects to the decision of the review committee.
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ARTICLE XII. DESIGN REVIEW – CENTRAL BUSINESS AREA

1.1301. Design review.

Design review is required in order to provide for the orderly development and redevelopment of the central business district, the boundaries of which are defined in the adopted Sturgis master plan, and to maintain and enhance property values, to promote the economic and general prosperity of the district and to protect the health, safety and welfare of the community by facilitating development where the physical, visual and spatial characteristics are established and reinforced through appropriate design; to provide for a design review committee of the planning board to act in the application of this provision; to encourage creativity in the development and redevelopment of property in the central business district; and to ensure the standards and guidelines established by the ordinance are administered so as to encourage the disposition of development proposals without undue delay or cost to property owners in the district.

- A. Definitions. Because many of the words or terms used in design review are not in common usage, or they could be misconstrued as to meaning, the following definitions are to be used in the context of the use of this section. Terms not herein defined shall have the meaning customarily assigned to them, unless otherwise defined in this ordinance.
 - 1. *Appearance.* The outward aspect of a building structure or site visible to the public.

2. *Appropriate*. Sympathetic, or fitting, to the context of the site and the whole community.
3. *Appurtenances*. The visible, functional objects accessory to and part of buildings.
4. *Architectural concept*. The basic aesthetic idea of a building, or group of buildings or structures, including the site and landscape development, which produces the architectural character.
5. *Architectural feature*. A prominent or significant part or element of a building, structure, or site.
6. *Architectural style*. The characteristic form and detail, as of buildings of a particular historic period.
7. *Central business district*. The area designated on the adopted Sturgis master plan as the central business district.
8. *Character*. The combination of traits which, when considered together, distinguish specified land and/or development from other specified land and/or development. In assessing character, the following may be considered, along with any other expressly identified factors:
 - a. Percentage of a lot covered by structures and other impervious improvements;
 - b. Type or style of structure;
 - c. Traffic flow and pattern, and the relationship of traffic to pedestrian and vehicular thoroughfares;
 - d. Density of land uses and;
 - e. Intensity of uses.
9. *External design feature*. The general arrangement of any portion of a building, sign, landscaping or structure and including the kind, color, and texture of the materials of such portion and the types of roof, windows, doors, lights, attached or ground signs or other fixtures appurtenant to such portions, as will be open to public view from any street, place or way.
10. *Graphic element*. A letter, illustration, symbol, figure, insignia, or other device employed to express and illustrate a message or part thereof.

B. Design review committee.

1. *Creation.* A design review committee shall be appointed by the planning commission for the purpose of assisting the planning commission to preserve, protect and enhance the aesthetic appeal of the central business district; protect property values through the application of good design principles; and promote the general health, safety and welfare of the central business district and the community. The design review committee will also be charged with reviewing all applications and making a recommendation to the planning commission for all internally-illuminated signs in the B-C district per section 1.1006 (H)(5) and all special land use marquee signs per section 1.0603 (JJ). For the purpose of this review (marquee signs) will be judged on their individual design with building scale and architectural compatibility being key elements.
2. *Membership.* The design review committee shall consist of not less than three regular members and shall include one member of the planning board, one member of the downtown development authority and one member at large. The review committee, as it determines necessary or appropriate, shall utilize the assistance of planning, architectural and other consultants. The review committee shall seek the assistance of relevant experts in an effort to achieve accord in those instances in which the applicant objects to the decision of the review committee.
3. *Requirement for approved design; nature of review.* In the central business district no permit required under the ordinances of the city for a sign or for the erection, construction, alteration, or repair of any building or structure which involves an exterior design feature, or any painting of a commercial building other than "touch-up" painting of the same color, shall be issued by the city unless the project meets all requirements of the design guidelines listed in article XIII. If the building official cannot determine if the project meets the proposed standards, or it is mandated by other sections of this zoning code, the building official shall refer the project to the design review committee for its determination and recommendation to the planning board.
4. The design guidelines established by the downtown development authority for the central business district shall serve as a guide to the design review committee in the review of plans.

C. Administration.

1. *Application.* As a separate and distinct part of site plan review, drawings and plans shall be submitted to the city at a scale in sufficient detail to illustrate clearly the design for which approval is sought. Such plans shall show the

following:

- a. Existing conditions (both public and private) and natural features, all structures and uses, improvements, public street rights-of-way, sidewalks, public and private easements and restrictions for the subject site and immediately abutting property.
- b. Site plan in accordance with the requirements of the zoning ordinance containing the information as prescribed by the rules of the planning board.
- c. Architectural drawings of all exterior building elevations, colors of exterior walls, trims and roofs, lighting materials, ornamental, pictorial or decorative material to be used in or about the exterior of the structure. Samples of building materials and colors may be required to be submitted.
- d. Such other information as may be required by the design review committee to permit reasonable consideration of the application.

D. Design review committee action. The design review committee shall recommend to the planning board approval, conditional approval or disapproval of the application. Such action shall not be in lieu of site plan review by the planning board.

1. *Enforcement.* Upon the granting of an approved design or amendments thereto, and following site plan review by the planning board, the exterior drawings, sketches, landscape and site plans, renderings and materials upon which an approved design or amendment was granted shall be turned over to the building department, whose responsibility it shall be to determine, from time-to-time as the project is in progress and finally upon its completion, that there have been no deviations therefrom.

- a. It shall be the duty of the person, firm or corporation to whom an approved design has been granted to comply therewith, and to obtain such inspections as may be necessary in order to assure compliance. The building department may notify such person of any deficiencies found to exist. Failure to comply with an approved design will constitute a violation of this ordinance.
- b. Before any use may be made of improvements constructed under these provisions of design review, a final inspection of the premises must be obtained from the building department. An occupancy permit will not be issued unless such an inspection has been made and the completed work found to be in compliance with plans approved.

E. Design criteria.

1. *Criteria.* The purpose of these criteria is to establish a checklist of those items which affect the physical aspect of the central business district environment.

Pertinent to appearance is the design of the site, building and structures, planting, signs, street hardware, and miscellaneous other objects which are observed by the public. The design guidelines established by the downtown development authority shall serve as the guideline for review by the design review committee.

These criteria are not intended to restrict imagination, innovation, or variety, but rather to provide a guide for decision making and assist in focusing on design principles which can result in creative solutions that will continue to develop and enhance a satisfactory visual-appearance within the central business district.

2. Relationship of building site.
 - a. Parking areas where provided shall be treated with decorative elements, building wall extensions, plantings, berms or other innovative means so as to largely screen parking areas from view from public ways.
 - b. The height and scale of each building shall be compatible with its site and adjoining buildings.
3. Relationship of building and site to adjoining area.
 - a. Adjacent buildings of different architectural styles that are in harmony with the overall downtown development authority design guidelines shall be respected in the design or alterations of a building site.
 - b. Harmony in texture, lines, and masses is required.
 - c. To the extent reasonably feasible, the building and site shall not be inconsistent with the character (as defined in this ordinance) of the area.
4. Building design.
 - a. Architectural style is not restricted. Evaluation of appearance of a project shall be based on quality of its design and relationship to surroundings.
 - b. Buildings shall have good scale and be in harmonious conformance with permanent neighboring development.
 - c. Materials shall have good architectural character and shall be selected for harmony of the building with adjoining buildings.
 - d. Materials shall be selected for suitability to the type of buildings and the design in which they are used. Buildings shall have the same materials, or those which are architecturally harmonious, used for all

building walls and other exterior building components wholly or partly visible from public ways.

- e. Inappropriate materials and methods, and those which will produce inconsistency with the structure of the building, shall be avoided.
- f. Materials shall be of durable quality.
- g. Building components — such as windows, doors, eaves, and parapets — shall have good proportions and relationship to one another.
- h. Colors shall be harmonious, and not used to draw attention, e.g., serving as a sign.
- i. Mechanical equipment or other utility hardware on roof, ground, or buildings shall be screened from public view with materials harmonious with the building, or they shall be located so as not to be visible from any public ways.
- j. Exterior lighting, including external and interior lighted signs, shall be part of the architectural concept. Fixtures, standards, and all exposed accessories shall be harmonious with building design.
- k. Refuse and waste removal areas, service yards, storage yards, and exterior work areas shall be screened from view from public ways, using materials as stated in criteria for equipment screening.
- l. Inappropriate, incompatible, bizarre, and exotic designs shall be avoided.
- m. The provisions of the zoning ordinance in regard to lot, yard, height, and area regulations and standards, which directly affect appearance, shall be part of the criteria of this subsection.
- n. To the extent reasonably feasible, the building design shall not be inconsistent with the character (as defined in this ordinance) of the area.

F. Signs. The provisions of the zoning ordinance in regard to signs shall be part of the criteria of this subsection. In addition to zoning ordinance standards the design guidelines established by the downtown development authority shall serve as a guide for sign design.

- 1. Wall signs shall be part of the architectural concept. Size, color, lettering, location, and arrangement shall be harmonious with the building design, and shall be compatible with signs in conformance with zoning standards on adjoining buildings. Signs shall have good proportions.
- 2. Identification signs of a prototype design shall conform to the criteria for signs.
- 3. Materials used in signs shall have good architectural character and be harmonious with building design and surrounding landscape.
- 4. Every sign shall have good scale in its design and in its visual relationship to

buildings and surroundings.

5. Colors shall be used harmoniously. Brilliant colors shall be avoided. Lighting shall be harmonious with the design. If external spot or ground lighting is used, it shall be arranged so that the light source is shielded from view. Internally lighted signs, with the exception of those utilizing neon, shall use soft lighting sources that do not overwhelm or distract from the atmosphere of the building or surrounding area.

G. Miscellaneous structures and street hardware.

1. Miscellaneous structures include any structures, other than buildings, visible to view from any public way or ways. Street hardware includes all objects not commonly referred to as structures and located in streets and public ways and outside of buildings.
2. Miscellaneous structures and street hardware located on private property shall be designed to be part of the architectural concept of design and landscape. Materials shall be compatible with buildings, scale shall be good, colors shall be in harmony with buildings and surroundings, and proportions shall be attractive.
3. Miscellaneous structures and street hardware located in public ways and other public property shall be harmonious with design of adjacent buildings and other structures and landscape.
4. Lighting in connection with miscellaneous structures and street hardware shall meet the criteria applicable to site, landscape, buildings and signs.
5. The provisions of the zoning ordinance in regard to area and bulk regulations and standards, and of those portions of the building code which directly affect appearance, shall be part of the criteria of this subsection.

H. Maintenance — planning and design factors.

1. Continued good appearance depends upon the extent and quality of maintenance. The choice of materials and their use, together with the types of finishes and other protective measures, must be conducive to easy maintenance and upkeep.
2. Materials and finishes shall be selected for their durability and wear as well as for their beauty. Proper measures and devices shall be incorporated for protection against the elements, neglect, damage and abuse.
3. Provision for washing and cleaning of buildings and structures, and control of dirt and refuse, shall be included in the design. Such configurations that lend to catch and accumulate debris, leaves, trash, dirt and rubbish shall be avoided.

Mayor Malone opened the Public Hearing for consideration of an IFEC to Luttman Precision Mold.

Cathy Knapp, Southwest Michigan First, provided information on the investments of the company. The City Commission thanked them for their investment. There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Littman and seconded by Comm. Hile to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed four hundred sixty-five thousand one hundred ninety-three dollars (\$465,193.00) to Luttmann Precision Mold, Inc. for a period of twelve (12) years.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

WHEREAS, Luttman Precision Mold, LLC 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 Luttmann Precision Mold, LLC, and

WHEREAS, on March 27, 1985 the City Commission established the Industrial Development District for the industrial property of Luttman Precision Mold, LLC; 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 Luttmann Precision Mold, LLC for an "Industrial Facilities Exemption Certificate".

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

Cathy Knapp, Southwest Michigan First, provided information on the investments of the company. The City Commission thanked them for their investment. There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Taulbee and seconded by Comm. Hile to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed one million two hundred thirty-seven thousand six hundred forty-four dollars (\$1,237,644.00) to LTI Printing for a period of twelve (12) years.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

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".

Assistant City Manager Andrew Kuk explained that recently Fit Zone for Women contacted City staff requesting permission for a “Ladies on the Run” 5K walk/run to be held on Saturday, May 17th. The 5K would take place generally speaking in the southeast part of the City starting and ending in Oaklawn Park. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to approve the requests for the Ladies on the Run 5K as presented.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that in order to receive grant funding from Community Development Block Grants (CDBGs), including the funds to demolish the Wood Motel, a Fair Housing Ordinance is required.

Moved by Comm. Taulbee and seconded by Comm. Hile to consider this the first reading of an amendment to Part II – Chapter 38, Article II adding Division I – Fair Housing Ordinance.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the recent bids related to uniforms.

Moved by Comm. Dvorak and seconded by Comm. Gay to approve the three year contract with Cintas for uniforms in the amount of twenty-seven thousand six hundred ninety-two dollars and seventeen cents (\$27,692.17).

Voting yea: Eight

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the recent bids related to green space mowing. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the low bids from Rickett’s Lawn Care and Great Lakes Landscaping for 2014 Green Space Mowing Services as presented.

Voting yea: Eight

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:08 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, MAY 14, 2014
WIESLOCH RAUM – CITY HALL

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

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

City Controller Holly Keyser provided information on the City's compensation plan for the EVIP 3 requirement. Discussion followed.

Clerk/Treasurer Kenneth Rhodes provided information on PA 95 related to energy assistance and whether or not the City would opt-in to the program. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 14, 2014
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 Stephen Bean, Sturgis Wesleyan Church gave the Invocation.

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Doyle and Recreation Director, City Engineer, Wastewater Supervisor, Deputy Police Chief, City Clerk

Mayor Malone presented the following Proclamation to Alita Perrbolte:

WHEREAS, Alita Peerbolte was born in on May 8, 1914; and
WHEREAS, Alita Peerbolte married Peter Peerbolte, Jr. on February 17, 1938; and
WHEREAS, Alita Peerbolte moved to Sturgis in 1960 and was the Executive Secretary at Wade Electric Products then the Executive Secretary to Ray Dresser Sr. as well as Ray Dresser, Jr., retiring in approximately 1980; and
WHEREAS, Alita and Peter Peerbolte were blessed with three children, Lois, Ruth, and Peter; and
WHEREAS, Alita Peerbolte became a member of the First Presbyterian Church in 1945 and worked on the Mission Committee for 30 years, retiring in 2012; and
NOW, THEREFORE, BE IT RESOLVED, Alita Peerbolte will be celebrating her 100th birthday with friends and family on May 17, 2014;
NOW, THEREFORE, BE IT FURTHER RESOLVED, the Sturgis City Commission wishes Alita Peerbolte a Happy 100th Birthday and hope that she will enjoy many more to come.

Lynn Coursey, Executive Director of the Commission on Aging, provided an update on the Sturgis Senior Center project. Discussion followed.

Bill Tachella, 1329 Rolling Ridge, provided information on the state of City streets and the City's insurance policy.

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the agenda as presented with a change in 10L to discussion of Progress Street.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of May 14, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the April 23, 2014 work session as presented.

APPROVAL of the minutes from the April 23, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$761,913.06 as presented.

C. Property Transfer from Fawn River Township

ADOPT the attached resolution transferring Tax Parcel #75-052-060-019-00 from Fawn River Township into the City as presented.

D. Memorial Day Parade

APPROVE the request to close S. Nottawa St. from Fawn River Rd. to Cottage St. for the Memorial Day Parade as presented.

E. 2014 Stroller Roll 5K

APPROVE the request of the Great Start Collaborative for the 2014 Stroller Roll as presented.

F. Blooms and Tunes Event Street Closure

APPROVE the request to close North St. for the Blooms and Tunes event as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing related to a Fair Housing Ordinance.

City Manager Michael Hughes provided information on the requirement for a Fair Housing Ordinance.

There was no comment from the Public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Taulbee and seconded by Comm. Hile to consider this the second reading and approve amendments to the Sturgis Code of Ordinances, Part II – Chapter 38, Article II adding Division I – Fair Housing Ordinance, effective June 1, 2014.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

**AMENDMENT TO PART II – CHAPTER 38, ARTICLE II OF THE ORDINANCES
OF THE CITY OF STURGIS**

An ordinance to amend Part II – Chapter 38, Article II of the Ordinances of the City of Sturgis adding Division 1 – Fair Housing, pertaining to the regulation of housing within the City, and to provide for an effective date of this Ordinance.

WHEREAS, the City of Sturgis, Michigan desires to assure equal opportunity to all residents regardless of race, color, religion, creed, national origin or ancestry, sex, or disability, to live in decent, sanitary, and healthful living quarters; and,

WHEREAS, the 1963 Constitution of the State of Michigan provides as follows in Article I (Section 2) “...no person shall be denied the equal protection of the laws; nor shall any person be denied the enjoyment of his civil or political rights or be discriminated against

in the exercise thereof because of religion, race, color or national origin...” (Section 4)
“...The civil and political rights, privileges and capacities of no person shall be diminished or enlarged on account of his religious belief...” (Section 9) “...Neither slavery, nor involuntary servitude unless for the punishment of crime, shall ever be tolerated in this state...”; and,

WHEREAS, the Congress of the United States has provided that “it is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States” and has established by law the following provisions:

“... it shall be unlawful:

a. To refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make available or deny, a dwelling to any person because of race, color, religion, sex, or national origin.

b. To discriminate against any person in the terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection therewith because of race, color, religion, sex, or national origin ...”

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

Part II – Chapter 38, Article II is hereby amended adding Division 1 – Fair Housing, effective as of June 1st, 2014:

Division 1. Fair Housing

Sec. 38-31. DECLARATION OF POLICY.

a. In furthering the policy of the State of Michigan as expressed in its Constitution and other Laws; in order that the safety and general welfare, peace and health of all the inhabitants of the City may be ensured, it is hereby declared the policy of the City of Sturgis, Michigan, to assure equal opportunity to all residents, regardless of race, color, religion, national origin or ancestry, sex, creed, or physical disability to live in decent, sanitary, healthful, standard living quarters.

b. It is the policy of the City of Sturgis that no owner, lessee, sub-lessee, assignee, managing agent, or other person, firm or corporation having the right to sell, rent, lease (or otherwise control) any housing accommodation and/or real property within the City, or any agent of these shall refuse to sell, rent, lease, or otherwise deny to or withhold from any person or group of persons such housing accommodations and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of such person or persons or discriminate against any person or persons because of race, color, religion, national origin or ancestry, sex, creed or disability in the conditions, terms, privileges of the sale, rental or lease of any housing accommodation and/or real property or in the furnishing of facilities and/or services in connection therewith.

c. Relocation shall be carried out in a manner that will promote maximum choice within the community’s total housing supply; lessen racial, ethnic, and economic concentrations; and facilitate desegregation and racially inclusive patterns of occupancy and use of public and private facilities.

Sec. 38-32. DEFINITIONS.

Unless a different meaning clearly appears from the context, the following terms shall have the meaning as described in this Section and as used in this Ordinance.

- a. **DISCRIMINATE** - The terms “discriminate” or “discrimination” mean any difference expressed in any way toward a person or persons in the terms of the sale, exchange, lease, rental or financing for housing accommodation and/or real property in regard to such sale, exchange, rental, lease or finance because of race,

- color, religion, national origin or ancestry, sex, creed, or disability of such person.
- b. **HOUSING ACCOMMODATION** - The term "housing accommodation" includes any building, structure, or portion thereof which is used or occupied, maintained, arranged or designed to be used or occupied as a home, residence or sleeping place of one or more human beings, or any real estate so used, designed or intended for such use.
 - c. **REAL PROPERTY** - The term "real property" means any real estate, vacant land, building, structure or housing accommodations within the corporate limits of the City of Sturgis, Michigan.
 - d. **REAL ESTATE BROKER** - The term "real estate broker" means any person, partnership, association, corporation and/or agent thereof, who for a fee or other valuable consideration offers, sells, purchases, exchanges or rents, or negotiates for the sale, purchase, exchange or rental of a housing accommodation and/or real property of another, or collects rental for the use of housing accommodation and/or real property of another.
 - e. **FINANCIAL INSTITUTION** - The term "financial institution" means any person, institution or business entity of any kind which loans money to persons and receives as security for said loans a secured interest of any kind in the real property of the borrower.
 - f. **OWNER** - An "owner" means any person/persons who hold legal or equitable title to, or own any beneficial interest in any real property or who hold legal or equitable title to shares of, or hold any beneficial interest in any real estate cooperative which owns any real property and/or housing accommodations.
 - g. **DECENT, SANITARY, HEALTHFUL STANDARD LIVING QUARTERS** - "Decent, sanitary, healthful standard living quarters" is housing which is in sound, clean, and weather tight condition in conformance with applicable local, state, and national codes.

Sec. 38-33. PROHIBITED ACTS.

It shall be unlawful for any owner of real estate, lessee, sub-lessee, real estate broker or salesman, financial institution or employee of the financial institution, advertiser, or agent of any or all of the foregoing, to discriminate against any person or persons because of their race, color, religion, national origin or ancestry, sex, creed, or disability with regard to the sale, exchange or rental, or any dealing concerning any housing accommodation and/or real property.

In addition to the foregoing, it shall also be unlawful for any real estate broker or employee thereof, owner or other person, or financial institution dealing with housing or real property in the City of Sturgis, Michigan:

- a. To discriminate against any person in the availability of or the price, terms, conditions, or privileges of any kind relating to the sale, rental, lease, or occupancy of any housing accommodation or real property in the City or in furnishing of any facilities or services in connection therewith.
- b. To publish or circulate, or cause to be published or circulated, any notice, statement or advertisement, or to announce a policy, or to use any form of application, for the purchase, lease, rental or financing of real property, or to make any record of inquiry in connection with the prospective purchase, rental or lease of such real estate, which expresses directly or indirectly any discrimination as to race, color, religion, national origin or ancestry, sex, creed or disability of any person.
- c. To discriminate in connection with lending money, guaranteeing loans, accepting mortgages or otherwise obtaining or making available funds for the purchase,

acquisition, construction, rehabilitation, repair or maintenance of any housing accommodation and/or real property.

d. To solicit for sale, lease, or listing for the sale or lease, of any housing accommodation and/or real property on the grounds of loss of value because of the present or prospective entry into any neighborhood of any person or persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability.

e. To distribute or cause to be distributed, written material or statements designed to induce any owner or any housing accommodation and/or real property to sell or lease his or her property because of any present or prospective change in the race, color, religion, national origin or ancestry, sex, creed, or disability of persons in the neighborhood.

f. To make any misrepresentations concerning the listing for sale or the anticipated listing for sale or the sale of any housing accommodation and/or real property for the purpose of inducing or attempting to induce the sale or listing for sale of any housing accommodation and/or real property by representing that the presence or anticipated presence of persons of any particular race, color, religion, national origin or ancestry, sex, creed, or disability in the area will or may result in the lowering of property values in the block, neighborhood or area in which the property is located.

g. For an owner to solicit any real estate broker to sell, rent or otherwise deal with such owner's housing accommodations and/or real property with any limitation on its sale based on race, color, religion, national origin or ancestry, sex, creed, or disability.

h. For an owner to refuse to sell, rent, or otherwise deal with any housing accommodation and/or real property because of race, color, religion, national origin or ancestry, sex, creed, or disability of the proposed buyer or tenant.

Sec. 38-34. PENALTY.

Whoever violates any of the provisions of this Ordinance shall, upon a finding of responsibility for a civil infraction, be subject to a fine of not less than one hundred dollars (\$100.00) nor more than fifteen hundred dollars (\$1,500.00). Each day a violation continues shall constitute a separate violation. This Section shall in no way abrogate or impair the right of the City of Sturgis, Michigan, to specifically enforce, by any legal means, any of the provisions of this Ordinance.

Sec. 38-35: REPEAL.

That all Ordinances and parts thereof in conflict herewith are expressly repealed and are of no other force and effect.

Sec. 38-36: SEVERABILITY.

That it is the intention of the City Commission of the City of Sturgis, Michigan that this Ordinance and every provision thereof shall be considered severable, and the invalidity of any section, clause, or provision of this Ordinance shall not affect the validity of any other portion of this Ordinance.

Assistant City Manager Andrew Kuk provided information on the requests from the Sturgis Relay for Life. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the request of Sturgis Relay for Life for the placement of ribbons as presented.

Voting yea: Eight

Voting nay: Sisson

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the requests from the Venus Foundation. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to approve the request of Venus Foundation for a domestic violence awareness event as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the requests related to Sturgisfest. Discussion followed.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Taulbee to authorize City Manager Michael Hughes to approve requests related to the moving of the Depot Building as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the requests related to the Sturgis Fireworks. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to authorize Deputy Fire Chief Andrew Strudwick or his designated representative to complete all necessary permit reviews and sign all necessary documents for a community fireworks display and approve the closure of West Lafayette adjacent to the Kirsch Municipal Airport.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing related to an MDOT Category A grant for West Dresser Drive.

City Engineer Barry Cox provided information on the street project and the related grant. Discussion followed related to the construction of the street.

Ed Miller, 517 Jefferson, explained that he felt the other City streets need to be repaired.

Mayor Malone closed the Public Hearing.

Moved by Comm. Huber and seconded by Comm. Austermann to adopt the MDOT Category A resolution as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on traffic control orders that would eliminate parking on select City streets. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve the traffic control order to install “No Parking” signs on West South Street, North Franks Avenue and South Lakeview Avenue as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the next phase of the reconstruction of South Nottawa Street. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve a bid waiver for design services for the South Nottawa Phase II project from Fishbeck, Thompson, Carr, & Huber in the amount of fifty-three thousand, seventy-five dollars (\$53,075.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the necessary amendments to the 2013-2014 budget due to the many street projects.

Moved by Comm. Huber and seconded by Comm. Taulbee to approve the amendments to the fiscal year 2013-2014 budget as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Supervisor Tom Sikorski provided information related to the digester roof at the treatment plant. Discussion followed.

Moved by Comm. Dvorak and seconded by Comm. Gay to approve the bid from Great Lakes System, Inc. for the replacement of Digester re-roof project in the total amount of seventeen thousand five hundred dollars (\$17,500.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the refunding of the Building Authority Bonds related to the Sturgis Hospital expansion. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Hile to approve the financial advisory services of H.J. Umbaugh & Associates for twenty-eight thousand, five hundred dollars (\$28,500.00) as presented and authorize the City Controller to sign the engagement letter.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the bond attorney services of Miller Canfield for thirty-five thousand dollars (\$35,000.00) as presented and authorize the City Controller to sign the engagement letter.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the bond underwriter services of Robert W. Baird as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Doyle and Recreation Director Michael Liston provided information on the proposal to create a membership category that would include both the Doyle and the community pool. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Dvorak to approve the Doyle Community Center / Community Pool Combination Membership as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the rehabilitation of Progress Street to the City limits. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the treatment change as presented for Progress Street and increase project cost by approximately \$56,475.00.

City Clerk/Treasurer Kenneth Rhodes provided information on the make-up of the Sturgis Building Authority. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Huber to appoint Dan Arney, Michael Wilson, Andy Boyd, Ned Heydlauff, and Julie Andrews to the Sturgis Building Authority Board for a one year term.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that City staff had been contacted regarding the City's intent to continue with their ban of Sunday morning sales of alcohol.

Moved by Comm. Littman and seconded by Comm. Hile to allow the sale of beer and wine, as adopted in MCL 436.2111, and the sale of spirit and mixed spirit drink, as adopted MCL 436.2113, within the City of Sturgis limits between the hours of 7:00 a.m. and 12:00 p.m. on Sunday.

Voting yea: Eight

Voting nay: Dvorak

MOTION CARRIED

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

Voting yea: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 9:35 p.m.

Meeting reconvened at 10:00 p.m.

The meeting was adjourned at 10:04 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 28, 2014
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, United Methodist Church gave the Invocation.

Commissioners present: Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Sisson

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

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

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

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of May 28, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the May 14, 2014 work session as presented.

APPROVAL of the minutes from the May 14, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,504,988.89 as presented.

C. Sister City Board Resignation

ACCEPT the resignation of Cheryl Yunker from the Sister City Board.

D. Independence Day Parade

APPROVE the request for an Independence Day Children's Parade in the South Lakeview neighborhood to be held on Thursday, July 4, 2014 at 10:00 a.m. with a route as presented.

E. Airport Fly-In Event Request

APPROVE the request for the Airport Fly-In as presented and APPROVE the airport fuel discount as presented.

F. Dave Locey Memorial Sturgis Youth Triathlon

APPROVE the requests for the Dave Locey Memorial Sturgis Youth Triathlon as presented.

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

City Manager Michael Hughes provided detailed information regarding the sale of the properties acquired through County tax foreclosure. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve the sale of the property located at 400 E. West St. in the amount of twenty thousand seven hundred ninety-one dollars and fifty-eight cents (\$20,791.58), the sale of the property at 701 S. Orange St. in the amount of ten thousand four hundred fifty-one thousand dollars and ninety-three cents (\$10,451.93), and the sale of the property at 1502 Sunnyfield Rd. in the amount of nine thousand two hundred forty-four dollars and forty-nine cents (\$9,244.49) to Sturgis Neighborhood Program.

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

Moved by Comm. Austermann and seconded by Comm. Hile to recess their regular meeting of May 28th, 2014.

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

Directors present: Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Hile, Malone, Hughes

Directors absent: Sisson

Moved by Dir. Hile and seconded by Dir. Taulbee to convene their meeting of May 28th 2014.

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

Moved by Dir. Hile and seconded by Dir. Taulbee to remove Michael Wilson from the Board and appoint Mark Dvorak to fill his remaining term.

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

Moved by Dir. Austermann and seconded by Dir. Hile to approve the sale of the property at 210.5 S. Maple St. in the amount of thirty-two thousand fifty-five dollars and seventy-six cents (\$32,055.76).

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

Moved by Dir. Austermann and seconded by Dir. Hile to adjourn their meeting of May 28th 2014.

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

Moved by Comm. Hile and seconded by Comm. Austermann to reconvene their regular meeting of May 28th, 2014.

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

City Manager Michael Hughes provided detailed information regarding the changes to the City ordinances that relate to signs in the Business Highway. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Taulbee to consider this the first reading of amendments to Sturgis Code of Ordinance, Appendix A, Zoning, Article II, Section 1.0202 relating to definitions and Article X., Sections 1.1007, 1.1008, and adding 1.1009 relating to signs as presented.

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

Public Safety Director Geoff Smith provided information on the County's Mutual Police Assistance Agreement. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to adopt the Resolution Approving and Authorizing the Execution of the St. Joseph County Mutual Police Assistance Agreement on Behalf of the City of Sturgis as presented.

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

Electric Department Superintendent John Griffith provided information on the aerial photography done in the County for mapping purposes. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Dvorak to approve the aerial photography and LiDAR project presented in the amount of twenty two thousand three hundred fifteen dollars and eleven cents (\$22,315.11).

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

DPS Supervisor Rick Miller provided information the history and future plans related to the City's cross connection control plan. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve a bid waiver and a three year contract for Cross Connection Control Program services from Hydro Designs Incorporated in the amount of thirty thousand four hundred twenty dollars (\$30,420.00).

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

DPS Supervisor Rick Miller provided information on the purchase of an asphalt roller. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Gay to authorize the purchase of an asphalt roller in an amount not to exceed sixteen thousand dollars (\$16,000.00) plus buyer's fees.

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

City Controller Holly Keyser and Tom Colis, Miller Canfield, provided information on the bond refunding related to the Sturgis Building Authority bonds for the expansion of Sturgis Hospital. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to adopt the Resolution Approving Building Authority Refunding Contract as presented.

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

City Clerk/Treasurer Kenneth Rhodes detailed the reappointment requests and vacancies for the City's Boards and Committees. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Littman to reappoint all City Board and Committee members seeking reappointment.

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

Moved by Comm. Hile and seconded by Comm. Littman to appoint Mary Lou Falkenstein and Kimberly Wilson to the Auditorium Board through May 2017.

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

Moved by Comm. Hile and seconded by Comm. Huber to appoint Shawna George to the DDA Board of Directors through May 2015.

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

Moved by Comm. Hile and seconded by Comm. Littman to appoint Tina Stemen to the Sister City Committee through May 2017.

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

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 11, 2014
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 Doug Carr, His House Church gave the Invocation.

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Electric Department Superintendent, 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. Hile to approve the Consent Agenda of June 11, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the May 28, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$783,164.90 as presented.

Voting yea: Nine Voting nay: None MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of an IFEC to Mayer Tool & Engineering.

Cathy Knapp, Southwest Michigan First, provided information on the equipment and investment of Mayer Tool. The City Commission commended Mayer Tool for their commitment to the community.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Austermann and seconded by Comm. Littman to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed five hundred eighty-six thousand eight hundred and eleven dollars (\$586,811.00) to Mayer Tool & Engineering, Inc. for a period of twelve (12) years.

Voting yea: Nine Voting nay: None MOTION CARRIED

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”.

Mayor Malone opened the Public Hearing for consideration of a Resolution for CDBG Funds.

Assistant City Manager Andrew Kuk provided information on a proposed mixed-use development to be located at 107-113 W. Chicago Road. He detailed the renovation work that Gene Harrison plans to do on the buildings and the types of businesses that will be located there. Mr. Kuk also described the process of applying for CDBG funds that will be used in the redevelopment, the associated jobs created and the amount of the investment. The City Commission commended Mr. Harrison for his investment in the Community.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Sisson and seconded by Comm. Taulbee to adopt the Authorizing Resolution for Community Development Block Grant (CDBG) Funds for the Downtown Mixed-Use Development project as presented.

Voting yeas: Nine

Voting nays: None

MOTION CARRIED

**AUTHORIZING RESOLUTION FOR COMMUNITY DEVELOPMENT BLOCK
GRANT (CDBG) FUNDS**

WHEREAS, The City of Sturgis has requested CDBG funds for the rehabilitation of downtown buildings located at 107, 109/111, and 113 West Chicago Road; and
WHEREAS, the total estimated project cost is \$2,920,572 of which Sturgis is requesting CDBG funds in the amount of \$1,088,337, representing 37% of the project cost, and Sturgis will provide matching funds in the amount of \$150,000 through public infrastructure improvements; and

WHEREAS, the proposed project is consistent with the City's community development plan as described in the Part 2 Application; and

WHEREAS, rehabilitation and façade improvements of the downtown buildings would improve Sturgis' local economy and provide jobs of which 51% of the beneficiaries will be low- and moderate-income persons; and

WHEREAS, no project costs will be incurred prior to a formal grant award, completion of the environmental review procedures, and formal, written authorization to incur costs has been provided by the City's CDBG Project Manager.

NOW, THEREFORE, BE IT RESOLVED, that the City of Sturgis Commission authorizes submission of the Michigan CDBG Application; and

BE IT FURTHER RESOLVED, that the City of Sturgis City Manager Michael Hughes is authorized to sign the Part 2 Application and all attachments.

BE IT FURTHER RESOLVED, that the City of Sturgis City Manager Michael Hughes is authorized to sign the project Grant Agreement, all amendments, and grant payment requests.

City Manager Michael Hughes explained that Burr Oak Tool is interested in acquiring Art Carls Park to meet their future facility expansion needs. The need for property to expand results from the recent sale of land available for their expansion as well as sale of property currently housing manufacturing facilities to accommodate the proposed Meijer development. Discussion followed.

Earl Arend, Cemetery and Parks Chair, explained that their board will meet prior to the Public Hearing to provide a recommendation.

Moved by Comm. Austermann and seconded by Comm. Hile to set a public hearing for July 9, 2014 in the Wiesloch Raum at City Hall for the purpose of approving ballot language for the sale of Art Carls Park as presented.

Voting yeas: Nine

Voting nays: None

MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of the tax levy for 2014.

City Clerk/Treasurer Kenneth Rhodes provided information on the regulations related to the setting of the tax levy and a brief discussion of the current budget. Discussion followed.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Austermann and seconded by Comm. Dvorak to set 2014 operating millage tax rate at 10.0285 mills and set the Streets/Sidewalks Improvement Millage tax rate at 3.0 mills.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on PA 95 which relates to collection of energy assistance funds and disconnections during the winter months. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the recommendation to opt-out of Public Act 95 of 2013 for 2014 – 2015.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith and Tom Asp, Utility Financial Solutions provided information on the proposed Distribution Technology project. Extensive discussion included the costs, payback, benefits, options and other areas.

Moved by Comm. Sisson and seconded by Comm. Austermann to APPROVE the Electric Department's request to proceed with Phase Three of the Distribution Technology Analysis in the amount not-to-exceed eighteen thousand five hundred dollars (\$18,500.00).

Voting yea: Sisson, Austermann, Huber, Littman, Hile, Malone

Voting nay: Taulbee, Dvorak, Gay

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on bids received for replacement of the roof on the Electric Department administration building. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to approve the bid of Bontrager Custom Builders in the amount of fifteen thousand one hundred forty dollars and sixty five cents (\$15,140.65) for the Electric Administration Roof Replacement as presented.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the needed repairs on the exterior of the City Hall/Library building and the associated bids. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to postpone consideration of the bids for City Hall/Library Building to a future meeting.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the changes to the City's Resource Request Policy in order to streamline some processes.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the changes to the City's Resource Request Policy as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the applicants and explained that the EDC/BRA board recommended Jeremy Gump to fill the vacancy on their board. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to appoint Jeremy Gump to the Economic Development Corporation and Brownfield Redevelopment Authority Boards through May 2015.

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
TUESDAY, JUNE 24, 2014
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: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone
Commissioners absent: None

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

Bob Sills, Three Rivers, provided his credentials as a candidate for the 59th House of Representatives District.

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. Hile to approve the Consent Agenda of June 24, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the June 11, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,310,820.33 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing related to regulations in the Business Highway 1 (BH-1) district as they relate to signage.

City Manager Michael Hughes provided information on the proposed Zoning Ordinance changes.

There was no comment from the public.

Mayor Malone closed the Public Hearing.

Moved by Comm. Austermann and seconded by Comm. Littman to consider this the second reading of and approve amendments to the Sturgis Code of Ordinances, Appendix A, Zoning, Article II, Section 1.0202 relating to definitions and Article X., Sections 1.1007, 1.1008, and adding 1.1009 relating to signs with an effective date of July 2nd, 2014.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

AMENDMENTS TO ZONING ORDINANCE
PERTAINING TO THE REGULATION
OF SIGNS IN THE B-H 1 BUSINESS HIGHWAY DISTRICT

An ordinance to amend Articles II and X of the Zoning Ordinance of the City of Sturgis to provide for the modification of the regulation of signs in the City and an effective date of this Ordinance.

WHEREAS, the City Commission, upon recommendation from the Planning Board, has determined that it is in the best interest of the residents of the City to modify the Zoning Ordinance to provide for the further regulation of signs in the B-H 1 Business Highway District;

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

Article II, Section 1.0202 and Article X, Sections 1.1007, 1.1008 and 1.1009 of the Zoning Ordinance are hereby modified as follows effective as of July 2, 2014.

ARTICLE II. DEFINITIONS

1.0202. Specific terms.

...

Electronic message display. A sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

...

ARTICLE X. SIGNS

1.1007. Signs in B-H 1 business highway 1 district.

(A) In the B-H 1 business highway district no sign[s] shall be permitted which is [that are] not accessory to the business conducted on the property, except a billboard as a special use subject to the following requirements are met.

- (1) No establishment shall have a total of more than three sign types facing upon any one street or parking area.

- (2) All signs attached to a building shall comply with the following requirements:
- (a) Where a sign extends more than three inches from the face of the building, the sign shall not be closer than eight feet to the ground.
 - (b) Wall signs are permitted and the combined area per street frontage shall not exceed 15 percent of the total area of the wall to which the signs are attached. In addition, the total area shall not exceed 100 square feet per street frontage. The maximum width of any sign attached parallel to a wall shall not exceed 60 percent of the width of the wall.
 - (c) For wall frontage on a public or private street that exceeds 200 lineal feet of frontage and with a setback greater than 300 feet from a public or private street and having a usable floor area of 50,000 square feet or more, the following maximum allowable sign areas may be used in place of 1.1007 (A)(2)(b):

Building Setback (in feet)	Wall Sign Area Permitted (in square feet)
300-400	150
400-500	175
Greater than 500	Total wall sign area shall not exceed 10 percent of the total wall area of the wall to which the signs are attached

- (3) All pylon or ground signs must meet the following requirements:
- (a) A pylon sign is permitted and shall not exceed 60 square feet in area per sign face. A pylon sign shall be no higher than 30 feet or closer to the ground than eight feet. No part of the sign shall be closer than five feet to a property line. In no case shall there be more than one pylon sign with the same business name or logo facing upon any one street.
 - (b) A ground sign is permitted and shall not exceed 30 square feet in area per sign face and shall not exceed six feet in height. No part of the sign shall be closer than five feet to the property line.
 - (c) There shall only be one ground sign or pylon sign facing upon any one

street; however, a second sign shall be allowed for a development having more than one entranceway onto a road right-of-way, and where those entrance ways are at least 250 lineal feet apart. In these cases, signs must be placed no closer than 150 lineal feet apart and the second sign shall be a ground sign.

- (d) A shopping center, business or office complex with at least 3 or more distinct business or office uses shall be permitted to have a sign identifying each business or office as a combined pylon or ground sign. The area of a pylon sign shall not exceed 120 square feet per sign face and the area of a ground sign shall not exceed 60 square feet per sign face. The sign area allowed for each business or office shall be prorated by the shopping center, business or office complex; however no one business shall exceed 50% of maximum area allowed. In cases where a gasoline service station is considered part of a shopping center, business or office complex under this section, 1.1007 (A)(7)(d) shall not apply.
- (e) An electronic message display sign is permitted only to be located as part of a pylon sign or ground sign. The area of such sign shall be governed by the sign area allowed for in section 1.1007(A)(3).
- (4) Lots with dual frontages may not combine permissible signs for one frontage with another frontage for the purpose of placing a combined area of sign area on one frontage.
- (5) No sign shall be lighted by means of flashing or intermittent illumination. All light sources used for the illumination of signs or buildings or areas surrounding them, or for the illumination of display merchandise or products shall be completely shielded from the view of vehicular traffic.
- (6) Gasoline service stations, vehicle sales areas, and vehicle repair shops may display, in addition to the foregoing, the following signs which are deemed customary and necessary to their respective uses.
 - (a) Two temporary signs located inside the property line and specifically advertising special seasonal servicing of automobiles, provided that each sign does not exceed nine square feet in area.
 - (b) Customary directional signs or lettering displayed over entrance doors

or bays.

- (c) Customary lettering or other insignia which are a structural part of a gasoline pumping island, including credit card or seasonal temporary signs.
 - (d) An electronic message display sign is permitted only to be located as an addition to a pylon sign or ground sign and shall be allowed up to an additional 60 square feet per sign face on a pylon sign and 30 square feet per sign face on a ground sign.
- (7) Temporary pennants, flags, or banners may be permitted for a period of not more than an aggregate of 30 days in any one year, provided that they are kept in a state of good repair. All such installation on state highways shall obtain a permit from the Michigan Department of Transportation.
- (8) Nonconforming signs shall be permitted to continue, provided should a business move or vacate a premises all non-conforming signs shall be removed or made to comply with zoning ordinance requirements. Building walls shall be left in good repair and properly maintained within 60 days pursuant to applicable sections of the basic building codes as adopted by the city. Upon failure of any person to comply with the provisions of this section the city may effectuate compliance through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the owner of the real estate upon which the building is located and any such cost shall be a lien upon such real estate.
- (9) For rent, lease or property for sale signs no larger than 36 square feet in area per sign face advertising the property on which they are located are permitted provided such signs are promptly removed upon rent, lease or sale of such property. A permit for such sign shall not be required.

1.1008. Signs in B-H 2 business highway 2 and M manufacturing districts.

- (A) In the B-H 2 business highway 2 and M manufacturing districts sign[s] shall be permitted which is [that are] not accessory to the business conducted on the property, except a billboard[,] as a special use subject to the following requirements are met.

- (1) No establishment shall have a total of more than three signs facing upon any one street or parking area, provided the total sign area for all signs permitted shall not exceed 30 percent of the area of the front face of the building up to a maximum of 150 square feet.
- (2) All signs attached to a building shall comply with the following requirements:
 - (a) No sign shall extend further than 15 inches over a street or public property, or required side yard. Where a sign extends more than three inches from the face of the building, the sign shall not be closer than eight feet to the ground.
 - (b) The maximum width of any sign attached parallel to a wall shall not exceed 60 percent of the width of the wall.
- (3) A pylon sign is permitted, computed as part of the maximum total area permitted in [subsection (A)](1) [of this section] above. The sign shall not exceed 60 square feet in area. A pylon sign shall be no higher than 30 feet or closer to the ground than eight feet. No part of the sign shall be closer than five feet to a property line.
- (4) A ground sign is permitted, computed as part of the maximum total area permitted in [subsection (A)](1) [of this section] above. The sign shall not exceed 30 square feet in area per sign face and shall not exceed six feet in height. No part of the sign shall be closer than five feet to the property line.
- (5) A shopping center, business or office complex with a group of business or office use shall be permitted to have a sign identifying each business or office as a pylon or ground sign. The area of such sign shall be governed by the sign area allowed for all signs as required in [section 1.1008(A)](1) above. The sign area allowed for each business or office shall be prorated based on the sign area allowed for each business or office unless otherwise agreed to by the shopping center, business or office complex but in no instance shall the total area of all signs exceed the requirements of section 1.1008(A)(1).
- (6) No sign shall be lighted by means of flashing or intermittent illumination. All light sources used for the illumination of signs or buildings or areas surrounding them, or for the illumination of display

merchandise or products shall be completely shielded from the view of vehicular traffic.

- (7) Billboards may be permitted in M manufacturing districts in accord with provisions of article VI, special land uses and structures, section 1.0603(FF).
- (8) Gasoline service stations, vehicle sales areas, and vehicle repair shops may display, in addition to the foregoing, the following signs which are deemed customary and necessary to their respective uses.
 - (a) Two temporary signs located inside the property line and specifically advertising special seasonal servicing of automobiles, provided that each sign does not exceed nine square feet in area.
 - (b) Customary directional signs or lettering displayed over entrance doors or bays.
 - (c) Customary lettering or other insignia which are a structural part of a gasoline pumping island, including credit card or seasonal temporary signs.
- (9) Temporary pennants, flags, or banners may be permitted for a period of not more than an aggregate of 30 days in any one year, provided that they are kept in a state of good repair. All such installation on state highways shall obtain a permit from the Michigan Department of Transportation.
- (10) Nonconforming signs shall be permitted to continue[,] provided should a business move or vacate a premises all non-conforming signs shall be removed or made to comply with zoning ordinance requirements building (sic). Walls shall be left in good repair and properly maintained within 60 days pursuant to chapter 31 of the basic building codes as adopted by the city. Upon failure of any person to comply with the provisions of this section the city may effectuate compliance through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the owner of the real estate upon which the building is located and any such cost shall be a lien upon such real estate.
- (11) For rent, lease or property for sale signs no larger than 36 square feet

in area advertising the property on which they are located are permitted provided such signs are promptly removed upon rent, lease or sale of such property. A permit for such sign shall not be required.

Sec. 1.1009. Temporary promotional materials.

In all zoning districts temporary promotional materials shall be displayed and removed with strict adherence to the following guidelines:

- (a) First story windows only.
- (b) Coverage 30 percent of total square feet of all display windows, not to exceed 50 percent coverage of any single pane/panel or contiguous series of panes/panels.
- (c) Time limitations: All temporary promotional materials must be removed within 60 days of installation. Temporary promotional materials may be displayed year round however each special promotion i.e., Christmas holidays, new product line, sale, etc. may only be advertised in this fashion for a maximum of 60 days.
- (d) Installation and removal: Any adhesive applied to glass must be transparent. All materials used for installation tape etc. must be completely removed when promotion posters are removed.

Electric Department Superintendent John Griffith provided information on the bids related to repairs of the façade of City Hall. Discussion followed related to the warranty, experience, and costs. These issues will be researched and the bids will be brought back at a future meeting.

City Manager Michael Hughes provided information on the properties available to the City due to County tax foreclosure. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the purchase of the properties located at 205 E. Hatch St., 330 W. Jerolene St., 1002 Greenlawn, 105 Susan Ave., and 602 S. Clay St. for the total amount of forty-four thousand forty two dollars and three cents (\$44,042.03).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the how the City is currently treating billing errors and comparisons of other utilities as it relates to overcharges and undercharges. The recommended changes include limiting recovery of undercharges to one year and a refund of overcharges to two years. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to revise the Terms and Conditions for Utility Service as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information gathered as a result of the rehabilitation of Centerville Road from US 12 to the railroad tracks. Consulting engineers explained that the study shows that the intersection of West Street and Centerville Road no longer warrants a signal. Discussion followed related to traffic counts, accidents, delays, and other issues.

Moved by Comm. Sisson and seconded by Comm. Hile to approve a temporary change to the signal at West Street and Centerville Road to a flashing yellow on Centerville and a flashing red on West to observe the traffic conditions.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox explained that there is currently parking allowed on North Centerville Road but it is recommended that this area is changed to “No Parking” after the rehabilitation is complete.

Moved by Comm. Sisson and seconded by Comm. Austermann to approve the traffic control order to install “No Parking” signs on both sides of N. Centerville Rd. from W. Chicago Rd. to the Michigan Southern Railroad tracks.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 9:00 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JULY 9, 2014
WIESLOCH RAUM – CITY HALL

Mayor Malone called the meeting to order at 7:00 p.m.

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Electric Department Superintendent John Griffith provided information on the electric distribution system, the lines that run through backyards, and options to upgrade the system. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WENESDAY, JULY 9, 2014
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, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Sgt. Damon Knapp provided an update on the development of SafetyTown. 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. Hile to approve the Consent Agenda of July 9, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the June 24, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,531,830.61 as presented.

C. 2014 United Way Donut Drive

APPROVE the request of the St. Joseph County United Way for Donut Day on August 7th as presented.

D. Homegrown Music and Arts Festival

APPROVE the request for the Homegrown Music Festival as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided additional information on the restoration of the façade of the City Hall/Library work and bids. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. to approve the bid from Trisco Construction Services to repair and recoat the City Hall / District Library building in the amount of sixty-nine thousand seven hundred sixty-seven dollars (\$69,767.00) as presented.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of ballot language related to the sale of Art Carls Park.

City Manager Michael Hughes provided information on the request of Burr Oak Tool to obtain the site of Art Carls Park for future expansion.

Dan Moore, Americraft Carton, explained that the company had a concern about the curbing that would result on Magnolia.

Donetta Smith, South Orange and Magnolia, had concerns about the value of her home and access to her driveway.

Tony Stewart, Burr Oak Tool, explained that the company is willing to work with all neighbors.

Zoning and setback concerns were discussed.

Mayor Malone closed the Public Hearing.

City Manager Michael Hughes explained that St. Joseph County is considering connecting Cade Lake Park and Campground to the Village of Burr Oak's sanitary sewer collection system. The City's agreement with the Village of Burr Oak is that any connection outside the village limits requires approval from the City Commission. Discussion followed.

By consensus, the City Commission approved St. Joseph County to move forward with this project provided any costs that could be incurred by the City would be reimbursed by the County.

Assistant City Manager Andrew Kuk provided information on the bids received related to repair of the City's hangar at the airport. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the bid of Weather Shield Roofing Systems for work on the airport hangar in the amount of twenty-six thousand, eight hundred dollars (\$26,800.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the bids received related to the refurbishment of North Franks Ave and the Auditorium and Doyle Center parking lots. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to approve the bid for Site Work and Utilities for the N. Franks Avenue Reconstruction and Doyle Center and Sturges-Young Civic Center Parking Lot Improvements Project from Niblock Excavating of Bristol Indiana in the amount of one hundred seventy three thousand one hundred twenty-three dollars (\$173,123.00) and authorize the City Manager to sign Contract #1 on behalf of the City.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Littman to approve the bid for Paving Alternate Bid A for the N. Franks Avenue Reconstruction and Doyle Center and Sturges-Young Civic Center Parking Lot Improvements Project from Niblock Excavating of Bristol Indiana, in the amount of eighty thousand eight hundred two dollars (\$80,802.00) and authorize the City Manager to sign Contract #2 on behalf of the City.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the purchase of up to 1200 tons HMA, GTR Mod 36A, PG 58-28 (After mixing is PG 70-28) material from Cass County Road Commission totaling no more than seventy-five thousand six hundred dollars (\$75,600.00) for the N. Franks Avenue Reconstruction and Doyle Center and Sturges-Young Civic Center and Auditorium Parking Lot Improvements Project.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

City Manager Michael Hughes provided information on the proposed 2014-2015 Fiscal Year budget. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to set a public hearing for consideration of the City's 2014-2015 budget at 7:30 p.m. on August 13th, 2014 at City Hall, 130 N. Nottawa.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:50 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WENESDAY, JULY 23, 2014
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, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

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

Roger Rathburn provided his qualifications as a candidate for State Representative of the 59th District. Discussion followed.

16th Michigan District Senator Bruce Caswell provided information on State spending, tax tribunal appeals, personal property tax, and changes in the law related to recalls. Discussion followed.

Christopher Bolt, St. Joseph County Road Commission, provided information about the upcoming millage votes. 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. Hile to approve the Consent Agenda of July 23, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the July 9, 2014 work session as presented.

APPROVAL of the minutes from the July 9, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,470,649.58 as presented.

C. Domestic and Sexual Assault Services Funding Request

DENY the request from Domestic and Sexual Abuse Services to enter a contract for funding.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the expansion plans of Burr Oak Tool and the possible sale of Art Carls Park as part of that. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Gay to approve the proposed ballot language for the November 4, 2014 General Election and Memorandum of Understanding for the sale of Art Carls Park as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

ARTHUR E. CARLS PARK TRANSFER

May the City of Sturgis transfer ownership of Arthur E. Carls Park located at 501 Magnolia Avenue (parcel # 052 640 036 00) to Burr Oak Tool to facilitate the future expansion of its facility located at 405 West South Street.

The consideration for the transfer will be the sum of \$24,000 based upon a commercial appraisal obtained by the City.

_____ YES

_____ NO

City Manager Michael Hughes provided information on the bids received related to the demolition of the Wood Motel. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to approve the bid from Pitsch Companies in the amount of sixty-two thousand dollars (\$62,000.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller provided information on the bids received related to well maintenance and repair. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee to approve the base bid from Peerless Midwest Inc. in the amount of thirty-six thousand nine hundred and forty-four dollars (\$36,944.00) and approve purchase of necessary repair parts in an amount not-to-exceed thirty-one thousand one hundred and nine dollars (\$31,109.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the bids received related to substation maintenance. Discussion followed.

Moved by Comm. Dvorak and seconded by Comm. Taulbee to approve the bid from Newkirk Electric Associates for substation maintenance in the amount of seventy thousand eight hundred fifty-six dollars (\$70,856.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the bids received related to this year's mill and resurface street program. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to award the contract for the 2014 Enhanced Mill and Resurface Project to Niblock Excavating, Inc. in the amount of one million, twenty three thousand, and thirty two dollars and ninety three cents (\$1,023,032.93) and authorize the City Manager to sign contract documents on behalf of the City.

Voting yea: Eight

Voting nay: Gay

MOTION CARRIED

City Engineer Barry Cox provided information on the bids received related to the North Centerville Road reconstruction. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to award the contract for the N. Centerville Road Project to Kalin Construction Company, Inc. in the amount of seven hundred sixty two thousand, twenty nine dollars and twenty cents (\$762,029.20) and authorize the City Manager to sign contract documents on behalf of the City.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the F&V Task Order related to the 2014 street improvement projects. Discussion followed.

Moved by Comm. Dvorak and seconded by Comm. Taulbee to approve Task Order 53 with Fleis and VandenBrink Engineering, Inc. for construction phase services associated with the 2014 Enhanced Mill and Resurface project in the amount of seventy thousand six hundred dollars (\$70,600.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve Task Order 54 with Fleis and VandenBrink Engineering, Inc. for construction phase services on the N. Centerville Road Reconstruction project in the amount of ninety-eight thousand eight hundred dollars (\$98,800.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Roger Bird provided information on the necessary changes to the codification numbers of certain ordinances. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the amendment to the City Code of Ordinances, Part II - Chapter 34 - Nuisances adding Article VI – Fireworks, Sections 34-301 – 34-305 as presented effective August 14, 2014.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on the proposed resolution related to local control of Fireworks.

Moved by Comm. Sisson and seconded by Comm. Hile to adopt the resolution for Local Regulation of Fireworks as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

RESOLUTION FOR LOCAL REGULATION OF FIREWORKS

WHEREAS, in 2011 the State of Michigan adopted the Michigan Fireworks Safety Act, MCLA 28.451, which legalized the sale, possession and use of consumer fireworks in Michigan; and

WHEREAS, this Act prohibits local ordinances from regulating the use of consumer fireworks on the day preceding, the day of, or the day after a national holiday; and

WHEREAS, citizens of the City of Sturgis have expressed concern about fireworks activity in the City, specifically the noise, safety, and unintended consequences of consumer fireworks; and

WHEREAS, the residents of the City of Sturgis are best able and deserve the right to further regulate fireworks including the possibility for more restrictive dates and hours of use.

NOW THEREFORE BE IT RESOLVED, that the City Commission takes exception to the State of Michigan's regulation of fireworks, maintains that this is an issue of local control, and requests that the State amend MCLA 28.451 to provide for greater local regulation of fireworks; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to State Representative Matt Lori and State Senators Bruce Caswell and John Proos.

City Manager Michael Hughes provided information on the proposed resolution in support of State Proposal 1 on the August 5, 2014 General Election ballot. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to adopt the resolution supporting Proposal 1 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

RESOLUTION SUPPORTING PROPOSAL 1
ON THE AUGUST 5, 2014 BALLOT

WHEREAS, local governments in Michigan have struggled with unstable funding needed to provide services and Michigan businesses have struggled with an uncompetitive tax on business; and

WHEREAS, small businesses and manufacturers power our economy and are the largest contributor to job growth in Michigan; and

WHEREAS, no other state in our region taxes business equipment the way Michigan does – and most of those states don't tax it at all, which makes Michigan significantly less competitive when it comes to job creation and business investment; and

WHEREAS, Michigan communities have struggled for years to pay for essential services like police, fire, ambulances, schools and jails; and

WHEREAS, Michigan communities have relied on this shrinking source of Personal

Property Tax revenue to provide other community services as well, including roads, transportation and libraries; and

WHEREAS, with bipartisan support the Michigan Legislature has voted to reform the antiquated personal property tax to help increase Michigan's competitiveness with other states and remove an onerous tax that will allow more business investment and create more jobs while providing a stable revenue source for local communities; and

WHEREAS, this is not a constitutional amendment but the state constitution requires Michigan voters to approve certain changes in local taxes; and

WHEREAS, Proposal 1 on the August 5, 2014 ballot, will make Michigan more competitive, which will help local communities to attract more businesses and talent and create local jobs; and

WHEREAS, Proposal 1 is supported by the Michigan Municipal League, the Michigan Townships Association, Michigan Association of Chiefs of Police, Michigan Association of Police Organizations, Michigan Community College Association, Michigan Farm Bureau, the Small Business Association of Michigan, Michigan Sheriffs Association, Michigan Chamber of Commerce, National Association of Independent Businesses and the Michigan Manufacturers Association, among others; and

NOW, THEREFORE, BE IT RESOLVED, the City of Sturgis hereby expresses its strong support for Proposal 1 to eliminate the personal property tax and strengthen our communities.

We urge our residents to vote YES on Proposal 1 on the August 5, 2014, ballot; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to State Representative Matt Lori and State Senators Bruce Caswell and John Proos.

City Manager Michael Hughes provided a history and the potential uses and marketing of the former Arkwright's property. Discussion followed.

The meeting was adjourned at 9:50 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 13, 2014
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: Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Sisson

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

Don Lampe, Fawn River Road, discussed many issues including sidewalks, the former Arkwright's property, and painting.

Wanda Webb, 205 W. South Street, had concerns regarding rental inspections.

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

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

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of August 13, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the July 23, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,544,296.40 as presented.

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

City Manager Michael Hughes provided updated information on the Moso Village Project and the revised development agreement with the City. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Hile to approve the revised Development Agreement for the Moso Village project, authorize the City Manager to make further necessary revisions, and authorize the Mayor to sign all necessary documents.

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

City Manager Michael Hughes provided information on the Wings Etc. project and the revised development agreement with the City. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the Development Agreement for the Downtown Mixed-Use Development project and authorize the Mayor to sign all necessary documents.

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

Mayor Malone opened the Public Hearing related to an IFEC for Burr Oak Tool & Gauge.

Cathy Knapp, Southwest Michigan First, provided details on the new building and equipment of Burr Oak Tool. The City Commission explained that they were very impressed and thanked them for their investment. There was no comment from the public.

Mayor Malone closed the public hearing.

Moved by Comm. Austermann and seconded by Comm. Taulbee to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed twelve million six hundred forty-seven thousand nine hundred and forty-seven dollars (\$12,647,947.00) to Burr Oak Tool, Inc. for a period of twelve (12) years.

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

RESOLUTION

WHEREAS, Burr Oak Tool & Gauge 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 Burr Oak Tool & Gauge, and **WHEREAS**, on June 27, 1990 and February 23, 2005 the City Commission established the Industrial Development District for the industrial property of Burr Oak Tool & Gauge 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 Burr Oak Tool & Gauge for an "Industrial Facilities Exemption Certificate".

Mayor Malone opened the Public Hearing related to an IFEC for Midwest Plastic Engineering.

Cathy Knapp, Southwest Michigan First, provided details on the new building and equipment of Midwest Plastic. The City Commission explained that they were very impressed and thanked them for their investment. There was no comment from the public.

Mayor Malone closed the public hearing.

Moved by Comm. Dvorak and seconded by Comm. Taulbee to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed four hundred thirteen thousand eight hundred seventy-one dollars (\$413,871.00) to Midwest Plastic Engineering for a period of twelve (12) years.

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

RESOLUTION

WHEREAS, MIDWEST PLASTIC ENGINEERING, INC., 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 MIDWEST PLASTIC ENGINEERING, INC., Inc., and

WHEREAS, on March 27, 1985 the City Commission established the Industrial Development District for the industrial property of MIDWEST PLASTIC ENGINEERING, INC., 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 MIDWEST PLASTIC ENGINEERING, INC., Inc. for an “Industrial Facilities Exemption Certificate”.

City Manager Michael Hughes explained that no bids were received for the sale of the property at 506 E. Hatch but he was contacted by the adjacent neighbor. The City Manager indicated he had negotiated a price with John and Carol Verhey that covered the closing costs of the sale. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Dvorak to approve the sale of 506 E. Hatch St. to John and Carol Verhey as presented.

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

Buildings Supervisor George Musolff and City Manager Michael Hughes provided an update on the implementation of the Performance Based Property Maintenance Program.

Comm. Dvorak read a statement from Prudential Realty related to landlords.

Mr. Musolff passed along the message from Art Eichorn who felt the fees in the new program were too high.

Brenda Rowe, manager of Village Manor, explained that she believes that the fees on her property would increase by 300% and would potentially lose a maintenance worker. She also explained that as a subsidized housing property, she already receives many other inspections.

Judy Hartman, explained that she felt the fee increase is too high.

Don Lampe suggested a checklist.

Chad Carpenter provided information on the difficulty in controlling the activity of the tenants and suggested delaying the implementation.

Jamie Crites, 65161 N. Centerville, asked about the average number of violation points per inspection. He explained that the violation threshold should be increased, the fees are too high, and suggested delaying the implementation.

David O’Connell, 1215 E Madison, suggested a review of the types of violations.

Jane Arver explained that many of the violations are the responsibility of the tenant.

Luke Handyside, Block 14 Inc., explained that the categories of the violations need to be reviewed.

Extensive discussion occurred on these issues.

Mayor Malone explained that City staff will continue to review all of aspects of the program.

Mayor Malone opened the Public Hearing related to a Sidewalk Assessment roll.

City Engineer Barry Cox provided information on the details of the assessed properties.

There was discussion regarding terrace trees and drive approaches. Discussion followed.

Mayor Malone closed the Public Hearing.

Moved by Comm. Huber and seconded by Comm. Austermann to approve the Special Assessment District as presented.

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

City Engineer Barry Cox provided information on the traffic study at West and Centerville Streets. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Hile to approve a Traffic Control order for the intersection of North Centerville Road and West West Street which includes a two way stop control on West West with right of way designated to thru traffic and North Centerville Road, supplemental plaques of “Cross Traffic Does Not Stop” at the stop sign, and a “Stop Ahead” sign on the approach to the stop control for a period of one year.

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

Mayor Malone opened the Public Hearing for the 2014-2015 Fiscal Year Budget.

City Manager Michael Hughes provided details on the 2014-2015 Fiscal Year Budget. The City Manager and City Commission thanked everyone who assisted in the budget process.

Mayor Malone closed the Public Hearing.

Moved by Comm. Taulbee and seconded by Comm. Hile to adopt the 2014-2015 annual City of Sturgis Budget Summary and Appropriation Resolution and approve the City of Sturgis Fee Schedule.

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

Electric Superintendent John Griffith provided information on the bids for recreation improvements near the hydro dam. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to approve the bid from Cross Lake Construction for up to one hundred eight thousand nine hundred fifteen dollars (\$108,915.00) as presented.

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

City Controller Holly Keyser provided information on the amendment to the Hospital Bond Sublease in order to account for the new debt payment schedule.

Moved by Comm. Austermann and seconded by Comm. Littman to approve the Addendum to Sublease Agreement between the City and Sturgis Hospital Inc. as presented.

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

City Manager Michael Hughes and Road Commission Director Christopher Bolt provided information on the North Franks reconstruction project. Discussion followed.

The meeting was adjourned at 10:40 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 27, 2014
WIESLOCH RAUM – CITY HALL

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

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

Commissioners absent: Huber

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

City Manager Michael Hughes and Electric Department Superintendent John Griffith provided additional information on the electric distribution system, the lines that run through backyards, and options to upgrade the system. Discussion followed.

Mr. Griffith also discussed an automated system for responding to calls related to electrical service and outages. Discussion followed.

There was also discussion about the future use and redevelopment of Old Depot Park now that the depot has been relocated.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 27, 2014
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, Austermann, Taulbee, Dvorak, Littman, Gay, Vice-Mayor Hile,
Mayor Malone

Commissioners absent: Huber

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Electric
Department Superintendent, Auditorium Director, City Clerk

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

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

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of
August 27, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the August 13, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,266,882.04 as presented.

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

Mayor Malone opened the Public Hearing related to an IFEC for Morgan Olson.

Cathy Knapp, Southwest Michigan First, provided details on the new equipment of Morgan
Olson. The City Commission explained that they were very impressed and thanked them for
their investment. There was no comment from the public.

Mayor Malone closed the public hearing.

Moved by Comm. Taulbee and seconded by Comm. Hile to adopt a resolution awarding an
Industrial Facilities Exemption Certificate, not-to-exceed six million eleven thousand seven
hundred and forty-eight dollars (\$6,011,748.00) to Morgan Olson, LLC for a period of twelve
(12) years.

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

RESOLUTION

WHEREAS, Morgan Olson, LLC 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 Morgan Olson, LLC, and
WHEREAS, on April 25, 1984 the City Commission established the Industrial Development District for the industrial property of Morgan Olson, LLC 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 Morgan Olson, LLC for an “Industrial Facilities Exemption Certificate”.

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

Cathy Knapp, Southwest Michigan First, provided details on the new equipment of Parma Tube. The City Commission explained that they were very impressed and thanked them for their investment. There was no comment from the public.

Mayor Malone closed the public hearing.

Moved by Comm. Austermann and seconded by Comm. Dvorak to adopt a resolution awarding an Industrial Facilities Exemption Certificate, not-to-exceed four hundred fifty thousand dollars (\$450,000.00) to Parma Tube Corporation for a period of twelve (12) years.
Voting yea: Eight Voting nay: None Absent: Huber MOTION CARRIED

RESOLUTION

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”.

Assistant City Manager Andrew Kuk provided information on the requests related to the Sturgis Toy Run. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Littman to approve the requests for the 2014 Sturgis Toy Run as presented and approve a waiver of fees associated with the event contingent upon recognition for the City.

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

Mayor Malone opened the Public Hearing related to the use of CDBG funds for Sturgis Molded Products.

Assistant City Manager Andrew Kuk provided information on the grant funding and the project of Sturgis Molded Products. The Commission thanked Sturgis Molded for their continued commitment to the community. SMP representatives explained that this grant will be very helpful in their training efforts. There was no comment from the public.

Mayor Malone closed the public hearing.

Moved by Comm. Dvorak and seconded by Comm. Taulbee to adopt the Authorizing Resolution for Job Training Community Development Block Grant (CDBG) Funds as presented.

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

CITY OF STURGIS
AUTHORIZING RESOLUTION FOR JOB TRAINING COMMUNITY
DEVELOPMENT BLOCK GRANT (CDBG) FUNDS

WHEREAS, The City of Sturgis has requested CDBG funds for job training as part of an expansion at Sturgis Molded Products Co. at 1950 Clark Street in Sturgis, Michigan 49091; and

WHEREAS, matching funds will be provided from Sturgis Molded Products Co. and Michigan Works, and the City of Sturgis will provide a property tax abatement subject to approval through the process outlined in Public Act 198; and

WHEREAS, the proposed project is consistent with the community development plan as described in the Part 2 application; and

WHEREAS, at least 51% of the beneficiaries of the proposed project will be low and moderate income persons; and

WHEREAS, no project costs will be incurred prior to a formal grant award, completion of the environmental review procedures, and formal, written authorization to incur costs has been provided by the City's CDBG Project Manager.

NOW, THEREFORE, BE IT RESOLVED, that the City of Sturgis Commission authorizes submission of the Michigan CDBG Application; and

BE IT FURTHER RESOLVED, that the City of Sturgis City Manager Michael Hughes is authorized to sign the Part 2 Application and all attachments; and

BE IT FURTHER RESOLVED that the City of Sturgis City Manager Michael Hughes is authorized to sign the project Grant Agreement.

Moved by Comm. Dvorak and seconded by Comm. Taulbee to approve the development agreement with Sturgis Molded Products and authorize City Manager Michael Hughes to make minor modifications as necessary.

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

Auditorium Director Brad Donmyer provided details on the proposed merger of the Auditorium and Arts Council boards. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to approve the amended bylaws, and appoint the fourteen current members of the Arts Council Board to the Auditorium Board with term expiration dates as presented.

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

Clerk/Treasurer Kenneth Rhodes provided information on the amendments to the City's Investment Policy. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Hile to approve the City of Sturgis Investment Policy as presented.

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

Moved by Comm. Sisson and seconded by Comm. Hile to appoint Barry Cox as traffic engineer for the City as presented.

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

Assistant City Manager Andrew Kuk provided information on the agreement with MDOT of AWOS services.

Moved by Comm. Dvorak and seconded by Comm. Hile to approve the contract with MDOT Aeronautics for AWOS services and authorize City Manager Michael Hughes to sign all necessary documents.

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

Moved by Comm. Hile and seconded by Comm. Sisson to go into Closed Session for the purpose of the City Manager evaluation.

**Voting yea: Sisson, Austermann, Taulbee, Dvorak, Littman, Gay, Hile, Malone
Voting nay: None Absent: Huber MOTION CARRIED**

Meeting recessed at 8:17 p.m.

Meeting reconvened at 8:34 p.m.

Moved by Comm. Littman and seconded by Comm. Hile to amend the City Manager agreement to include a one percent raise to the annual salary retroactive to the employee anniversary date.

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

The meeting was adjourned at 8:35 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 10, 2014
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Gay

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

City Controller Holly Keyser and consultant Don Apel, Cornerstone Municipal, provided information on Retiree Health Plan Costs and Planning. 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, SEPTEMBER 10, 2014
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, Austermann, Taulbee, Huber, Dvorak, Littman, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Gay

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Doyle and Recreation Director, City Clerk

Theo Omo, Executive Director of Thurston Woods, provided information on recent activities including a new affordable group home, in patient hospice, assisted living quarters changes, a new nursing program, and other issues. Mrs. Omo then presented the City with a check of \$20,000. Discussion followed. The Commission thanked Mrs. Omo for the activities of Thurston Woods and her donation to the City.

Mayor Malone presented the following proclamation:

WHEREAS, in 1968, Dr. Vicente Cabansag received his medical degree from the University of the East Ramon Magsaysay Medical Center in the Phillipines; and

WHEREAS, in 1974, Dr. Cabansag opened his practice in Sturgis; and

WHEREAS, Dr. Cabansag was the first surgeon in the tri-county area to successfully implement laparoscopic gallbladder surgery; and

WHEREAS, Dr. Cabansag is considered an expert in the field of general surgery and laparoscopic procedures; and

WHEREAS, Dr. Cabansag is a Diplomat of the American Board of Abdominal Surgery and a Fellow of the American Society of Laser Surgery and Medicine; and

WHEREAS, on September 3rd, 2014, Dr. Cabansag retired from practicing medicine after approximately 46 years; and

NOW, THEREFORE, the Sturgis City Commission would like thank Dr. Cabansag for his service in the Sturgis community and wish him a happy retirement.

Dr. Cabansag thanked the Commission for this honor, provided information on his career, and presented the City with a painting.

Mayor Malone presented the following proclamation:

WHEREAS, in September 1960, the largest high school class consisting of over 250 boys and girls, began their freshman year in the well-worn rooms of the original Sturgis High School; and

WHEREAS, in September 1962, these same students transferred to the new high school where they found new desks, a cafeteria, and the same great teachers; and

WHEREAS, in June 1964, this class graduated and made their way into a world that included the Vietnam War, the civil rights movement, and political assassinations; and

WHEREAS, these same people met every 5 years for the next 50 years to share laughter and tears; and

WHEREAS, these people are very proud of the values they learned from their families, their teachers, and their friends in Sturgis, Michigan.

NOW, THEREFORE, I declare, September 20th, 2014, as the Sturgis High School Class of 1964 Day of Recognition, in gratitude for these class members, living and dead, who have taken the best Sturgis has to offer and given it to their families, their communities, and their country.

Mike Moroz, candidate for 59th District State House of Representatives, provided his qualifications.

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

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

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of September 10, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the August 27, 2014 work session as presented.

APPROVAL of the minutes from the August 27, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,777,769.76 as presented.

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

Doyle Center Director Mike Liston provided information on the condition of the roof and the bids received for its repair. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Austermann to approve the bid from Weather Shield Roofing Systems in the amount of sixty-six thousand, thirty nine dollars (\$66,039.00) as presented.

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

Moved by Comm. Taulbee and seconded by Comm. Hile to approve the Airport Hangar Improvement Policy as presented.

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

The meeting was adjourned at 8:10 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 24, 2014
WIESLOCH RAUM – CITY HALL

Mayor Malone called the meeting to order at 7:00 p.m.

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

Also present: City Manager, Assistant City Manager, City Controller, Electric Department Superintendent, Wastewater Supervisor, City Clerk

Electric Department Superintendent John Griffith and Tom Asp, CTC Technology & Energy provided additional information on the Electric Distribution Technology Analysis. Discussion followed.

The meeting was adjourned at 7:35 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 24, 2014
WIESLOCH RAUM – CITY HALL

Mayor Malone called the meeting to order at 7:40 p.m.

The Pledge of Allegiance was said by all present.

Reverend Captain DeWayne Duskin – Salvation Army gave the Invocation

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: None

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Doyle and Recreation Director, DPS Supervisor, Public Safety Director, 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. Hile to approve the Consent Agenda of September 24, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the September 10, 2014 work session as presented.

APPROVAL of the minutes from the September 10, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,372,734.22 as presented.

C. Homecoming Parade and Fireworks

APPROVE the request for the Homecoming Parade and Fireworks as presented.

D. MML Liability and Property Pool Board of Directors Ballot

APPROVE submittal of the ballot for the Michigan Municipal League Liability and Property Pool Board of Directors as presented and authorize the City Manager to sign all necessary documents.

E. Board Resignation

ACCEPT the resignation of Warren English from the Employees Retirement System Board of Trustees and SEND him a letter of recognition for his service.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the DSA's Fall Harvest Fest.

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve the requests for Fall Harvest Fest as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Doyle Community Center Director Mike Liston provided information on the proposed membership rates. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Littman to approve the Doyle Community Center membership rates as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Supervisor Rick Miller provided information on the City's current uses of the vector truck and the bids for a replacement. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Littman to approve the bid from Jack Doheny Companies Inc. for a Vector sewer cleaning truck in the amount of three hundred and fifty-eight thousand, four hundred and twenty-five dollars (\$358,425.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Hile to approve the sale of the City's current vector truck.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on a proposed lease between the City and Sturgis Bank and Trust for the use and maintenance of the downtown parking lot in back of their property. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Littman to approve the parking lot lease as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided details on the investment of short term funds and participation in Michigan CLASS pooled investment. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to adopt the Authorizing Resolution for participation in Michigan CLASS as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

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

Moved by Comm. Sisson and seconded by Comm. Hile to approve the budget amendments for fiscal year 2014 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:50 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**SPECIAL MEETING - STURGIS CITY COMMISSION
MONDAY, SEPTEMBER 29, 2014
WIESLOCH RAUM – CITY HALL**

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

The Pledge of Allegiance was said by all present.

Commissioners present: Huber, Gay, Dvorak, Taulbee, Littman, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Sisson, Austermann

Also present: City Manager, Assistant City Manager, City Controller, City Engineer, Deputy City Clerk

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

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

Comm. Austermann present at 6:04 p.m.

City Engineer, Barry Cox explained the 2014 Enhanced Mill and Resurface Change Order #1 and the issues found with a portion of S. Lakeview Avenue after the asphalt was removed. There are several areas which are sand only and have no gravel base. A request was made to the contractor to determine and provide a cost to replace eight inches of sand with gravel for a length of 360 feet at full street width.

Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee that the Sturgis City Commission approve Change Order #1 for the 2014 Enhanced Mill and Resurface Project in the amount not to exceed thirty-five thousand dollars (\$35,000.00).

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

The meeting was adjourned at 6:28 p.m.

Shelly Stoddard, Deputy City Clerk

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 8, 2014
STURGES-YOUNG AUDITORIUM**

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

Commissioners present: Sisson, Austermann, Huber, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Taulbee, Dvorak

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

Don Apel, Cornerstone, and City staff provided information to current City of Sturgis retirees regarding the current state of healthcare and health insurance and possible changes to the City's plan. 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, OCTOBER 8, 2014
WIESLOCH RAUM – CITY HALL

Mayor Malone called the meeting to order at 7:40 p.m.

The Pledge of Allegiance was said by all present.

Reverend Captain DeWayne Duskin – Salvation Army gave the Invocation

Commissioners present: Sisson, Austermann, Huber, Littman, Gay, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Taulbee, Dvorak

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, DPS Supervisor, Public Safety Director, Deputy Police Chief, Wastewater Superintendent, City Clerk

Mike Mort provided an update on the activities and the proposed upgrades to the Sturgis Historical Society and Museum.

County Commissioner John Dobberteen thanked City Commissioners for their support of the recent Senior Center project.

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

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of October 10, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the September 24, 2014 work session as presented.

APPROVAL of the minutes from the September 24, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$980,633.20 as presented.

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the design of future street improvement projects. The three projects proposed for design are West Dresser Drive, Congress Street and the 2015 Mill and Resurface Project. He explained that the design task orders will allow the City to complete preliminary design phase, final design phase, and bidding phase for each project this winter and allow us to begin projects in the spring.

Moved by Comm. Austermann and seconded by Comm. Littman to approve Task Order #56 with Fleis and VandenBrink Engineering, Inc. in the amount of eleven thousand dollars (\$11,000.00) for design and bidding services associated with the MDOT TEDF Category A on West Dresser Drive as presented.

Voting yea: Six

Absent: Taulbee, Dvorak

Voting nay: Gay

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Austermann to approve Task Order #57 with Fleis and Vandenbrink Engineering, Inc. in the amount of thirty eight thousand, eight hundred dollars (\$38,800.00) for design and bidding services associated with the reconstruction of Congress Street and approve Task Order #58 with Fleis and Vandenbrink Engineering, Inc. in the amount of twenty nine thousand, eight hundred dollars (\$29,800.00) for design and bidding services on the 2015 Mill and Resurfacing Project.

Voting yea: Six

Absent: Taulbee, Dvorak

Voting nay: Gay

MOTION CARRIED

Electric Department Superintendent John Griffith, and other City staff, provided a summary of the utility system Distribution Technology Analysis. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to authorize City staff to negotiate a proposed contract with a vendor for Distribution Technology Analysis implementation as presented.

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the current and future needs at the Southeast Substation. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Sisson to approve GRP's Engineering Proposal in the amount of eighty thousand five hundred dollars (\$80,500.00) as presented.

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the current dumpster contract and the bids received.

Moved by Comm. Sisson and seconded by Comm. Austermann to approve the bid from Waste Management for a three year service contract in the amount of twenty-five thousand seven hundred sixty three dollars and eighteen cents (\$25,763.18).

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith provided information a system to handle phone calls during outages. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Gay to approve the three (3) year contract for the Milsoft Utility Solutions Pooled IVR emergency call system as presented.

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Littman to go into Closed Session for the purpose of discussing issues exempt from the statute.

Voting yea: Sisson, Austermann, Huber, Littman, Gay, Hile, Malone

Voting nay: None

Absent: Taulbee, Dvorak

MOTION CARRIED

Meeting recessed at 8:23 p.m.

Meeting reconvened at 8:48 p.m.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the Emergency Operations Plan as presented.

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Littman to approve a bid waiver for and the bid of Gecko Security for a security camera system in the amount of fifty-five thousand, one-hundred and fifty-seven dollars as presented (\$55,157.00).

Voting yea: Seven

Absent: Taulbee, Dvorak

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 8:54 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 22, 2014
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 Captain DeWayne Duskin – Salvation Army gave the Invocation

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

Commissioners absent: Huber

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, City Engineer, DPS Supervisor, Public Safety Director, Deputy Fire Chief, Wastewater Superintendent, City Clerk

Public Safety Director Geoff Smith and Deputy Fire Chief Andy Strudwick presented Captain Cody Cripe and Firefighter Gary Gagne for their heroic work. The City Commission thanked them for their service.

Mike Mort videotaped a reenactment of the approval of the development agreement with the Sturgis Area Community Foundation, the Historical Society, and the City for use at the new museum.

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

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

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of October 22, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the September 29, 2014 special meeting as presented.

APPROVAL of the minutes from the October 8, 2014 work session as presented.

APPROVAL of the minutes from the October 8, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,832,528.16 as presented.

C. MDOT State Trunkline Maintenance Contract

APPROVE the Michigan Department Of Transportation State Trunkline Maintenance Contract #2014-0420 and authorize the City Manager to sign all necessary documentation.

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

DPS Supervisor Rick Miller provided information on the purchase of a wing plow for snow removal. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve the purchase of a Junior Wing Plow from Truck and Trailer Specialties in the amount of twelve thousand four hundred and ninety-three dollars (\$12,493.00) as presented.

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

Wastewater Superintendent Tom Sikorski provided information on the Big Hill Landfill's treatment system and necessary improvements. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve Task Order 55 with Fleis and Vandenbrink Engineering in the amount of thirty-four thousand, one hundred dollars (\$34,100.00) as presented.

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

City Engineer Barry Cox provided information on a traffic control order for the area near Wall School to improve safety. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Taulbee to approve Traffic Control Order #14-06 to install "No Stopping, Standing, or Parking" signs on E. Lafayette Street from Susan Avenue to Center Avenue and restrict parking to buses only on the paved shoulder in front of Wall School as presented.

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

Assistant City Manager Andrew Kuk provided information on Section 3 of the Housing and Urban Development Act of 1968 which must be included in contracts involving CDBG funds. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Austermann to approve the Economic Opportunities Policy for Section 3 Covered Contracts as presented.

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

City Controller Holly Keyser provided information on PA 152 and the City's options for health care.

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

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

City Manager Michael Hughes provided information on the changing needs of the parking lot south of the Police station due to planned real estate development. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Hile to approve the Proposal from Wightman and Associates for a Parking Lot Master Plan in the amount of seven thousand, four hundred dollars (\$7,400.00) as presented.

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

The meeting was adjourned at 9:20 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**ORGANIZATIONAL MEETING
STURGIS CITY COMMISSION
MONDAY, NOVEMBER 10, 2014
CONFERENCE ROOM - CITY HALL**

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

Commissioners present: Sisson, Austermann, Taulbee, Huber, Malone, Dvorak, Littman, Hile, Gay

Commissioners absent: None

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

City Clerk/Treasurer Kenneth Rhodes provided a summary of the November 4th 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 Comm. Malone.

Voting Yea: Nine Voting Nay: None

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

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

Comm. Taulbee nominated Comm. Hile

Moved by Comm. Taulbee and seconded by Comm. Dvorak 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 explained that if Commissioners wanted to maintain their current appointments, that would be fine and asked for interest in the vacancies. Discussion followed. Mayor Malone confirmed the following appointments:

Ambulance: Gay

Auditorium: Hile

Finance Committee: Gay, Hile, Littman

EDC: Sisson

Employee's Retirement Board: Littman, Malone

IFEC / Idle Buildings: Austermann, Gay, Taulbee, Dvorak, Malone (Alt.)

Investment Committee: Taulbee, Hile, Sisson
GIS Steering Committee: Littman
Recycling Committee: Huber
Senior Center Liaison: Taulbee
Senior Center Planning: Littman
St. Joe County Traffic Committee: Malone
Sister City Committee: Austermann

City Clerk/Treasurer Kenneth Rhodes provided information on the City Commission Procedural Policy which has no changes.

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

Voting Yea : Nine

Voting Nay : None

MOTION CARRIED

Moved by Comm. Sisson and seconded by Comm. Hile to adopt the Resolution of Authorized Depositories as presented.

Voting Yea: Nine

Voting Nay: None

MOTION CARRIED

RESOLUTION OF AUTHORIZED DEPOSITORIES

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

WHEREAS, under the law of the State of Michigan, this Commission is required to provide by resolution for the deposit of all monies including tax monies coming into the hands of said Clerk/Treasurer, in one or more banks, hereinafter called banks, to be designated in such resolution.

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

Century Bank & Trust - Sturgis, Michigan

Farmers State Bank – Sturgis, Michigan

First Merit Bank - Sturgis, Michigan

Key Bank - Sturgis, Michigan

Sturgis Bank & Trust Co. FSB - Sturgis, Michigan

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

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**ANNUAL MEETING
STURGIS HOUSING DEVELOPMENT CORPORATION
MONDAY, NOVEMBER 10, 2014
CONFERENCE ROOM - CITY HALL**

Mayor Malone called the meeting to order at 8:07 p.m.

Commissioners present: Sisson, Austermann, Taulbee, Huber, Malone, Dvorak, Littman, Hile, Gay, Hughes

Commissioners absent: None

Also present: Assistant City Manager, City Clerk

Moved by Dir. Sisson and seconded by Dir. Hile to adopt the Consent Resolution of Shareholders as presented.

Voting Yea: Ten

Voting Nay: None

MOTION CARRIED

**CONSENT IN LIEU OF SPECIAL MEETING
OF SHAREHOLDERS OF STURGIS HOUSING DEVELOPMENT CORP.**

All of the shareholders of Sturgis Housing Development Corp., a Michigan non-profit corporation (the "Corporation"), consent to the following actions:

1. The following persons are elected to serve as the directors of the Corporation until the next annual meeting of shareholders (or written consent in lieu of such a meeting), or until their successors are duly elected and qualified, or until their resignation or removal:

Michael Gay
Charles Huber
Karl Littman
Ina Taulbee
Robert Hile
Michael Austermann
Robert Sisson
Mark Dvorak
Ken Malone
Michael Hughes

2. The shareholders received a report from City Staff on significant developments, major corporate transactions, certain related party transactions, and the operations and financial results of the Corporation for the preceding fiscal year. All actions of the Corporation's officers, directors and agents on behalf of the Corporation since the last annual meeting of shareholders (or written consent in lieu of such a meeting) are ratified.

This consent is given in lieu of a formal annual meeting of the Corporation's shareholders.

The meeting was adjourned at 8:08 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, NOVEMBER 12, 2014
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: Sisson, Austermann, Taulbee, Huber, Littman, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Gay, Dvorak

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, City Engineer, DPS Supervisor, Public Safety Director, Deputy Fire Chief, Wastewater Superintendent, City Clerk

Electric Department Superintendent John Griffith presented Mitchell Inman, who has successfully completed the apprentice lineman program. The Commission congratulated him on his accomplishment.

Rick Harter, 204 S. Fourth, discussed the ordinance related to the limitation of two dogs per household within the city limits.

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

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of November 12, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the October 22, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,033,070.31 as presented.

C. 400 E. West Street Sale Resolution

AUTHORIZE City Manager Michael Hughes to sign all necessary documents related to the sale of 400 E. West Street, approved by the Commission on May 28, 2014.

D. Auditorium Board Resignations

ACCEPT the resignations of Mike Stiles and Carie Arseneau from the Auditorium Board.

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

City Manager Michael Hughes provided information on the recent ballot proposal for the sale of Arthur Carls Park to Burr Oak Tool for an expansion and a related memorandum of understanding. As part of this memo, the City had agreed to begin the process for the

vacation of the portion of Magnolia Street adjacent to Burr Oak Tool. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Taulbee to adopt the Resolution Approving Vacating of the Street and Scheduling of Public Hearing for Magnolia Street as presented.

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

City Engineer Barry Cox provided information on the parking signage near Trinity Lutheran Church and their current traffic flow needs. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve Traffic Control Order #14-07 as presented.

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

City Engineer Barry Cox provided information on the future rehabilitation of South Street between Centerville Road and the train tracks and the need to have the design ready before any grant applications. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Sisson to approve Task Order #59 with Fleis and Vandenbrink Engineering, Inc. for preliminary design, final design, and bidding services in the amount of forty-eight thousand, three hundred dollars (\$48,300.00).

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the bids received for upgrade of the distribution system to accommodate industrial plant expansions. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Taulbee to approve a contract with Kent Power, Inc. for cable and equipment in the amount of thirty-two thousand eighty-three dollars (\$32,083.00) and approve a contract with Severance Electric for conduit in the amount of thirty-seven thousand nine hundred forty dollars (\$37,940.00) for the Progress/Broadus project as presented.

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the utility Distribution Technology Analysis and the vendors that were considered for the project. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Sisson to approve the initiation of contract negotiations with Eaton for the DTA project.

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

Electric Department Superintendent John Griffith provided options for the rebuilding of the electric distribution system when lines are located in the backyard.

By consensus, the Commission approved the Electric Department's long term plan to move backyard distribution to underground along the street.

Moved by Comm. Austermann and seconded by Comm. Taulbee to appoint Andy Boyd to the Employee Retirement Board to fill the unexpired term ending May 2016.

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the RFP process and submissions for management of the City's Pooled Investment Fund. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Hile to approve First Merit Private Bank for Investment Management Services for the City of Sturgis Pooled Investment Fund for a flat fee of sixteen (16) basis points annually and authorize City Clerk/Treasurer Kenneth Rhodes to sign all necessary documents.

Voting yea: Seven Voting nay: None Absent: Dvorak, Gay MOTION CARRIED

The meeting was adjourned at 8:47 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
MONDAY, NOVEMBER 24, 2014
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Sisson, Austermann, Taulbee, Dvorak, Littman, Mayor Malone
Commissioners absent: Gay, Huber, Vice-Mayor Hile

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, City Engineer, Wastewater Superintendent, Wastewater Supervisor

City Engineer Barry Cox introduced Claire Schwartz of Fishbeck, Thompson, Carr and Huber. Claire delivered a short presentation providing an overview of the benefits to improving and future plans for the White Elephant basin and the W. South Street storm sewer district. Discussion followed.

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

Mary M. Stoddard, Deputy City Clerk

REGULAR MEETING – STURGIS CITY COMMISSION
MONDAY, NOVEMBER 24, 2014
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 Roger Moyer, Evangelical Church gave the Invocation.

Commissioners present: Sisson, Austermann, Taulbee, Dvorak, Littman, Mayor Malone

Commissioners absent: Gay, Huber, Vice-Mayor Hile

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

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

Voting yea: Six

Voting nay: None

Absent: Gay, Huber, Hile

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the Consent Agenda of November 24, 2014 as presented.

A: Action of Minutes of Previous Meetings

APPROVAL of the minutes from the November 10, 2014 organizational meeting as presented.

APPROVAL of the minutes from the November 12, 2014 regular meeting as presented.

B: Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$2,765,968.11 as presented.

C: Airport Lease

TERMINATE the land lease with Charles and Lindakay Wood, APPROVE the land lease with Martin G. and Carolyn J. Hart, and AUTHORIZE City Manager Michael Hughes to sign all necessary documents.

Voting yea: Six

Voting nay: None

Absent: Gay, Huber, Hile

MOTION CARRIED

City Engineer Barry Cox spoke regarding the White Elephant Regional Detention Basin. He explained the City was looking at the possibility of re-directing the storm water and improving the overflow issues. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Austermann to approve the Professional Services Agreement with Fishbeck, Thompson, Carr and Huber, Inc. in the amount of twenty seven thousand, nine hundred and eighty dollars (\$27,980.00).

Voting yea: Six

Voting nay: None

Absent: Gay, Huber, Hile

MOTION CARRIED

Wastewater Supervisor, Tom Sikorski spoke regarding replacement of the Fawn River Lift Station Pump. He explained that the lead time for repair parts on the current pump was thirteen weeks and the cost of repairs, parts and labor were significantly greater than the cost of a new chopper pump. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Dvorak to approve the purchase of the

Flygt pump from Kennedy Industries in the amount of thirty-seven thousand six hundred dollars (\$37,600.00) as presented.

Voting yea: Six

Absent: Gay, Huber, Hile

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser and Public Safety Director Geoff Smith addressed the Commission regarding the budgeted replacement of a Dodge Charger patrol vehicle. The City staff recommended a vehicle from Bill Snethkamp-Fleet which is on the lot and immediately available and is below the budgeted amount. Discussion followed.

Moved by Comm. Dvorak and seconded by Comm. Taulbee to approve the purchase of one 2014 Dodge Charger Police Cruiser from Bill Snethkamp-Fleet, Lansing, MI in the amount of twenty-two thousand, eight hundred and forty-three dollars (\$22,843.00).

Voting yea: Six

Absent: Gay, Huber, Hile

Voting nay: None

MOTION CARRIED

Electric Department Superintendent John Griffith explained the need to replace the existing Southeast Substation transformers to an anticipated load growth with the new Meijer store scheduled to be built, as well as the current transformer at the Southeast Substation exceeding the 50% capacity. Discussion followed.

Moved by Comm. Taulbee and seconded by Comm. Littman to approve the bid from ABB/Kuhlman in the amount of one million, two hundred ninety-four thousand, nine hundred and two dollars (\$1,294,902.00) for the Southeast Substation.

Voting yea: Six

Absent: Gay, Huber, Hile

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes requested direction from the Commission on how to proceed with the acquisition of the playground equipment from Art Carls Park. Discussion followed on how to distribute the pieces of equipment between the interested parties.

Moved by Comm. Taulbee and seconded by Comm. Austermann to donate the spring rocker and small slide to Wenzel School and the swing, climbing bars, and basketball hoop to Camp Fort Hill.

Voting yea: Six

Absent: Gay, Huber, Hile

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes explained that since the existing retention basin on what is now Burr Oak Tool Property will need to be relocated to facilitate the development of the Meijer project, it must discharge its easement with Burr Oak Tool and establish a new easement with Thrifty Kraft, Inc., the named owner of the new property.

Moved by Comm. Littman and seconded by Comm. Taulbee to adopt the easement for Thrifty Kraft, Inc., discharge the easement with Burr Oak Tool as presented and authorize the Mayor and City Clerk to sign any documents.

Voting yea: Six

Absent: Gay, Huber, Hile

Voting nay: None

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Sisson to go into Closed Session for the purpose of discussing privileged information with the City's bond attorney.

Voting yea: Sisson, Austermann, Taulbee, Dvorak, Littman, Mayor Malone

Voting nay: None Absent: Gay, Huber, Vice-Mayor Hile MOTION CARRIED

Meeting recessed at 8:06 p.m.

Meeting reconvened at 9:01 p.m.

The meeting was adjourned at 9:02 p.m.

Mary M. Stoddard, Deputy City Clerk

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 10, 2014
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Gay

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

Pat Yoder, County Administrator, representatives of Slocum Architects, and Lynne Coursey, COA Director, provided information on the design concept for the proposed Senior Center near the Doyle Community Center. Discussion followed including the addition of a covered walkway.

There was consensus to support the Senior Center project as it is currently designed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 10, 2014
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 Greg Long, Sturgis Baptist Church gave the Invocation

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Vice-Mayor Hile, Mayor Malone

Commissioners absent: Gay

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, City Engineer, Wastewater Superintendent, City Clerk

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the agenda as presented with the addition of discussion of a Senior Center Lease.

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

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of December 10, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the November 24, 2014 work session as presented.

APPROVAL of the minutes from the November 24, 2014 regular meeting as presented.

B. Pay Bills

AUTHORIZE the payment of the City bills in the amount of \$1,188,313.05 as presented.

C. EDC/BRA Board Resignation

ACCEPT the resignation of David Herrmann from the EDC/BRA Board.

D. Accounts Payable Authorization

AUTHORIZE the Finance Committee to authorize the payment of City bills at their next meeting.

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

City Clerk/Treasurer Kenneth Rhodes explained the State statute that allows for certain agencies to apply for a tax exemption on a property for two years while it is being rehabilitated.

Moved by Comm. Taulbee and seconded by Comm. Austermann to approve the tax exemption from Sturgis Neighborhood Program for 400 E. West Street as presented.

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

City Engineer Barry Cox explained that the City was given a Conditional Commitment for Transportation Alternatives Program (TAP) grant funding for the Historic Brick Restoration of South Nottawa Street from Congress Street to Mechanic Street. This is the second phase of a four-phase plan for brick street restoration on South Nottawa.

Moved by Comm. Austermann and seconded by Comm. Dvorak to adopt the Transportation Alternatives Program Grant Resolution as presented.

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

A RESOLUTION TO ESTABLISH A REQUEST FOR FUNDING, DESIGNATE AN AGENT, ATTEST TO THE EXISTENCE OF FUNDS AND COMMIT TO IMPLEMENTING A MAINTENANCE PROGRAM FOR SOUTH NOTTAWA STREET PROJECT FUNDED BY THE TRANSPORTATION ALTERNATIVES PROGRAM GRANT #2014007.

WHEREAS, the Transportation Alternatives Program is a federally funded program administered in Michigan by the Michigan Department of Transportation (MDOT).

WHEREAS, the City of Sturgis is applying for funds through MDOT from the Transportation

Alternative Program to re-construct South Nottawa Street as a historical brick street in 2015.

WHEREAS, MDOT requires a formal commitment from the public agency that will be receiving these funds and will be implementing and maintaining these infrastructure projects.

NOW, THEREFORE, BE IT RESOLVED THAT, the City has authorized City Manager Michael Hughes to request Transportation Alternatives Program funding, to act as the applicant's agent during the project development, and to sign a project agreement upon receipt of a funding award.

BE IT FURTHER RESOLVED THAT, the City attests to the existence of, and commits to, the funds necessary to carry out the project, including engineering for design and construction, permit fees, administration costs, cost overruns, and the required matching funds for the overall project cost.

BE IT FURTHER RESOLVED THAT, the City commits to owning, operating, funding and implementing a maintenance program over the design life of the facilities constructed with Transportation Alternatives Program funding.

City Engineer Barry Cox provided information on MDOT's Office of Economic Development provides grant funding for street repair through the Transportation Economic Development Fund Category A program. The Category A grant program leverages industrial job creation and retention to fund road improvements associated with the job creator's location. Discussion followed.

Moved by Comm. Huber and seconded by Comm. Taulbee 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: Eight Voting nay: None Absent: Gay MOTION CARRIED

**A RESOLUTION OF SUPPORT AND FUNDING LEVEL COMMITMENT
FOR STREET SYSTEM IMPROVEMENTS ASSOCIATED WITH AN MDOT TEDF
CATEGORY A GRANT PROJECT**

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

WHEREAS, the City of Sturgis has an interest in obtaining MDOT TEDF Category A grant funding to accomplish this goal in conjunction with an industry expanding its facilities and adding employees; and

WHEREAS, it is necessary to provide a resolution acknowledging support of the proposed street project and level of funding commitment; and

WHEREAS, the current cost estimate of the proposed street project is \$290,900.00 of which the City would be responsible for \$58,180.00 under a TEDF Category A grant.

NOW THEREFORE BE IT RESOLVED, that the City of Sturgis formally supports said proposed street project and agrees to a funding commitment at \$58,180.00 of the project cost.

Wastewater Superintendent Tom Sikorski explained that the proposed skid steer would replace a 2009 Bobcat S185 skid loader, unit 2024-09, used for various activities throughout the Wastewater Treatment Plant.

Moved by Comm. Dvorak and seconded by Comm. Hile to approve the purchase of the John Deere 332E from GreenMark Equipment, Inc., in the amount of thirty two thousand nine hundred nineteen dollars and forty cents (\$32,919.40) as presented.

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

Electric Department Superintendent John Griffith explained that for several years the function of City Forester was handled by the Electric Department Operations Manager. Upon his retirement, the Electric Department hired Plant Growth Management Systems (PGMS), Niles, Michigan, on an interim bases to fill this role through December 31, 2014.

Moved by Comm. Austermann and seconded by Comm. Dvorak to approve the Right of Way Management Services Agreement with Plant Growth Management Systems in the amount of fifty three thousand one hundred dollars (\$53,100.00) as presented.

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

Electric Department Superintendent John Griffith explained that the Electric Department's Meter Division uses a Spinlab test set to check the accuracy of meters and meter installations. The existing set, as configured, is no longer supported by Spinlab.

Moved by Comm. Taulbee and seconded by Comm. Austermann to approve the purchase of the Spinlab test set in the amount of ten thousand seven hundred and forty dollars (\$10,740.00) as presented.

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

Moved by Comm. Taulbee and seconded by Comm. Dvorak to appoint Wayne Hinkley to the Sturgis Housing Commission to fill the unexpired term ending May 2017.

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

Moved by Comm. Sisson and seconded by Comm. Hile to direct City staff to negotiate a formal lease with the St. Joseph County Building Authority for the proposed Senior Center based on the concept presented at the work session on December 10, 2014.

Voting yea: Eight Voting nay: None Absent: Gay 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: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Hile, Malone
Voting nay: None Absent: Gay MOTION CARRIED

Meeting recessed at 8:05 p.m.

Meeting reconvened at 8:30 p.m.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 17, 2014
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 Greg Long, Sturgis Baptist Church gave the Invocation

Commissioners present: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Vice-Mayor Hile, Mayor Malone
Commissioners absent: None

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, City Engineer, Wastewater Superintendent, City Clerk

Moved by Comm. Littman and seconded by Comm. Taulbee to approve the agenda as presented with the addition of discussion of a Senior Center Lease.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Hile to approve the Consent Agenda of December 17, 2014 as presented.

A. Action of Minutes of Previous Meetings

APPROVAL of the minutes from the December 10, 2014 work session as presented.

APPROVAL of the minutes from the December 10, 2014 regular meeting as presented.

B. Fawn River Township Property Transfers (Agreement 3)

ADOPT the resolution transferring Tax Parcel's 75-052-777-335-00, 75-052-777-336-00 and 75-052-777-337-00 from Fawn River Township into the City as presented.

C. Fawn River Township Property Transfers (Agreement 4)

ADOPT the resolution transferring Tax Parcels 75-052-060-100-00, 75-052-060-114-00, 75-052-060-112-00, and 75-052-060-111-00 from Fawn River Township into the City as presented.

D. 2015 Meeting Schedule

APPROVE the 2015 Meeting Schedule as presented.

E. Auditorium Board Member Removal

REMOVE Deb Leyes from the Auditorium Board due to attendance.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that there are currently three vacancies on the Auditorium Board. The vacancies have been advertised and three applications have been received.

Moved by Comm. Sisson and seconded by Comm. Taulbee to appoint Beverly Currier, Heather Swett, and Robert Trocke to the Auditorium Board.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Malone opened the Public Hearing for consideration of vacation of a portion of Magnolia Street between Orange and Prairie Streets.

City Manager Michael Hughes explained that on November 4th City of Sturgis voters approved the transfer of Art Carls Park to Burr Oak Tool (BOT) as part of a future expansion of their facility on W. South Street. Art Carls Park is on the opposite side of Magnolia Street from the current Burr Oak Tool facility, and any future expansion will require vacating a portion of the road. It was reported that there was no comments received from the public. Mr. Hughes recommended taking action pending further work on the BOT expansion project.

Mayor Malone closed the Public Hearing.

The City Commission had consensus to postpone consideration on the vacation of Magnolia Street until a future meeting.

City Engineer Barry Cox and representatives of FTC&H provided information on the second phase of the South Nottawa Street reconstruction project and the traffic study done at the intersection of Nottawa and Congress Streets to determine if the traffic signal is warranted. Extensive discussion took place among the City Commission and area residents regarding the traffic patterns and other issues at the intersection.

Moved by Comm. Huber and seconded by Comm. Austermann to approve Temporary Traffic Control Order #05-14 as presented.

Voting yea: Austermann, Huber

Voting nay: Gay, Dvorak, Taulbee, Hile, Sisson, Littman, Malone

MOTION DEFEATED

Wastewater Supervisor Jeannette Fenner provided information on the Asset Management Plan that the City is required to do, the SAW grant that the City received which will help pay for the plan, and the Task Order to prepare the plan. Discussion followed.

Moved by Comm. Austermann and seconded by Comm. Dvorak to approve Task Order # 52 Asset Management for Wastewater System to Fleis & Vandenbrink in the amount of six hundred fourteen thousand, seven hundred and forty dollars (\$614,740.00) and authorize City Manager, Michael L. Hughes to sign the Task Order documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the airport engineer request for qualifications. Discussion followed.

Moved by Comm. Sisson and seconded by Comm. Hile to approve the selection of QoE Consulting as the airport engineer for Kirsch Municipal Airport.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided information on the bids received for the budgeted vehicle purchases. Extensive discussion continued on the types of vehicles being purchases, the bidding process, and local preferences.

Moved by Comm. Sisson and seconded by Comm. Dvorak to approve the purchase of two 2015 Chevrolet Tahoe Pursuit Patrol Vehicles from Kool Chevrolet, Sturgis, in the total amount of sixty-six thousand, nine hundred, sixty-nine dollars and fifty cents (\$66,969.50) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Austermann and seconded by Comm. Hile to approve the purchase of a 2015 Dodge RAM 2500 from Galeanas Van Dyke Dodge, Warren, MI in the amount of twenty-seven thousand, five hundred and seventy-four dollars (\$27,574.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Huber and seconded by Comm. Hile to approve the purchase of two 2015 Dodge RAM 1500 from Bobilya Chrysler Dodge, Coldwater, MI in the amount of forty-eight thousand, eight hundred and forty dollars (\$48,840.00) as presented.

Voting yea: Eight

Voting nay: Sisson

MOTION CARRIED

Moved by Comm. Dvorak and seconded by Comm. Hile to approve the purchase of a 2015 Ford Focus from Signature Ford in the amount of fifteen thousand, six-hundred and sixty dollars (\$15,660.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Huber and seconded by Comm. Littman to approve the bid of Bates Tractor for the purchase of a 15 foot flex pull-behind mower in the amount of fourteen thousand, and forty dollars and seventy cents (\$14,040.70) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The City Commission had consensus to move forward with the proposals from Viridis Design Group for an update of the parks and recreation master plan and a design for a softball complex.

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

Voting yea: Sisson, Austermann, Taulbee, Huber, Dvorak, Littman, Gay, Hile, Malone

Voting nay: None

MOTION CARRIED

Meeting recessed at 10:05 p.m.

Meeting reconvened at 10:35 p.m.

The meeting was adjourned at 10:35 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer