

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 11, 2023
WIESLOCH RAUM – CITY HALL**

Mayor Mullins called the meeting to order at 5:00 p.m.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: None

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

Steve Donkersloot, Michigan Public Power Agency, provided information on who they are and what they do for the City. They also discussed MPPA's strategic objective on adding more behind the meter generation, helping members reduce transmission costs and be more reliable. Discussion followed.

The meeting was adjourned at 6:00 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 11, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Vice-Mayor Miller.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: None

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

Mayor Mullins presented the following Proclamation to City Manager Michael Hughes:

WHEREAS, Michael L. Hughes has served the City of Sturgis for 21 years, from July 1999 to February 2003 as Assistant to the City Manager, Assistant City Manager, and Interim City Manager and then from July 2005 to January 2023 as City Manager; and

WHEREAS, Michael has worked on a number of projects that have transformed the City of Sturgis during his time as City Manager, including the US-12 streetscape, North Street, Pleasant Avenue, S. Nottawa brick street refurbishment, Spence Softball Complex, the Public Services and Utilities Building, movement of the Depot building, various park improvements, a dedicated street millage and ten years of associated improvements, and so many more; and

WHEREAS, Michael has been involved with several significant business investment and economic development projects during his service including Moso Village, Wings Etc., the Burr Oak Tool expansion, Dresser Business Park infrastructure, Heartland and Cruiser RV, Meijer, the Watershed, and countless other developments and business expansions large and small;

WHEREAS, Michael has maintained a fiscally stable and healthy organization at the City of Sturgis, working with the Commission to stabilize utility funds, handle the difficulties of the 2008 economic downturn, address challenges such as the impact of other post-employment benefits (OPEB), and provide responsible budgets and overall organizational strength; and

WHEREAS, Michael has been an important collaborator with community organizations during his tenure, meeting regularly with area Township Supervisors to foster positive intergovernmental relationships, serving on boards and in groups including the Sturgis Area Chamber of Commerce, St. Joseph County EDGE, Sturgis Exchange Club, Sturgis DDA, and others; and

WHEREAS, Michael was involved as a member of the International City/County Management Association (ICMA) and Michigan Municipal Executives (MME) over his time in the profession, including serving on the MME board and being awarded the MME “Executive of the Year” in 2021; and

WHEREAS, Michael has served the City of Sturgis for over 17 years as a City Manager of

exceptional integrity, leadership, creativity, and skill.

NOW THEREFORE BE IT RESOLVED that the City Commission recognizes and thanks Michael L. Hughes for his exceptional service and dedication to the City of Sturgis.

Mr. Hughes expressed his thanks and said that it was an honor to serve as City Manager.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of January 11, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the December 19, 2022 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,595,778.37 as presented.

C. Pine Street Extension Vacation Request – Set Public Hearing

- ADOPT the Resolution Setting a Public Hearing Regarding Vacating a Portion of Pine Street as presented.

**RESOLUTION SETTING A PUBLIC HEARING REGARDING VACATING A PORTION OF
PINE STREET**

WHEREAS, the City Commission of the City of Sturgis, County of St. Joseph, and State of Michigan, the same being the legislative body of the said City of Sturgis, deems it advisable and in the best interests of the City of Sturgis that a portion of Pine Street now situate and being within the City of Sturgis be vacated, said street being described as follows, to-wit:

Located in the City of Sturgis, St. Joseph County, Michigan

Commencing at the intersection of the Northerly line of Lakeview Manor, a recorded plat, and the Westerly Line of Pine Street, thence North 89° 48' East 60 feet, along the Northerly line of Lakeview Manor to its intersection with the Easterly line of Pine Street, thence North 0° 12' West along the Easterly line of Pine Street, extended to a point where said Easterly line of Pine Street extended interests the Northerly line of Oakwood Drive in Roselawn Terrace extended, North 77° East, thence South 77° West on the North line of Oakwood Drive extended to a point which is North 0° 12' West from the point of beginning; thence South 0° 12' East along the Westerly line of Pine Street extended to the point of beginning.

Also shown graphically in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED, that a public hearing to hear objections thereto shall be held at the scheduled meeting of the Sturgis City Commission on Wednesday, February 22, 2023, commencing at 6:00 P.M. in the Wiesloch Raum of City Hall. Any objection to such action may be filed with the City Clerk in writing, and if any such objection is filed the portion of Pine St. described above now situate and being within the City of Sturgis shall not be vacated except by a concurring vote of two-thirds (2/3) of the City Commission.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the Interim City Manager Employment Agreement between the City of Sturgis and Andrew Kuk as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Mullins opened the Public Hearing for consideration of a Resolution to Vacate a Portion of Jean Avenue.

City Engineer Barry Cox provided details on the proposed area that is recommended for vacation.

There were no comments from the public.

Mayor Mullins closed the Public Hearing.

Moved by Comm. Hile and seconded by Comm. Perez to approve the Resolution to Vacate a Portion of Jean Ave. as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

RESOLUTION VACATING STREET

WHEREAS, the City Commission of the City of Sturgis, County of St. Joseph, and State of Michigan, the same being the legislative body of the said City of Sturgis, deems it advisable and in the best interests of the City of Sturgis that a portion of Jean Avenue be vacated, subject to the reservation of an easement for utilities, said street being described as follows, to-wit:

Located in the City of Sturgis, St. Joseph County, Michigan

All that part of Jean Avenue (50-feet wide) between Blocks One and Two of Wait & Miller's Addition to the City of Sturgis, according to the plat of record in the Office of the Register of Deeds for St. Joseph County, Michigan in Liber 1 of Plats, Page 29, lying Southerly of the portion of the street vacated in Liber 10, Page 462 and North of a Line 96 feet North of the North Right of Way Line of East Hatch Street.

Also shown graphically in Exhibit A; and

WHEREAS, it being advisable to vacate and abandon the said described property, due notice was published in the Sturgis Journal, a newspaper published and circulated in the City of Sturgis, County of St. Joseph, State of Michigan, as required by law, notifying the public and all interested persons that the City Commission would meet and be in session on Wednesday, January 11, 2023, at 6:00 p.m. in the Wiesloch Raum of Sturgis City Hall to hear and consider objections thereto; and

WHEREAS, no one appeared at said meeting to object to the proposed vacation and abandonment and no objections having been filed with the City Clerk:

NOW, THEREFORE, BE IT RESOLVED, subject to the City of Sturgis reserving easements on said property for the purposes of constructing, repairing, substituting, removing enlarging, replacing, and maintaining utilities that the above described portion of street be hereby vacated, abolished, abandoned, and discontinued; and

BE IT FURTHER RESOLVED, that within thirty (30) days from this date, the City Clerk shall forward a certified copy of this resolution to the Michigan Secretary of State and also a certified copy of this resolution to the Register of Deeds of the County of St. Joseph, State of Michigan, for recording, and that a proper record of this vacation and abandonment be entered into the Book of Plats of the City of Sturgis.

City Manager Michael Hughes and CTE Program Director Jim Beery provided details on an agreement that would provide space for teaching a culinary class and a hospitality class to high school students at the Sturges-Young Center for the Arts. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Kinsey to approve the license agreement between the St. Joseph County Intermediate School District and City of Sturgis for use of the kitchen and instructional space at the Sturges-Young Center for the Arts as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Chris McArthur provided details on the bids received for substation breakers. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the purchase of eight (8) 15kV ABB breakers from Verhill Associates in the total amount of two hundred and seven thousand, eight hundred and twenty dollars (\$207,820.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Facilities Manager Dan Root provided information the wear and tear on the floor of the Public Services Utility Building and a recommended treatment. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the proposal from Northern Industrial Flooring for PSUB floor coating in the amount of ninety-five thousand, six hundred and eighty-nine dollars and twenty cents (\$95,689.20) as presented.

Voting yea: Eight

Voting nay: Klinger

MOTION CARRIED

City Manager Michael Hughes provided information on the RFP for City Attorney Services. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Perez to appoint Timothy J. Reed of Bird, Scheske, Reed & Beemer, P.C. as City Attorney.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Michael Hughes provided information on guidance from the Michigan Department of Treasury regarding legal public expenditures. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Smith to adopt the Resolution to Designate Certain Employee Expenditures as a Public Purpose as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

RESOLUTION TO DESIGNATE CERTAIN EMPLOYEE EXPENDITURES
AS A PUBLIC PURPOSE

WHEREAS, the City Commission believes that employee retention and morale is a critical part of

serving the public of Sturgis effectively; and

WHEREAS, the City Commission believes spending funds to benefit employees for things such as, but not limited to, occasional recognition of achievements or paying for refreshments/meals when extra work, time or effort is being required of employees is a critical part of creating an environment that encourages employee retention, positive morale and comradery; and

WHEREAS, these types of benefits are offered by most employers in which the City is competing for talent; and

WHEREAS, the City Attorney believes the nexus of the employment relationship, and how the City manages that employment relationship, is a valid local municipal concern and that it is not unreasonable for the City to make incidental expenditures such as those described above; and

WHEREAS, the City Attorney has given an opinion that these expenses, if incidental, would not violate the City's authority under the Home Rule Cities Act or the Michigan Constitution and do in fact serve a public purpose; and

WHEREAS, the State of Michigan Department of Treasury guidance on municipal expenditures states that "coffee and donuts for employees during normal working hours is considered personal, not for a public purpose, and improper unless specifically provided for in a collective bargaining agreement or duly adopted employment policy of the governmental unit (fringe benefit)."

NOW, THEREFORE, BE IT RESOLVED, that the Sturgis City Commission has determined the use of public funds for the benefits described above serve a public purpose in the City of Sturgis and authorizes the City Manager to expend funds within any adopted budget related to those benefits; and BE IT FURTHER RESOLVED, that the Sturgis City Commission adopts the following language as an employment policy to be included in the City of Sturgis Employee Handbook:

"The City believes the nexus of the employment relationship, and how the City manages that employment relationship, is a valid local municipal concern. The City Manager is authorized to make incidental expenditures such as, but not limited to, occasional recognition of achievements, paying for refreshments/meals as recognition of extra effort, time and commitment by employees, and general appreciation of the efforts of employees as a way to provide a work culture that promotes positive morale, high performance and productivity which serve an important public purpose."

Assistant City Manager Andrew Kuk provided details on needed approvals for Downtown events for the upcoming year.

Moved by Comm. Hile and seconded by Comm. Perez to approve the requests for the 2023 Downtown Events as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 7:56 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JANUARY 25, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Vice-Mayor Miller.

Commissioners present: Bir, Klinger, Kinsey, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: Smith

Also present: City Attorney, Interim City Manager, City Controller, Public Safety Director, Wastewater Superintendent, Deputy DPS Director, Doyle and Recreation Director, Facilities Manager, SYCA Director, City Engineer, City Clerk

Ryan Banaszak, Director of Public Safety, introduced new firefighter Margit Bolthouse, who was then sworn in.

Timothy Hill, Maple Towers Executive Director, provided an update and the facility and the financial conditions. Discussion followed.

Jeremy Gump provided an update on Sturgis Hospital. Discussion followed.

Brandon Schrader and Tom Sikorski presented the 2023 Premier Utility Management Performance (PUMP) award, which they received at a recent conference.

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

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

Moved by Comm. Hile and seconded by Comm. Klinger to approve the Consent Agenda of January 25, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the January 11, 2023 work session as presented.
- APPROVE the minutes from the January 11, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,694,211.70 as presented.

C. DDA Board Resignation

- ACCEPT the resignation of Jenifer Blouin-Policelli from the DDA Board of Directors and SEND a letter of recognition for her service.

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

Doyle and Recreation Director Mike Liston explained that the Parks and Recreation Master Plan was last updated in 2018 and as a requirement to qualify for Federal and State grant funding assistance, the Plan is required to be updated every 5 years. The Parks, Recreation and Doyle Board held a Public Hearing, related to the plan, at their most recent meeting.

Moved by Comm. Hile and seconded by Comm. Bir to adopt the Resolution for Adoption of the City of Sturgis 2023 5-Year Parks and Recreation Master Plan.

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

**CITY OF STURGIS
RESOLUTION FOR ADOPTION OF THE CITY OF STURGIS
2023 PARKS AND RECREATION MASTER PLAN**

WHEREAS, the City of Sturgis has undertaken the development of a five (5) year Parks and Recreation Master Plan update which describes the physical features, existing recreation facilities, and the desired actions to be taken to improve and maintain recreation facilities during the period between 2023 and 2027; and

WHEREAS, the Plan was available for public review and comment at City Hall for a period of thirty (30) days beginning on December 13th, 2023 and ending on January 11th, 2023; and

WHEREAS, a public hearing was held at the regularly scheduled Parks, Recreation & Doyle Center Board meeting on Tuesday, January 17, 2023 at 4:00 p.m. to provide an opportunity for citizens to express opinions, ask questions, and discuss all aspects of the Plan; and

WHEREAS, the City of Sturgis has developed the Plan for the benefit of the entire community and desires to adopt the Plan as a document to assist in meeting the recreation needs of the community.

THEREFORE, BE IT RESOLVED, that the Sturgis City Commission hereby adopts the City of Sturgis 2023 Parks and Recreation Master Plan as a guideline for improving recreation for the residents of the City.

Facilities Manager Dan Root provided information on the seven standby power generators at City facilities, five of which are permanently placed at the buildings. He explained that all these require regular maintenance. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the planned maintenance proposal from Cummins Sales and Service in the amount of thirty- five thousand, seven hundred and twenty dollars (\$35,720.00) as presented.

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

Facilities Manager Dan Root provided information on the bids received for improvements to the front entrance at the SYCA. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Perez to approve the bid from Kalleward Group including addendums #1 and #2 for the Sturges-Young Center for the Arts ADA Access project in the total amount of one hundred eighty-two thousand and nine hundred dollars (\$182,900.00) as presented.

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

Moved by Comm. Klinger and seconded by Comm. Perez to approve a contingency budget for the Sturges-Young Center for the Arts ADA Access project in the amount of eighteen thousand, two hundred and ninety dollars (\$18,290.00).

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

SYCA Director Sheila Bolda and Brien Richmond, FocalPoint, provided information on the new logo for the facility and related marketing efforts. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Perez to approve the proposed logo and font to be incorporated on all Sturges-Young Center for the Arts branding and publications.

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

Interim City Manager Andrew Kuk provided an update on the efforts in the community to create a homeless shelter. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**SPECIAL MEETING - STURGIS CITY COMMISSION
TUESDAY, JANUARY 31, 2023
WIESLOCH RAUM – CITY HALL**

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

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: None

Also present: City Attorney, City Clerk

Moved by Comm. Hile and seconded by Comm. Smith to go into Closed Session to review City Manager Applicants that have requested confidentiality.

Voting yea: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 6:05 p.m.

Meeting reconvened at 7:20 p.m.

The City Commission reviewed and discussed applicants for City Manager that did not request confidentiality.

The City Commission had consensus to have the City Clerk/Treasurer contact some applicants to determine if they would accept an interview.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 8, 2023
WIESLOCH RAUM – CITY HALL**

Mayor Mullins called the meeting to order at 5:00 p.m.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: None

Also present: City Attorney, City Clerk

The City Commission reviewed potential questions during the interviews for City Manager.

The City Commission had consensus to conduct the interviews for City Manager on Monday, February 27, 2023 at 5:00 p.m. in the Wiesloch Raum of City Hall.

One of the interviews will be conducted via Zoom.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 8, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Comm. Kinsey.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: None

Also present: City Attorney, Interim City Manager, City Controller, Deputy Public Safety Director, Community Development Director, City Engineer, City Clerk

City Attorney TJ Reed provided information on potential costs to register a trademark for the new SYCA logo. Discussion followed.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Klinger to approve the Consent Agenda of February 8, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the January 25, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,767,437.00 as presented.

C. Fawn River Township PA 425 Agreement #5 Transfer – 68850 Vinewood Ave.

- ADOPT the Transfer of Property from Fawn River Township (Agreement #5) Resolution for 68850 Vinewood Avenue as presented.

RESOLUTION

TRANSFER OF PROPERTY FROM FAWN RIVER TOWNSHIP (Agreement #5)

WHEREAS, the City of Sturgis (“City”) and the Township of Fawn River (“Township”) entered into an Agreement for Conditional Transfer of Property (Agreement #5), with an effective date of January 29, 2018; and

WHEREAS, Agreement #5 provides that initially only limited jurisdiction was transferred to the City for certain parcels as described in the Exhibits to Agreement #5, and full jurisdiction over these parcels would transfer immediately from the Township to the City if any one of several stated events occurs; and

WHEREAS, the one of the stated events for the transfer of full jurisdiction over these parcels

involves the owner of record of the property within the Transferred Area ceasing to have title to such real property on or after the effective date of Agreement #5 (January 29, 2018); and

WHEREAS, the owner of record on the effective date of Agreement #5 has sold the property listed below and, accordingly, full jurisdiction of the parcel has been transferred from the Township to the City effective immediately.

NOW THEREFORE, IT IS RESOLVED THAT full jurisdiction for all purposes of the following parcel of land identified below and shown on Exhibit B of Agreement #5 is certified to have been transferred from the Township to the City effective immediately;

Owner	Property Address	Parcel Number (Township)	Parcel Number (City)
Ruby Perez	68850 Vinewood Avenue	75-005-120-148-00	75-052-460-148-00

Legal description of parcel:

Lots 10 and 12, Block 13, Maplecrest, according to the plat of record in the Office of the Register of Deeds for St. Joseph County, Michigan in Liber 2 of Plats on Page 9.

Location map of parcels: See attached Exhibit B.

BE IT FURTHER RESOLVED THAT, in accordance with Section 2.1 of Agreement #5, the City Commission hereby certifies that events have occurred transferring full jurisdiction over said parcel to the City, and the filing of this Resolution and either a similar resolution adopted by the Fawn River Township Board or sixty (60) days has passed since this resolution was adopted shall be sufficient to evidence the transfer of full jurisdiction over the above parcel to the City.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided details on the request from Sturgis Bank & Trust to rezone 119 S. Monroe Street to accommodate additional downtown parking. The Planning Commission recommended the rezoning. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Hile to consider this the first reading of an amendment to the Zoning Code, Article III pertaining to the Zoning map for 119 S. Monroe Street as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided details on the proposed changes to the ordinance regulating electronic message display signs. The Planning Commission recommended the changes. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to consider this the first reading of an amendment to the Zoning Code, Section 1.1001, General Requirements - M. Electronic Message Display Signs, as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Interim City Manager Andrew Kuk provided a history of the agreements between the Brownfield Redevelopment Authority, the City, and Moso Village for completion of the project and repayments for eligible activities. Developer Jeremy Gump provided an explanation for delays in the project and its current status. Discussion followed. The City Commission had general consensus to approve the payment of the remaining eligible funds to the developer after approval of a final addendum.

Moved by Comm. Hile and seconded by Comm. Perez to direct city staff to prepare a forbearance agreement addendum related to Moso Village for consideration at future meeting.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Interim City Manager Andrew Kuk explained that staff has had discussions with Kristi Boughton of the St. Joe Community Co-op and others about the potential for an extreme weather overnight shelter in the basement of the Co-op's building at 307 W. Chicago Rd. (Old Journal Building). He explained the activities that could be allowed at this site and information on what would be needed to allow additional activities.

Ms. Boughton explained that the lower level is currently underutilized and that she would like to use that area as an emergency warming shelter. She expressed gratitude to City staff for their aid in providing information and a willingness to assist her in developing a viable solution to the issue.

Diana Wells-Wilson, St Johns Episcopal Church, spoke about issues with the homeless.

City Commissioners discussed a number of topics related to this issue and expressed a desire to develop a solution.

Moved by Comm. Miller and seconded by Comm. Perez to direct City staff to prepare an ordinance related an Extreme Weather Overnight Shelter for consideration at a future meeting.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Interim City Manager Andrew Kuk provided information on the history of the bidding process and details on the bids received for construction of the splashpad near the Doyle Community Center. He also provided details on the approved budget and the funding shortfalls that exist in order to complete all aspects of the project. Discussion followed.

The City Commission had consensus for City staff to bring back funding solutions that would allow placing an order for the bathrooms, as specified as part of the splashpad project, so that they can be included in this year's construction.

Moved by Comm. Klinger and seconded by Comm. Kinsey to approve the award of Contract 1 for the Splash Pad project to Frederick Construction, Inc. in the amount of six hundred and ninety-five thousand, three hundred and fourteen dollars and seventy-four cents (\$695,314.74) and authorize the Interim City Manager to sign all necessary documents.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Perez to approve the award of Contract 2 for the Splash Pad project to Parrish Excavating in the amount of five hundred and twenty thousand, five hundred and sixty-five dollars (\$520,565.00) and authorize the Interim City Manager to sign all necessary documents.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Perez to approve a contingency budget for the Splash Pad project in the amount of one hundred and twenty-two thousand dollars (\$122,000.00).

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

Economic Development Specialist Jeff Coney explained that the City of Sturgis achieved Essentials status in the Michigan Economic Development Corporation's Redevelopment Ready Communities program, which, among other things, made the City eligible to participate in the Match on Main grant program for downtown businesses. These grants, up to \$25,000, would be approved by the State. The City and DDA would assist downtown businesses with their application. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve participation in the Match on Main program and appoint Commissioner Perez and Commissioner Klinger to the review committee as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Economic Development Specialist Jeff Coney provided details on the bids received related to an RFP for the planning for development of the Stateline Business Park. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Smith to approve the selection of Fleis & VandenBrink for the Stateline Business Park planning in an amount not-to-exceed twenty-five thousand, nine hundred dollars (\$25,900.00) as presented and authorize the Interim City Manager to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Interim City Manager Andrew Kuk and City Attorney TJ Reed provided details on the agreement for City Attorney services. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the City Attorney Retainer Agreement with Bird, Scheske, Reed & Beemer, P.C. as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Mullins announced the two interviewees for the position of City Manager as David Johnston of Covington, Kentucky and Interim City Manager Andrew Kuk. Interviews will take place on Monday, February 27, 2023 at 5:00 pm at City Hall.

Moved by Comm. Hile and seconded by Comm. Bir to go into Closed Session for discussion of the potential purchase of property.

Voting yea: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 8:40 p.m.

Meeting reconvened at 8:44 p.m.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Perez to approve the addendum to the purchase agreement for lot 39 in subdivision II as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, FEBRUARY 22, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

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

Commissioners absent: Klinger, Kinsey, Perez

Also present: City Attorney, Interim City Manager, City Controller, Public Safety Director, Doyle Community Center Director, City Engineer, City Clerk

Pamela Riley, COA Director, provided detailed information on the activities, funding, mission, and other aspects of the Commission On Aging. Discussion followed.

Dianne Wood, 1416 E Hatch, explained that the COA rents the facility, including the parking lot, and that there have been Doyle Community Center patrons using the COA lot.

Mayor Mullins and Interim City Manager Andrew Kuk explained that City staff and COA staff have been working together to develop a mutually beneficial agreement related to parking.

County Commissioner Ken Malone provided some history on the construction of the COA facility and the plans related to parking. He hoped that everyone would work together.

Discussion followed.

The City Commission committed to working with the COA to develop a mutually beneficial solution.

Moved by Comm. Hile and seconded by Comm. Smith to approve the agenda as presented with the removal of Item 9A.

Voting yea: Six Voting nay: None Absent: Klinger, Kinsey, Perez MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of February 22, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the February 8, 2023 work session as presented.
- APPROVE the minutes from the February 8, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,525,494.63 as presented.

C. 119 S. Monroe Zoning District Amendment Second Reading

- CONSIDER this the second reading of and APPROVE an amendment to the Zoning Code, Article III pertaining to the Zoning map for 119 S. Monroe Street as presented effective March 15, 2023.

**AMENDMENT TO ZONING ORDINANCE
PERTAINING TO ZONING MAP**

An Ordinance to amend Article III of the Zoning Ordinance of the City of Sturgis pertaining to the zoning map and to provide for 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 with respect to the zoning map to change the zoning designation of certain property from the Residential 4 (R-4) zoning district to the Central Business (BC) district.

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

Article III of the Zoning Ordinance is hereby modified as follows, effective as of March 15, 2023.

Section 1.0302(A), and the zoning map incorporated by reference therein, is hereby modified to provide that the following described property shall be in the Central Business (BC) zoning district:
Land situate in the City of Sturgis, St. Joseph County, Michigan:

119 S. Monroe Street

Parcel No. 052-040-457-00

D. Electronic Message Display Signs Ordinance Amendment Second Reading

- CONSIDER this the second reading of and APPROVE an amendment to the Zoning Code, Section 1.1001, General Requirements - M. Electronic Message Display Signs, as presented effective March 15, 2023.

**AMENDMENTS TO ZONING ORDINANCE
PERTAINING TO THE REGULATION
OF ELECTRONIC MESSAGE DISPLAY SIGNS**

An ordinance to amend Appendix A of the Zoning Ordinance of the City of Sturgis to provide for the modification of regulation of Electronic Message Display Signs within certain districts 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 modification of regulation of Electronic Message Display Signs within the City;

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

Appendix A of the Zoning Ordinance of the City of Sturgis, Section 1.1001, of the Zoning Ordinance is hereby modified to provide as follows effective as of March 15, 2023.

Article X. – Signs

1.1001 General Requirements

...

(M)

...

2.

...

(c) ...

9. If a property has an electronic message display sign that is within 150 feet of a residential dwelling unit, it must be automatically turned off from dusk until dawn if equipped with a photosensor or other similar device. If the sign is not equipped with this option, the sign must be turned off between 7:00 p.m. and 7:00 a.m. a. The distance provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest edge of electronic message display sign to the nearest point of the primary structure of residential dwelling unit.

E. Transformer Bids

- APPROVE the bid of RESCO for fifty-six Ermco transformers in the amount of ninety-three thousand, two hundred and nineteen dollars (\$93,219.00) and APPROVE a contingency for price fluctuations in the amount of nine thousand three hundred dollars (\$9,300.00).

F. MDOT-Aero ARPA Agreement

- APPROVE the Airport Rescue Grant Agreement American Rescue Plan Act (ARPA) of 2021 Subgrant # IRS-13222 with the Michigan Department of Transportation – Aeronautics and AUTHORIZE Interim City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Six Voting nay: None Absent: Klinger, Kinsey, Perez MOTION CARRIED

Mayor Mullins opened the Public Hearing for consideration of a Resolution to Vacate a Portion of Pine Street.

City Engineer Barry Cox provided information on the portions of Pine Street that will be vacated.

Members of the public had questions about areas that will not be vacated.

Mayor Mullins closed the Public Hearing.

Moved by Comm. Harrington and seconded by Comm. Miller to adopt the Resolution to Vacate a Portion of Pine Street as presented.

Voting yea: Six Voting nay: None Absent: Klinger, Kinsey, Perez MOTION CARRIED

RESOLUTION VACATING STREET

WHEREAS, the City Commission of the City of Sturgis, County of St. Joseph and State of Michigan, the same being the legislative body of the said City of Sturgis, deems it advisable and in the best interests of the City of Sturgis that a portion of Pine Street be vacated, said street being described as follows, to-wit:

Located in the City of Sturgis, St. Joseph County, Michigan

Commencing at the intersection of the Northerly line of Lakeview Manor, a recorded plat, and the Westerly Line of Pine Street, thence North 89° 48' East 60 feet, along the Northerly line of Lakeview Manor to its intersection with the Easterly line of Pine Street, thence North 0° 12' West along the Easterly line of Pine Street, extended to a point where said Easterly line of Pine Street extended interests the Northerly line of Oakwood Drive in Roselawn Terrace extended, North 77° East, thence South 77° West on the North line of Oakwood Drive extended to a point which is North 0° 12' West from the point of beginning; thence South 0° 12' East along the Westerly line of Pine Street extended to the point of beginning.

Also shown graphically in Exhibit A; and

WHEREAS, it being advisable to vacate and abandon the said described property, due notice was

published in the Sturgis Journal, a newspaper published and circulated in the City of Sturgis, County of St. Joseph, State of Michigan, as required by law, notifying the public and all interested persons that the City Commission would meet and be in session on Wednesday, February 22, 2023, at 6:00 p.m. in the Wiesloch Raum of Sturgis City Hall to hear and consider objections thereto; and

WHEREAS, no one appeared at said meeting to object to the proposed vacation and abandonment and no objections having been filed with the City Clerk:

NOW, THEREFORE, BE IT RESOLVED, that the above described portion of street be hereby vacated, abolished, abandoned and discontinued; and

BE IT FURTHER RESOLVED, that within thirty (30) days from this date, the City Clerk shall forward a certified copy of this resolution to the Michigan Secretary of State and also a certified copy of this resolution to the Register of Deeds of the County of St. Joseph, State of Michigan, for recording, and that a proper record of this vacation and abandonment be entered into the Book of Plats of the City of Sturgis.

Interim City Manager Andrew Kuk provided detailed information on the need for a new water service for Harrison Investment Properties to allow for fire suppression at 105 W. Chicago Road, possible connection options, related costs, and necessary road closures. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve the waiver of City detour signage and setup costs for the water service tap at 105 W. Chicago Road as presented.

Voting yea: Five Voting nay: Bir Absent: Klinger, Kinsey, Perez MOTION CARRIED

Interim City Manager Andrew Kuk provided information on the proposed addendum to the previously discussed development agreement with Moso Village.

Moved by Comm. Hile and seconded by Comm. Miller to approve the Second Addendum to Development Agreement related to the Moso Village project as presented.

Voting yea: Six Voting nay: None Absent: Klinger, Kinsey, Perez MOTION CARRIED

The City Commission had consensus to present former Congressman Fred Upton with a plaque for his service at a future meeting.

Moved by Comm. Hile and seconded by Comm. Miller to go into Closed Session for discussion of the potential purchase of property.

Voting yea: Bir, Smith, Harrington, Hile, Miller, Mullins

Voting nay: None

Absent: Klinger, Kinsey, Perez

MOTION CARRIED

Meeting recessed at 7:14 p.m.

Meeting reconvened at 7:52 p.m.

The meeting was adjourned at 7:52 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

SPECIAL MEETING - STURGIS CITY COMMISSION
MONDAY, FEBRUARY 27, 2023
WIESLOCH RAUM – CITY HALL

Mayor Mullins called the meeting to order at 5:00 p.m.

Commissioners present: Bir, Klinger, Kinsey, Smith, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: Harrington

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

Mayor Mullins explained that David Johnston withdrew his name from consideration, earlier today, for the position of City Manager, and will not be interviewed.

The City Commission had some discussion on the process of filling the position of City Manager.

The City Commission conducted an interview with Interim City Manager Andrew Kuk.

The City Commission had discussion on how to proceed.

The City Commission had consensus to move forward with discussion and a possible offer to Mr. Kuk for the City Manager position at the next regular meeting.

The meeting was adjourned at 6:20 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 8, 2023
WIESLOCH RAUM – CITY HALL**

Mayor Mullins called the meeting to order at 5:10 p.m.

Commissioners present: Bir, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins
Commissioners absent: Klinger, Kinsey

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

Public Safety Director Ryan Banasak and City Controller Holly Keyser provided information on the experience to date of the ambulance service, including run volume, staffing, response times, billing and collections. Discussion followed.

The meeting was adjourned at 6:00 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 8, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Vice-Mayor Miller.

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

Commissioners absent: Kinsey

Also present: City Attorney, Interim City Manager, City Controller, Public Safety Director, Facilities Manager, City Engineer, City Clerk

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

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

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of March 8, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the February 22, 2023 regular meeting as presented.
- APPROVE the minutes from the February 27, 2023 special meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,234,305.44 as presented.

C. 2023 Trinity Lutheran Cross Walk

- APPROVE the requests for the 2023 Trinity Lutheran Church Cross Walk as presented.

D. Thurston Woods “This is How I Roll” Awards Show & Swap Meet

- APPROVE the 2023 Thurston Woods “This is How I Roll” Awards Show & Swap Meet as presented.

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

Interim City Manager Andrew Kuk provided information on bathrooms that will be a part of the splashpad project. Discussion followed including the possible addition of elements in the bathrooms.

Moved by Comm. Hile and seconded by Comm. Perez to approve the purchase from QPI for a precast restroom facility as presented in the amount of one hundred and fifty thousand, five hundred dollars (\$150,500.00) and authorize Interim City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Seven Voting nay: Smith Absent: Kinsey MOTION CARRIED

Mayor Mullins explained that the interviews for City Manager took place on February 27, 2023, which included only Andrew Kuk, after the other applicant dropped out of consideration that morning. Commissioners expressed support of Mr. Kuk and commended him on his interview. Comm. Perez also expressed support for Mr. Kuk but explained that he had concerns about the process because of the lack of other candidates to be interviewed.

Mayor Mullins read a letter of support for Mr. Kuk from Comm. Kinsey.

Moved by Comm. Miller and seconded by Comm. Hile to extend a conditional offer of employment to Andrew Kuk for the position of City Manager and direct City Attorney TJ Reed to oversee the negotiation of a contract along with the Mayor and Mr. Kuk.

Voting yea: Seven Voting nay: Perez Absent: Kinsey MOTION CARRIED

Mr. Kuk thanked the Commission for their support and explained that it was his intent to accept the offer.

DPS Director Rick Miller provided information on the bids received for mowing services. Extensive discussion followed including the need for the outsourcing of mowing services, staffing levels, and related issues.

The contractors being recommended to the Commission for mowing contracts for the 2023, 2024, and 2025 mowing seasons are:

- Cutter's Edge Lawn Care & Maintenance LLC. – 20 sites in 2023, 19 sites in 2024, 23 sites in 2025 plus 14 leaf pickup sites in 2023, 2024, and 2025
- Grand Impressions Property Maintenance – 1 site in 2023, 2024, 2025
- New Creations Landscape – 2 sites in 2023, 2024, 2025
- Rickett Lawn Care – 14 sites in 2023, 15 sites in 2024, 12 sites in 2025
- Straight Line Mowing – 1 site in 2023, 2024
- Total Property Management – 6 sites in 2023, 2024, 2025

Moved by Comm. Hile and seconded by Comm. Miller to accept the bids for Mowing / Trimming / Leaf Removal at City Owned Properties as presented.

Voting yea: Smith, Hile, Miller, Mullins

Absent: Kinsey

Voting nay: Bir, Klinger, Harrington, Perez

MOTION DEFEATED

City Staff will prepare additional materials for the next meeting including City costs, separate motions for different services, and estimated costs.

City Engineer Barry Cox provided information on the bids to complete water main and sanitary sewer extensions between Kitson Avenue and N. Nottawa Street (M-66). Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Perez to recommend the bid from Parrish Excavating, Inc. of Quincy, Michigan for the Bullard Industrial Park Utility Extension project in the amount of four hundred fourteen thousand, three hundred, fifty-one dollars (\$414,351.00) to the LDFA.

Voting yea: Eight

Voting nay: None

Absent: Kinsey

MOTION CARRIED

City Engineer Barry Cox provided information on F&V Task Order 10a to complete the design of the Phase 1 improvements identified in the study to examine utility improvements in advance of the MDOT's planned road rehabilitation projects on M-66. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Smith to approve Task Order #10a with Fleis and VandenBrink Engineering, Inc. for M-66 Utility Improvements Phase 1 design phase services in the amount of nineteen thousand dollars (\$19,000.00) and authorize Interim City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Eight

Voting nay: None

Absent: Kinsey

MOTION CARRIED

City Engineer Barry Cox provided information on the section of South Nottawa between the brick portion and South Street and potential pavement markings. Currently, the drive lines have different widths due to a buffer lane only on the east side. The recommendation was to decrease the widths of both drive lanes to ten feet and create a buffer on both sides, which may allow room for bicycles. These would not be official bike lanes. Discussion followed.

The City Commission had consensus to approve the changes to the pavement markings on South Nottawa Street as presented.

Comm. Klinger announced his resignation from the City Commission for personal reasons. He explained that he would remain in his position through the second regular meeting in April.

The City Commission had consensus to bring back information related to a potential urban chicken ordinance at the next regular meeting.

Moved by Comm. Hile and seconded by Comm. Klinger to go into Closed Session for discussion of the potential purchase of property.

Voting yea: Bir, Klinger, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

Absent: Kinsey

MOTION CARRIED

Meeting recessed at 8:02 p.m.

Meeting reconvened at 8:35 p.m.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MARCH 22, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: None

Also present: City Attorney, Interim City Manager, City Controller, Public Safety Director, Community Development Director, Director of Public Services, Parks and Cemetery Supervisor, City Engineer, City Clerk

Chuck Huber, 508 W. Congress, inquired about the availability of City barricades for an upcoming car show. City Staff will work with Mr. Huber on this issue.

Dray Perkins, 206 Pleasant, inquired about the need for food security, detention ponds, and other issues.

Moved by Comm. Hile and seconded by Comm. Perez to approve the agenda as presented with the addition of 10E, RAP Agreement.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of March 22, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the March 8, 2023 work session as presented.
- APPROVE the minutes from the March 8, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,409,520.32 as presented.

C. Community Easter Hunt

- APPROVE the Community Easter Egg Hunt on April 8, 2023 as presented.

D. Board Resignations

- ACCEPT the resignations of Joyce Haas from the Sturgis District Library Board and Roxanne Persing from the DDA Board of Directors and SEND letters of recognition for their service.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Director of Public Services Rick Miller provided detailed background on the history of mowing and related bids. There was extensive discussion on the activities of the Parks and Cemetery department, costs, outsourcing, and other issues.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the DPS mowing bids for trimming and maintenance of City properties for 2023, 2024, and 2025 from Cutter's Edge Lawn Care & Maintenance LLC, New Creations Landscape Management, Rickett's Lawn Service, Straight Line Mowing, and Total Property Management as presented.

Voting yea: Five

Voting nay: Bir, Perez, Klinger, Smith

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the electric mowing bids for trimming and maintenance of City properties for 2023, 2024, and 2025 from Cutter's Edge Lawn Care & Maintenance LLC, Grand Impressions, New Creations Landscape Management, Rickett's Lawn Service, and Total Property Management as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the bids for as-needed leaf pickup service of City properties for 2023, 2024, and 2025 from Cutter's Edge Lawn Care & Maintenance LLC, Grasshopper Lawn Care, and Rickett's Lawn Service as presented.

Voting yea: Eight

Voting nay: Bir

MOTION CARRIED

Tim Stoll, Executive Director of Thurston Woods, explained that the State allows for a continuing care retirement community to be eligible to apply for a license to serve/sell alcohol to their residents and guests. He anticipates using the license for social hours on their campus, possibly during resident meals, and for special events like their 70th Anniversary Dinner. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Smith to recommend the application of Thurston Woods Village, 307 N. Franks Ave., for a nonpublic continuing care retirement center liquor license be considered for approval by the Michigan Liquor Control Commission.

Voting yea: Nine

Voting nay: Bir, Hile

MOTION CARRIED

The City Commission discussed the issue and expressed views in support and against moving forward.

Rudy Lance - 614 Sturgis St, Mason Combs - Jacob Street, Larry Hahn - 604 Cottage, Chuck Huber - 508 W Congress, Jayna Beard - 508 E West, Steve Kelly - 1313 E Hatch, Newell Franks - 702 Independence, Chelsea Smith - 603 W. West, Anastasia Griffith - 416 Sturgis, Matt Cravin - Burr Oak, Kevin Lawrence - 209 Pleasant, Kelly Lawrence - 505 S Jefferson, Dray Perkins - 206 Pleasant, Josh Verro - 210 Center, and Tracy Galindo.

Discussion continued.

MOTION CARRIED

MOTION CARRIED

The City Commission had consensus to interview 2nd Precinct Commissioner applicants at a Work Session on April 12, 2023, appoint at the Regular Meeting on April 26, 2023, and the selected applicant would be sworn in prior to the Regular Meeting on May 10, 2023.

Interim City Manager Andrew Kuk provided information on the Revitalization and Placemaking Program (RAP) grant that the City applied for last year. He explained that the City was notified that the regional grant through Southwest Michigan First had been awarded and then our amount of approximately \$942,000 as a subrecipient part of that grant award. He further explained other requirements of the grant. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the RAP grant subagreement with Southwest Michigan First pending attorney review and authorize Interim City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided details on the reconstruction of West Main Street and the fact that the City would not be eligible for a grant to defray the cost of reconstruction as a brick street. Discussion followed.

The City Commission had consensus to move forward with the reconstruction of West Main Street as an asphalt street.

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

Voting yea: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 8:12 p.m.

Meeting reconvened at 8:55 p.m.

The meeting was adjourned at 8:55 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 12, 2023
LARGE CONFERENCE ROOM – CITY HALL**

Mayor Mullins called the meeting to order at 5:00 p.m.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins

Commissioners absent: None

Also present: Interim City Manager, City Clerk

Mayor Mullins led the City Commission in the interviews for the 2nd Precinct Commissioner vacancy. The applicants included Charles Huber and Emmanuel Nieves.

The meeting was adjourned at 5:40 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 12, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Comm. Kinsey.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins
Commissioners absent: None

Also present: City Attorney, Interim City Manager, City Controller, Community Development Director, Electric Department Operations Manager, Economic Development Specialist, City Engineer, City Clerk

Mayor Mullins presented the following proclamations:

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

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

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED, as Mayor of the City of Sturgis I do hereby proclaim April 28th 2023, as

 **Arbor Day**

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

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

FAIR HOUSING MONTH

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

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

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

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

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

NOW THEREFORE BE IT RESOLVED that the City Commission of the City of Sturgis does hereby declare the month of April 2023 as “Fair Housing Month” in Sturgis.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of April 12, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the March 22, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,569,674.75 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided details on numerous amendments to the site plan review ordinance language to reflect the current process. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to consider this the first reading of an amendment to the Zoning Code, Article XII, Site Plan Review, and Section 1.0202 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard and Economic Development Specialist Jeff Coney provided details on Redevelopment Ready Communities Technical Assistance Funding and efforts towards moving to certified status. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Smith to approve a contract with the Michigan Economic Development Corporation for Redevelopment Ready Communities Technical Assistance Funding in the amount of twenty-two thousand, five hundred dollars (\$22,500.00) with a match amount of seven thousand, five hundred dollars (\$7,500.00) for improvements to the Zoning Ordinance and Community Development website pending legal review and authorize Interim City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Perez to approve a bid waiver for and the proposal from Beckett & Raeder, Inc. for updating of the Zoning Ordinance and the Community Development website in the amount of thirty thousand dollars (\$30,000.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Economic Development Specialist Jeff Coney provided details on the MEDC Redevelopment Ready Communities Program and the City's efforts towards gaining certified status. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to adopt the Resolution of Intent to Continue Pursuing and Participating in the MEDC Redevelopment Ready Communities Program as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

RESOLUTION OF INTENT FOR THE CITY OF STURGIS
TO CONTINUE PURSUING AND PARTICIPATING IN THE
MICHIGAN ECONOMIC DEVELOPMENT CORPORATION
REDEVELOPMENT READY COMMUNITIES PROGRAM

WHEREAS, the Michigan Economic Development Corporation (MEDC) has established the statewide Redevelopment Ready Communities Program (RRC) to empower communities to shape their future and maximize economic potential, and

WHEREAS, the RRC Program provides technical and financial assistance to and certifies Michigan communities who actively engage stakeholders and plan for transparent, fair, and consistent processes and work to improve development review processes, and

WHEREAS, the RRC Program provides grant and loan assistance to help facilitate development and redevelopment projects in communities that are pursuing RRC Certification or are RRC Certified.

WHEREAS, certain recommendations have been made by RRC Program staff in the RRC Baseline Report that are required for The City of Sturgis to attain Redevelopment Ready Communities Certification, and

WHEREAS, The City of Sturgis has reviewed the RRC Baseline Report and is willing to complete the tasks as outlined;

NOW, THEREFORE, BE IT RESOLVED, that the Sturgis City Commission authorizes the implementation of recommendations made by the RRC Program staff that are necessary to receive Redevelopment Ready Communities Certification from the MEDC.

Electric Department Operations Manager Tyler Stark provided details on the bids for substation maintenance. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Smith to approve the bid from Turner Electric for maintenance on the Southwest and Industrial substations in the amount of forty-four thousand, six hundred and forty dollars (\$44,640.00) with a contingency of fifteen thousand dollars (\$15,000.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided details on the resolutions related to the dedication and acceptance of portions of North Franks Avenue. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Klinger to adopt the Resolution for Street Right of Way Dedication for North Franks Avenue.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

RESOLVED that the City of Sturgis hereby accepts the conveyance and dedication of the following properties and does hereby dedicate them for public right-of-way purposes and all accompanying uses for public utilities, sewer and water:

Right-of-Way Description – Parcel “A”

A parcel of land located in the Northwest Quarter of the Southeast Quarter of Section 6, Town 8 South, Range 9 West, City of Sturgis, St. Joseph County, Michigan, more particularly described as follows:

Commencing at the South 1/4 Corner of said Section 6, Thence North 00 degrees 43 minutes 08 seconds West for a distance of 2144.78 feet along the North-South 1/4 line to the northerly right-of-way of US-12, being the Point of Beginning; Thence North 00 degrees 43 minutes 08 seconds West for a distance of 300.00 feet continuing along said North-South 1/4 line; Thence South 06 degrees, 31 minutes, 06 seconds East for a distance of 296.88 feet to said northerly right-of-way of US-12 and being 30.00 feet easterly of said North-South 1/4 line; Thence South 80 degrees, 29 minutes, 53 seconds West for a distance of 30.36 feet along said northerly right-ofway to the Point of Beginning.

Right-of-Way Description – Parcel “B”

A parcel of land located in the Northeast Quarter of Section 6, Town 8 South, Range 9 West, City of Sturgis, St. Joseph County, Michigan, more particularly described as follows:

Commencing at the North 1/4 Corner of said Section 6, Thence South 00 degrees, 54 minutes, 37 seconds East for a distance of 998.12 feet along the North-South 1/4 line to the southerly margin of the Michigan Southern Rail Road Right-of-Way being the Point of Beginning; Thence North 76 degrees, 04 minutes, 41 seconds East for a distance of 41.05 feet along said southerly margin to a point 40 feet easterly of said North-South 1/4 line; Thence South 04 degrees, 04 minutes, 04 seconds West for a distance of 460.98 feet; Thence North 00 degrees, 54 minutes, 37 seconds West for a distance of 450.00 feet along said North-South 1/4 line to the Point of Beginning.

Moved by Comm. Hile and seconded by Comm. Klinger to adopt the Resolution for Street Acceptance for North Franks Avenue.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

Whereas, the City of Sturgis did on May 24, 1972 (Liber 358, Page 196) and June 2, 1993 (Liber 675, Page 461) and December 12, 1994 (Liber 722, Pages 98 & 99) acquire title to property recorded in the records of the Register of Deeds for St. Joseph County, Michigan; and

Whereas, all or a portion of each property has been properly dedicated for public right of way purposes for a street known as North Franks Avenue; and

Whereas, the City of Sturgis accepted 361 feet of Spruce Street in 1986 from East Hatch Street to Thurston Woods Village's private road, and changed North Spruce Street to Franks Avenue in 1993, and accepted 1036 feet of North Franks Avenue in 1997 from the North line of Lakeview Manor to the Michigan Southern Railroad right of way and accepted 600 feet of North Franks Avenue in 2017 from Lafayette Road south 600 feet; and

Whereas, Barry Cox, Sturgis City Engineer, and Kelly Bolt, MDOT's Act 51 Certification Specialist, have agreed and verified these Act 51 lengths have been certified for funding, but are not accurate between East Hatch and Lafayette Road; and Whereas Barry Cox and Kelly Bolt have agreed the addition of 188 feet of Act 51 length for North Franks Avenue from East Hatch Street to Lafayette Road will result in a correct certified Act 51 length of 2185 feet; and

Whereas it is necessary to furnish certain information to the State of Michigan to place this street within the City Street System for the purpose of obtaining funds under Act 51, P.A. 1951 as amended.

NOW THEREFORE BE IT RESOLVED:

1. That the centerline description of said street is attached.
2. That said street is located within a City right-of-way and is under the control of the City of Sturgis.
3. That said street is a public street and is for public street purposes.
4. That an additional 188 feet of said street is accepted into the City Local Street System and was open to the public on April 12, 2023.

Interim City Manager Andrew Kuk provided details on additional agreements were announced with three pharmacy chains - CVS, Walgreens, and Walmart - and two additional manufacturers - Allergan and Teva related to the National opioid settlements. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Smith to approve participation in the Allergan, Teva, CVS, and Walmart Settlements as presented and authorize Interim City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that the vacancy for the City's representative on the Sturgis District Library Board was advertised and two applications were submitted.

Moved by Comm. Miller and seconded by Comm. Hile to appoint Bryce Burch to the Sturgis District Library Board through May 2026.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Interim City Manager Andrew Kuk provided details on a proposed loan amortization schedule and resolution approving the loan from the Electric Fund to the LDFA for for water main and sanitary sewer extensions between Kitson Avenue and N. Nottawa Street (M-66) in the Bullard Industrial Park area. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to adopt the Resolution Authorizing the Internal Loaning of Funds from the Electric Fund to the Local Development Financing Authority (LDFA) for Bullard Industrial Park utility improvements as presented.

Voting yea: Eight

Voting nay: Bir

MOTION CARRIED

WHEREAS, the City of Sturgis intends to invest in infrastructure needs to promote economic development for the Bullard Industrial Park; and

WHEREAS, The Local Development Financing Authority plan includes infrastructure improvement of the property located in the LDFA district; and

WHEREAS, the cost to build the utility improvements are estimated to be approximately \$414,351; and

WHEREAS, the City of Sturgis Internal Loan Policy allows the City Commission to approve loans other than temporary cash flow loans created by the single account banking system; and

WHEREAS, it is necessary for the City to internally loan funds from the Electric Fund to finance the construction of the utility improvements for Bullard Industrial Park; and

WHEREAS, specifically the Department of Environment, Great Lakes and Energy (EGLE) required completion of the water loop to serve the Bullard Industrial Park and adjacent properties located within the Local Development Authority District ; and

WHEREAS, the City Commission deems that this project serve the public interest and for the public good; and

WHEREAS, The City has an Electric Fund that has revenue sufficient to internally loan these funds; and

NOW, THEREFORE, BE IT RESOLVED THAT, the City Commission of the City of Sturgis does hereby approve the following loan:

FROM:	Electric Fund
TO:	Local Development Financing Authority (LDFA)
AMOUNT:	\$414,351
INTEREST RATE:	4.743% (Michigan Statutory Interest Rate)
TERM:	5 years (60 payments)
PAYMENT:	1 ST Payment commencing 5/12/2023
	\$7,770.62 per month, \$93,247.44 per year

The City Commission had consensus to allow the use of the City owned lot at Jefferson Street and Chicago Road as a staging area for and MDOT repair of the railroad crossing.

The City Commission had consensus to allow vendors to utilize public areas during the upcoming DDA events downtown.

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

Voting yea: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:12 p.m.

Meeting reconvened at 7:52 p.m.

There was a discussion of the short amount of time allowed for a complete review of the changes to the latest version of the City Manager Employment Agreement. There was also an indication of typographical changes that needed to be made to the agreement.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the City Manager Employment Agreement as presented.

Voting yea: Klinger, Kinsey, Hile, Miller, Mullins

Voting nay: Bir, Smith, Harrington, Perez

MOTION CARRIED

The meeting was adjourned at 7:55 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, APRIL 26, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Comm. Kinsey.

Commissioners present: Bir, Klinger, Kinsey, Smith, Harrington, Hile, Perez, Vice-Mayor Miller, Mayor Mullins
Commissioners absent: None

Also present: City Attorney, City Manager, City Controller, Deputy Director of Public Safety, Cemetery and Parks Superintendent, Wastewater Superintendent, City Engineer, City Clerk

Jeremy Gump, President of the Sturgis Hospital Board, explained that on May 1, 2023, the hospital will stop in patient services, a necessary step to becoming a Rural Emergency Hospital.

Dray Perkins, 206 Pleasant, provided thoughts on the use of marijuana tax revenue.

Eileen West and Ryan Taylor expressed opposition to urban chickens.

Moved by Comm. Hile and seconded by Comm. Smith to approve the agenda as amended with
Voting yea: Nine Voting nay: None MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of April 26, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the the April 12, 2023 work session as presented.
- APPROVE the minutes from the April 12, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,165,203.24 as presented.

C. 2023 Memorial Day Parade

- APPROVE the 2023 Memorial Day Parade and activities as presented.

D. Site Plan Ordinance Amendment Second Reading

- CONSIDER this the second reading of and APPROVE amendments to the Zoning Code, Article XII, Site Plan Review and Article II, Section 1.0202, Specific Terms effective May 17th, 2023.

AMENDMENTS TO ZONING ORDINANCES

PERTAINING TO THE REGULATION
OF SITE PLAN REVIEW AND SPECIFIC TERMS

An ordinance to amend Appendix A of the Zoning Ordinance of the City of Sturgis to provide for the modification of regulation of Site Plan Review and Specific Terms 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 modification of regulation of Site Plan Review and Specific Terms;

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

Appendix A of the Zoning Ordinance of the City of Sturgis, Article XII. – Site Plan Review and Article II, Section 1.0202 Specific Terms, of the Zoning Ordinance is hereby modified to provide as follows effective as of May 17, 2023.

ARTICLE XII. - SITE PLAN REVIEW[6]

State Law reference— Site plans, MCL 125.3501.

1.1201. - Purpose.

Before a building permit is issued for any use identified as requiring a building permit, a site plan shall be submitted to the Community Development Department for review and approval. Before granting approval, the planning commission shall ascertain that all provisions of this article are complied with and that the proposed location and arrangement of buildings, accesses, parking area, walkways, yards, open areas, and other improvements limit potential health, safety, or protection hazards, and that the arrangement of buildings and structures will provide convenience for the intended occupants or utilization by the public and will be harmonious with development on adjoining properties.

1.1202. - Scope.

(A) Except as set forth below, the Community Development Department shall not issue a building permit for construction of any buildings, structures, or uses until a site plan, submitted in accordance with this zoning ordinance, shall have been reviewed and approved by the planning commission.

(B) The following buildings, structures, or uses shall be exempt from the site plan review and approval by the planning commission procedure but must receive approval from the zoning administrator:

(1) Single or two-family dwellings on an individual and separate lot and including accessory structures and uses.

(2) Accessory buildings which meet all the following criteria:

- (a) Require no new or additional means of access from adjoining public roads or highways.
- (b) Do not require additional parking exceeding 10% of existing parking area.
- (c) Comply with all zoning ordinance requirements.

(3) Projects involving the expansion, remodeling, or enlargement of existing buildings which meet all the following criteria:

- (a) Require no new or additional means of access from adjoining public roads or highways.
- (b) Do not require additional parking exceeding 10% of existing parking area.
- (c) Comply with all zoning ordinance requirements.

(4) Additional buildings or structures similar to those previously existing upon an individual site that meet all the following criteria:

- (a) Require no new or additional means of access from adjoining public roads or highways.

- (b) Do not require additional parking exceeding 10% of existing parking area.
- (c) Comply with all zoning ordinance requirements.
- (5) Uses such as on-premises advertising signs except as provided for in article XIII of this zoning ordinance.
- (6) Parking area projects which meet all the following criteria:
 - (a) Require no new or additional means of access from adjoining public roads or highways.
 - (b) Do not require additional parking exceeding 10% of existing parking area.
 - (c) Comply with all zoning ordinance requirements.
- (7) Parking lot mill and repave projects where an approved site plan is on file, unless there are grading changes or changes to the configuration of the parking lot.
- (8) Minor site plan amendments.

1.1203. - Optional Pre-Application Meeting and Sketch Plan Review.

(A) Preliminary sketches of proposed site and development plans may be submitted for review to the Community Development Department prior to final approval. The purpose of this procedure is to allow discussion between an owner, the zoning administrator and other City staff to better inform the owner of the acceptability of his proposed plans prior to incurring extensive engineering and other costs necessary for final site plan approval. The sketch plan shall include, as a minimum, the following information.

- (1) The name and address of the applicant or developer.
- (2) Sketch plans drawn to scale of site and any existing and proposed improvements.
- (3) Use of property, building information, outside changes, surrounding land uses.

(B) City staff or the planning commission shall not be bound by a tentative approval if given at this time.

1.1204. - Application procedure.

Requests for site plan review shall be made by filing the following items with the Community Development Department:

(A) A review fee as determined by resolution of the City Commission. No application shall be accepted until the fee has been paid.

(B) A completed application form for site plan review which shall contain, as a minimum, the following information:

- (1) The name, address and contact information of the applicant.
- (2) The name, address and contact information of the property owner.
- (3) A correct legal description of the property.
- (4) The area of the property stated in acres, or if less than one acre, in square feet.
- (5) The present zoning classification of the property and abutting parcels.
- (6) A description of the proposed development.

(C) Three full paper sets and one digital format set of site development plans with the architect's and/or engineer's seal affixed shall be submitted. Plans shall include the following information:

- (1) The title of the proposed project.
- (2) The name of the property owner or proprietor.
- (3) The location of the project, the street name, and the address.
- (4) Professional seal of the architect or engineer which are licensed in the State of Michigan, and their name, address, phone number, and email address.
- (5) The date drawn and subsequent revision dates.
- (6) The plan shall be drawn to an appropriate scale of not smaller in size than one inch equals 20 feet for a development of not more than three acres, and a scale of not smaller in size than one inch equals to 100 feet for a development in excess of three acres.

- (7) The plan shall show an appropriate descriptive legend, north arrow, and scale.
- (8) The property shall be identified by lot lines and general location together with dimensions, angles, and size correlated with the legal description of the property.
- (9) All utilities including water, sewer, electric, gas, phone, fiber, cable, wells and cisterns, hydrants, fire department connections, right of ways and points of access. For water service, include size of service line and meter. For sanitary service include the building sewer size.
- (10) The topography of the site with at least one-foot contour intervals and all natural features such as wood lots, streams, rivers, lakes, wetlands, unstable soils, and similar features shall be shown.
- (11) Existing manmade and natural features upon the site and adjoining sites within 100 feet of the site boundary shall be identified and located. Indicate which features will be retained or removed. This shall include signs, parking areas, dumpster location and enclosure, fences, drainage, above/underground storage tanks, fire department connections, wooded areas, drains, 100-year flood plains, floodway, soil contamination, groundwater contamination, etc.
- (12) The location of all buildings with setbacks as required by the zoning ordinance, distance from lot lines and other buildings, proposed finished floor and grade line elevations, the size of proposed main and accessory buildings, the relationship of buildings to one another and to any existing structures on the site, number of floors, width, length and the height of all buildings and square footage of floor space therein shall be indicated. Site plans for multiple-family residential development shall also include a density schedule showing the number of dwelling units per net acres, including a dwelling schedule showing the unit type (one bedroom, two bedrooms, etc.) and number of each unit.
- (13) All proposed and existing streets, driveways, sidewalks, and other pedestrian, non-motorized or vehicular circulation features upon and adjoining to the site shall be shown, together with the location, size, and number of parking areas, service lanes thereto, and service parking and delivery or loading areas. Sidewalks are required which meet ADA access, for inter-site access, as well as public access across the property along all road frontages. Interconnection of parking lots between business properties shall follow the requirements in Article IX of the zoning ordinance.
- (14) The location, use, and size of open spaces together with landscaping, screening, fences, walls, and proposed alterations of topography or other natural features shall be indicated.
- (15) The proposed operations on the site shall be described in sufficient detail to indicate the effect, if any, upon adjoining lands and occupants, together with any special features which are proposed to relieve any adverse effects to adjoining land and occupants. The colors, materials, textures of all buildings, walls, roofs, fences, and signage and other items of installation on the site shall be explained in sufficient detail to allow review.
- (16) Elevations of all building, accessory buildings, and accessory structures. This includes mechanical equipment. If in the Central Business District, all items to verify compliance with the Design Review Guidelines shall be shown.
- (17) Any earth-change plans required by state law shall also be submitted with the application.
- (18) Electric service, meter location, and transformer proposed locations shown on the site plan. Pre-application for electric service must be completed prior to submittal.
- (19) On-site lighting with photometrics.
- (20) Surface water drainage for the site. All new storm water system shall be built and maintained in compliance with the City of Sturgis Storm Water Design Criteria Manual. Calculation worksheet must be included with the submittal and be signed and sealed by architect or engineer.
- (21) The locations of signs, either existing or proposed, and an indication of their size, height, and design to verify compliance with the zoning ordinance.
- (22) The location of any outdoor storage including a description of the items to be located outdoors, as well as the location and description of required screening.

(23) Location of any hazardous materials. If any will be located on the site, provide type of material, quantity, and all required hazards.

(24) The site plan shall include any other information as may be determined to be necessary by the zoning administrator because of any peculiar features of the proposed development.

(25) If the proposed development is located in the City's wellhead protection area, it shall also follow Article XV Groundwater Protection of this zoning ordinance.

1.1205. - Action on application and plans.

(A) The Community Development Department shall record the date the application and plans are received and shall transmit copies to affected City departments.

(B) City administrative approval is required prior to review by the planning commission. Upon receiving administrative approval by City staff, the site plan will be placed on an upcoming Planning Commission meeting. The zoning administrator or their designee will notify the applicant of the date, time, and place of the planning commission meeting for the review to be heard.

(C) Members of the planning commission shall be provided with copies of the application and plans prior to the meeting.

(D) Following the planning commission review, the planning commission shall have the authority to approve, disapprove, modify, or alter the proposed plans in accordance with the purpose of the site plan review provisions of this section and the criteria contained herein. In those instances where modification is required, the planning commission may either approve the plans contingent upon the required alterations or modifications, if any, or may require a further review after the modifications have been included in the proposed plans for the applicant.

(E) The planning commission may stipulate special conditions and restrictions upon the approval of the site plan as deemed necessary for the protection of the public interest.

(F) A copy of the approved final site plan, including any required modifications or alterations, shall be maintained as part of the City records for future review and enforcement. If any variances from the zoning ordinance have been obtained from the zoning board of appeals, the minutes concerning the variances shall also be filed with the City records as a part of the site plan and delivered to the applicant for his information and direction. The site plan shall become part of the record of approval and subsequent actions relating to the activity authorized shall be consistent with the approved site plan.

1.1206. - Criteria for review.

In reviewing the application and site plan and approving, disapproving, or modifying the plan, the planning commission shall be governed by the following standards:

(A) There is a proper relationship between the existing streets and highways within the vicinity and proposed acceleration and/or deceleration lanes, service drives, entrance and exit driveways, and parking areas to ensure the safety and convenience of pedestrian, non-motorized, and vehicular traffic.

(B) The buildings and structures proposed to be located upon the premises are so situated as to minimize adverse effects upon owners and occupants of adjoining properties.

(C) As many natural features of the landscape shall be retained as possible where they furnish a barrier screen, or buffer between the project and adjoining properties used for dissimilar uses and where they assist in preserving the general appearance of the neighborhood.

(D) Any adverse effects of the proposed development and activities emanating therefrom which affect adjoining residents or owners shall be minimized by appropriate screening, fencing, landscaping, setback, and location of buildings, structures, and entryways.

(E) The layout of buildings and improvements will minimize any harmful or adverse effect which the development might otherwise have upon the surrounding neighborhood.

(F) The site plan must comply with all provisions of the City code of ordinances and the zoning code. The planning commission may stipulate special conditions and restrictions of the site plan as deemed necessary for the protection of the public interest. However, this would not preclude the applicant from applying for an appropriate variance with the zoning board of appeals.

1.1207. - Conformity to approved site plan.

(A) Revocation of site plan approval. Property which is the subject of site plan approval must be developed in strict compliance with the approved site plan, inclusive of any amendments, which has received approval. If construction and development does not conform with the approved plan, the approval of the site plan shall be revoked by the Community Development Department by written notice of the revocation posted upon the premises involved and mailed to the owner at his last known address. Upon revocation of this approval, all construction activities shall cease upon the site until the time the violation has been corrected or the planning commission has, upon proper application of the owner and after review, approved a modification of the site plan.

(B) Criteria for commencing construction. Approval of the site plan shall be valid for a period of one year. If a building permit has not been obtained and on-site development commenced within one year, the site plan approval shall become void and a new application for site plan approval shall be required and new approval obtained before any construction or earth change is commenced upon the site. An applicant may make application for a six-month extension of the site plan to the Community Development Department. The extension shall be granted if the zoning administrator finds good cause for the extension and that zoning regulations and site conditions of the subject property and adjoining properties have not changed since the site plan approval.

1.1208. - Amendment to site plan.

(A) A proposed amendment, modification, or alteration to a previously approved site plan may be submitted to the zoning administrator. The zoning administrator shall determine whether the change is major, warranting review by the planning commission, or minor, allowing administrative approval, as noted below:

(1) Minor changes. Minor changes may be approved by the zoning administrator after review by affected City departments determining that the proposed revision(s) will not alter the basic design and character of the plan as approved by the planning commission, nor any specified conditions imposed as part of the original approval. The zoning administrator has the discretion to request review by the planning commission for minor changes. Minor changes shall include the following:

(a) Reduction of the size or height of any building.

(b) Movement of buildings and/or signs by no more than ten feet if consistent with required setbacks, open space, and other standards.

(c) Landscaping approved in the final development plan that is replaced by similar landscaping to an equal or greater extent.

(d) Changes in floor plans, of up to five percent of the total floor area, which do not alter the character of the use or increase the amount of parking by more than 10%.

(e) Internal rearrangement of a parking lot which does not affect the number of parking spaces or alter access locations or design.

(f) Improvements or slight relocation of site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing or pedestrian/bicycle paths, where appropriate.

(g) Changes of building materials to another of similar or higher quality, or a slight change in the color of the exterior material.

(h) Grade change of up to one foot, reviewed and approved by the City engineer.

(i) Modification of entry design, sign placement or reduction in size of signs.

(j) Changes to the location of accessory buildings and structures.

(k) Changes required or requested by the city, county, or other state or federal regulatory agency to conform to other laws or regulations which do not substantially modify the plan.

(3) Major changes. A proposed change not determined by the zoning administrator to be minor shall be submitted as an amendment to the site plan and shall be reviewed in the same manner as the original site plan application.

1.1209. - Performance guarantee.

(A) In compliance with the Michigan Zoning Enabling Act (MCL 125.3505, as amended), the City shall have the right and authority to ensure compliance with the zoning ordinance and any condition imposed thereunder to require a performance guarantee approved by the Community Development Department to ensure the development of the site in accordance with the approved site plan. The performance guarantee shall continue for the duration of the construction and development of the site.

(B) The performance guarantee may be in the form of a cash deposit, certified check, irrevocable letter of credit, or surety bond acceptable to the City, in an amount to cover the cost of the improvements associated with the project. It shall be deposited with the City clerk to insure faithful completion of the improvements as set out in the site plan approval. If the City has required a performance guarantee, then it shall be subject to the following terms and conditions:

(1) The performance guarantee shall be deposited prior to the issuance of the building permit authorizing the activity or project.

(2) Rebates of cash deposits. Where the performance guarantee has been made in the form of a cash deposit, the performance guarantor shall be entitled to a rebate of the cash deposit in reasonable proportion to the ratio of work completed on the required improvements as satisfactory work progresses. The performance guarantor may request the rebates in three equal installments each time one-third of the entire required work has been satisfactorily completed in accordance with the final approved site plan, including any approved amendments.

(3) Failure to complete improvements. If the performance guarantor fails to complete the improvements as approved in the final approved site plan within such time period as is required by the conditions or guarantees as outlined above, then the City may proceed to have such work completed and shall reimburse itself for the cost thereof by appropriating the cash deposit, certified check, or surety bond or by drawing upon the irrevocable letter of credit, or shall take the necessary steps to require performance by the bonding company.

1.1210. – Appeals

Any person or party aggrieved by an administrative determination or decision of the planning commission under this chapter may appeal such decision to the zoning board of appeals in accordance with the provisions of this zoning ordinance. Such appeal shall be filed within ten (10) days of the date of a final decision made by the planning commission or City staff.

Article II. – Definitions

1.0202. - Specific Terms

Storm Water System means a surface water management system designed, constructed, managed, and maintained to control surface water discharges caused by precipitation events on a developed property. It consists of structures, piping, earth surface modifications to collect, convey, treat, store, infiltrate, or reuse the storm water on a developed property and prevent off site storm water runoff. All new Storm Water Systems shall be built and maintained in compliance with the City of Sturgis Storm Water Design Criteria Manual.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Mullins explained that interviews were held for the two applicants, Charles Huber and Emmanuel Nieves, for the open City Commissioner position in Precinct 2. He further explained that Mr. Huber dropped out of consideration due to a possible move.

Moved by Comm. Smith and seconded by Comm. Perez to appoint Emmanuel Nieves as 2nd Precinct Commissioner, effective May 10, 2023, to fill the unexpired term of Travis Klinger.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Mullins opened the Public Hearing for consideration of a proposed Drinking Water State Revolving Fund (DWSRF) Project Plan Amendment.

City Engineer Barry Cox provided an overview of the plan amendment along with information on the original project.

Jeremy Kramer, Fishbeck engineer, gave a detailed Powerpoint presentation including the original project and the added water loop, the location in the City of the new approximately 1000 foot water main loop that will eliminate a dead end, a summary of need for the new project to eliminate dead ends, alternatives, costs for the new project, social and environmental impacts, mitigation measures, restoration, and estimated increases in costs to customers.

Comm. Perez asked about the normal working hours for the project and it was explained that these would be what is set in the City's noise ordinance which is 7:00 a.m. to 6:00 p.m.

Comm. Bir asked about the reason for use of an 8 inch line being attached to a 12 inch line and it was explained that this is estimated and will ultimately be determined by the State based on modeling.

Comm. Klinger explained that he appreciated the information provided related to the Public Hearing.

There were no comments from the public either oral or written.

Mayor Mullins closed the Public Hearing.

Moved by Comm. Hile and seconded by Comm. Klinger to adopt the Resolution Adopting the DWSRF Project Plan Amendment for Water System Improvements and Designating an Authorized Project Representative.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Cemetery and Parks Superintendent Tony Vannest provided information on the need for a new fee related to foundation removal. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the foundation removal fee of thirty-two cents (\$0.32) per top square inch be added to the Cemetery Fee Schedule as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the rehabilitation of sanitary manholes via lining, bench repair, and flow channel repair at locations. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Bir to approve Task Order #13 for Design & Bidding Services for the 2023 Sanitary Sewer Rehab project in the amount of twenty-one thousand and five hundred dollars (\$21,500.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Brandon Schrader provided information on rehabilitation of the rectangular clarifiers. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the proposal from Brentwood Industries Inc. to supply clarifier components with the optional gritshield collector chain in the amount of two hundred ninety-five thousand nine-hundred forty dollars (\$295,940.00) as presented.

Moved by Comm. Klinger and seconded by Comm. Perez to approve the proposal from Mason Engineering & Construction for installation for the clarifier project in the amount of one hundred eighty-three thousand one hundred forty-eight dollars (\$183,148.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk provided information on an annual event in Memorial Park and the related requests.

Moved by Comm. Hile and seconded by Comm. Perez to approve the requests for use of Memorial Park for Iglesia Rios De Agua Viva Children's Day on April 29th, 2023 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 6:58 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 10, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Comm. Kinsey.

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

Commissioners absent: None

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

Emmanuel Nieves was sworn in as 2nd Precinct Commissioner.

Dray Perkins, 206 Pleasant Street, asked the enforcement of grass clippings into the street, and questioned the need for the new car washes.

April Kovalski, 206 Ellerman, explained that there are issues with garbage on properties in her neighborhood and believes there is a business being run in a residential area.

Moved by Comm. Hile and seconded by Comm. Smith to approve the agenda as amended with the addition of 10C.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of May 10, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the April 26, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,018,413.46 as presented.

C. Uniform Rental Bid

- APPROVE the three-year uniform rental bid from Cintas as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk provided details on the 2023 Street Improvements Project. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the contract for the 2023 Street Rehabilitation project with Northern Construction Services Corporation in the amount of seven hundred twenty-one thousand, six hundred and forty-one dollars (\$721,641.00) and authorize the City Manager to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Kinsey to approve a contingency budget of thirty-six thousand dollars (\$36,000.00) for the 2023 Street Rehabilitation Project.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

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

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the Budget Amendments for Fiscal Year 2022-2023 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Chris McArthur explained that the delivery of the new bucket truck has been delayed and requested the purchase of a used vehicle to be utilized in the interim. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Bir to approve the purchase of a used 2011 Utility Bucket Truck for the Electric Department from Hawkins Motor Sales and repairs in an amount not-to-exceed sixty thousand dollars (\$60,000.00) contingent upon vehicle testing and inspection.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to go into Closed Session to conduct a periodic personnel evaluation at the request of the employee and material exempt from discussion or disclosure by state or federal statute.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:03 p.m.

Meeting reconvened at 7:32 p.m.

Moved by Comm. Hile and seconded by Comm. Perez to approve the First Addendum to the City Manager Employment Agreement as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve the Emergency Operations Plan as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 7:33 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, MAY 24, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

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

Commissioners absent: Perez

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

Dray Perkins, 206 Pleasant Street, spoke about Commission addresses on the website and comments at a previous meeting regarding the use of State allocated marijuana funds.

Brian Boughton, 28459 Kelly Road, provided information on the work begin done on the emergency extreme weather center.

Dennis Allen, 100 Amy Court, Centreville, explained that he is running for County Sheriff in 2024 and provided some of his qualifications.

Moved by Comm. Hile and seconded by Comm. Smith to approve the agenda as amended with the addition of 10C.

Voting yea: Eight

Voting nay: None

Absent: Perez

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of May 24, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the May 10, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,562,640.40 as presented.

C. Annual PA 95 Opt-Out

- APPROVE the recommendation to opt-out of Public Act 95 of 2013 for the 2023-2024 heating season.

D. Sturges-Young Bylaws Update

- APPROVE a request to update the Sturges-Young Center for the Arts mission statement as written in the bylaws to the proposed updated statement.

E. Sturges-Young MAAC Grant Application

- APPROVE the submission of a grant application to the Michigan Arts and Culture Council, Capital Improvement Grant Program, for projection upgrades as presented.

F. Fireworks Approvals

- AUTHORIZE Deputy Public Safety Director – Fire Division Andrew Strudwick or his designated representative to complete all necessary permit reviews and SIGN all necessary documents for a community fireworks display.
- APPROVE closure of West Lafayette and temporary no parking on North Centerville as presented.

Voting yea: Eight

Voting nay: None

Absent: Perez

MOTION CARRIED

Sturgis Area Chamber of Commerce Executive Director Kari Hatt provided details on activities for this year's Sturgis Fest. City Manager Andrew Kuk provided details on requests for the City. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve the requests for Sturgis Fest 2023 as presented.

Voting yea: Eight

Voting nay: None

Absent: Perez

MOTION CARRIED

SYCA Director Sheila Bolda and programming Board Chair Jackie Harrison provided details on the establishment of procedures for the newly-established SYCA Programming Fund at the Sturgis Area Community Foundation. Discussion followed. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the establishment procedures for the Sturges-Young Center for the Arts Programming Fund as presented.

Voting yea: Eight

Voting nay: None

Absent: Perez

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes provided information on the procedures for holding a public hearing related to the millage rate for the upcoming fiscal year budget. Discussion followed.

Moved by Comm. Miller and seconded by Comm. Kinsey to set the 2023 millage rate Public Hearing for the June 14, 2023 regular meeting and direct City Staff to include 11.6818 mils for Operating Millage and 3.0000 mils for Streets/Sidewalk Improvement Millage as part of the Public Hearing notice.

Voting yea: Eight

Voting nay: None

Absent: Perez

MOTION CARRIED

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

Moved by Comm. Hile and seconded by Comm. Kinsey to reappoint all board members requesting reappointment.

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

Moved by Comm. Hile and seconded by Comm. Kinsey to appoint James Furkis to the Construction Board of Appeals, David Mumby to the Sturgis Housing Commission, and Brice Burch to the Zoning Board of Appeals.

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

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 7, 2023
LARGE CONFERENCE ROOM – CITY HALL**

Mayor Mullins called the meeting to order at 4:00 p.m.

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

Commissioners absent: Kinsey, Perez

Also present: City Manager, City Controller, City Clerk

City Staff provided a “Budget 101” presentation in preparation for the upcoming fiscal year budget work sessions. Discussion followed.

The meeting was adjourned at 5:30 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
THURSDAY, JUNE 8, 2023
LARGE CONFERENCE ROOM – CITY HALL

Mayor Mullins called the meeting to order at 5:00 p.m.

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

Commissioners absent: Nieves

Also present: City Attorney, City Manager, City Controller

Moved by Comm. Hile and seconded by Comm. Smith to go into Closed Session to discuss the potential purchase of property and material exempt from discussion or disclosure by state or federal statute.

Voting yea: Bir, Kinsey, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

Absent: Nieves

MOTION CARRIED

Meeting recessed at 5:04 p.m.

Meeting reconvened at 6:59 p.m.

The meeting was adjourned at 6:59 p.m.

Holly Keyser, City of Sturgis Controller

WORK SESSION - STURGIS CITY COMMISSION
MONDAY, JUNE 12, 2023
LARGE CONFERENCE ROOM – CITY HALL

Mayor Mullins called the meeting to order at 5:00 p.m.

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

Commissioners absent: None

Also present: City Manager, City Controller, City Clerk

City Staff provided detailed information on the proposed 2023-2024 fiscal year budget.
Discussion followed.

The meeting was adjourned at 10:30 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 14, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Vice-Mayor Miller.

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

Commissioners absent: None

Also present: City Attorney, City Manager, City Controller, SYCA Director, Electric Department Superintendent, Public Safety Director, Deputy Director – Police, Deputy Director – Fire, Deputy Public Services Director, Wastewater Superintendent, City Engineer, City Clerk

Police Officer Dillan Ware and Firefighter Joshua Clark were sworn in.

Kevyn Kozumplik, Gabridge and Company, presented the annual audit report for the financial period ending September 30, 2022. Discussion followed.

Sturgis Hospital Interim CEO Jeremy Gump provided information on the status of the hospital.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of June 14, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the May 10, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,562,640.40 as presented.

C. Annual PA 95 Opt-Out

- APPROVE the recommendation to opt-out of Public Act 95 of 2013 for the 2023-2024 heating season.

D. Sturges-Young Bylaws Update

- APPROVE a request to update the Sturges-Young Center for the Arts mission statement as written in the bylaws to the proposed updated statement.

E. Sturges-Young MAAC Grant Application

- APPROVE the submission of a grant application to the Michigan Arts and Culture Council,

Capital Improvement Grant Program, for projection upgrades as presented.

F. Fireworks Approvals

- AUTHORIZE Deputy Public Safety Director – Fire Division Andrew Strudwick or his designated representative to complete all necessary permit reviews and SIGN all necessary documents for a community fireworks display.
- APPROVE closure of West Lafayette and temporary no parking on North Centerville as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Mullins opened the Public Hearing for consideration of the 2023 Operating and Streets millages.

City Clerk/Treasurer Kenneth Rhodes provided information on the regulations related to setting the tax rate. Because tax bills will be sent in July, the rate must be set in June.

Mayor Mullins explained that because of many fluid issues that will affect the budget, it would be prudent to hold the millage hearing at the next City Commission meeting. The City Commission concurred.

Mayor Mullins closed the Public Hearing.

Moved by Comm. Hile and seconded by Comm. Smith to set the 2023 millage rate Public Hearing for the June 28, 2023 regular meeting and direct City Staff to include 11.6818 mils for Operating Millage and 3.0000 mils for Streets/Sidewalk Improvement Millage as part of the Public Hearing notice.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Wastewater Superintendent Brandon Schrader the staffing needs at the department. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the hiring of an additional Wastewater Operator as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

SYCA Director Sheila Bolde provided details on a proposed marketing plan and the hiring of a firm for implementation. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the Professional Services Agreement with FocalPoint from July 1, 2023 through September 30, 2024 with a five thousand dollar (\$5,000.00) monthly retainer fee as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Chris McArthur presented information on the proposals for contracted electrical engineering and consulting services. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the five (5) year proposal from GRP Engineering for electric engineering and consulting services as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox explained that MDOT is planning several road rehabilitation projects on state highways within Sturgis in the next five years. MDOT requested the City determine and complete any planned utility improvements in advance of their road work. The Commission considered three alternates related to a water line including: doing nothing; installing a new line out of the roadway; and lining the existing line. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve Alternate #2 for the M-66 Utility Phase 1 project between W. South Street and Fawn River Road.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

Community Development Director Will Prichard provided information on a previously approved ordinance amendment in which part of the language was inadvertently left out of a Commission packet. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to confirm the second reading and approval of amendments to the City Code of Ordinances, Appendix A – Zoning section 1.1105 pertaining to accessory structures effective August 25, 2022.

Voting yea: Eight

Voting nay: Bir

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to go into Closed Session to discuss the potential purchase of property and material exempt from discussion or disclosure by state or federal statute.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:43 p.m.

Meeting reconvened at 8:55 p.m.

The meeting was adjourned at 8:55 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 21, 2023
LARGE CONFERENCE ROOM – CITY HALL

Mayor Mullins called the meeting to order at 5:00 p.m.

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

Commissioners absent: Kinsey

Also present: City Manager, City Controller, City Clerk, Electric Department Superintendent, Public Safety Director, Deputy Director of Public Services

City Staff provided detailed information on the proposed 2023-2024 fiscal year budget. There were details on upcoming vehicle purchases. There was a presentation on the potential electric utility rates and the possibility of expanding generation. The Commission supported the drafting of a rate track that would include increased generation capacity.

Moved by Comm. Hile and seconded by Comm. Smith to go into Closed Session to discuss the potential purchase of property and material exempt from discussion or disclosure by state or federal statute.

Voting yea: Bir, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

Absent: Kinsey

MOTION CARRIED

Meeting recessed at 7:30 p.m.

Meeting reconvened at 8:40 p.m.

Discussion continued on the proposed budget, options for increasing revenue and reducing expenses, fund balance, and tax rates.

The meeting was adjourned at 10:30 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JUNE 28, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Comm. Kinsey.

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

Commissioners absent: None

Also present: City Attorney, City Manager, City Controller, Electric Department Superintendent, Public Services Director, City Engineer, Community Development Director, Facilities Manager, City Clerk

Sturgis Hospital Interim CEO Jeremy Gump provided information on the status of the hospital. Discussion followed.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve the Consent Agenda of June 28, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the June 7, 2023 special meeting as presented.
- APPROVE the minutes from the June 8, 2023 special meeting as presented.
- APPROVE the minutes from the June 12, 2023 budget work session as presented.
- APPROVE the minutes from the June 14, 2023 regular meeting as presented.
- APPROVE the minutes from the June 21, 2023 budget work session as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,395,551.76 as presented.

C. Sturgis District Library Community Read Together Event

- APPROVE the Sturgis District Library Read Together Event at Oaklawn Park on August 4, 2023 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Mullins opened the Public Hearing for consideration of the 2023 Operating and Streets millages.

City Clerk/Treasurer Kenneth Rhodes provided information on the regulations related to setting the tax rate. Because tax bills will be sent in July, the rate must be set in June.

The City Commission discussed the pressures on the budget, including, but not limited to, the ambulance and hospital expenses, the amount of fund balance, and whether or not it is prudent to set the millage rate at the maximum amount at this time.

Barry Cox, 1421 S Merribe, expressed his support for increasing the millage rate given the increased expenses.

Mayor Mullins closed the Public Hearing.

Moved by Comm. Hile and seconded by Comm. Miller to set the 2023 millage rate at 11.6818 mils for the General Operating Millage.

Voting yea: Kinsey, Harrington, Hile, Miller, Mullins

Voting nay: Bir, Nieves, Smith, Perez

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Miller to set the 2023 millage rate at 3.0 mils for the Streets and Sidewalks Improvement Millage.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk and SNP Director Monica Smith provided information on the recent and upcoming SNP projects and the collaboration with the City. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the Purchase Agreements with Sturgis Neighborhood Program for 303 S. Nottawa, 805 N. Nottawa, and 1106 N. Galyn St. as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided information on the request of Sturgis Bank and Trust to rezone a parcel in order to allow for additional parking. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to consider this the first reading of an amendment to the Zoning Code, Article III pertaining to the Zoning Map for 121 S. Monroe Street as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Facilities Manager Dan Root and Electric Department Superintendent Chris McArthur provided information on FERC requirements related to the dam powerhouse and necessary repairs to the façade. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the base bid and alternate one for exterior repairs to Powerhouse A from Ram Construction Services of Michigan in the total amount of one hundred and thirty thousand, nine hundred dollars (\$130,900.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided details on the task order related to the 2023 Street Rehabilitation Program. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve Task Order #9b with Fleis and VandenBrink Engineering, Inc. for construction phase services on the 2023 Street Rehabilitation Program in the amount of seventy-eight thousand, eight hundred dollars (\$78,800.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

DPS Director Rick Miller provided details on the bids and the work that will be done on one of the City's water wells. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the bid from North American Pump Company of Wakarusa Indiana for Well Cleaning and Pump Reconditioning for a not to exceed bid price of sixty-one thousand, nine hundred eighty-eight dollars and fifty cents (\$61,988.50) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that it is necessary to reappoint the members of the Sturgis Building Authority in case it is necessary for that board to meet on an issue related to the bonds for Sturgis Hospital.

Moved by Comm. Hile and seconded by Comm. Perez to approve Julie Andrews, Dan Arney, Andy Boyd, Ned Heydlauff, and Mike Wilson to the Sturgis Building Authority.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk provided information on the installation of a piece of art at Free Church Park. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve placement of an art piece in Free Church Park contingent on review of an agreement by the City Attorney.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to go into Closed Session to discuss the potential purchase of property.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:33 p.m.

Meeting reconvened at 8:02 p.m.

The meeting was adjourned at 8:05 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JULY 12, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

Commissioners present: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Mayor Mullins

Commissioners absent: Vice-Mayor Miller

Also present: City Attorney, City Manager, City Controller, Public Safety Director, Community Development Director, City Clerk

Sturgis Hospital Interim CEO Jeremy Gump provided an update on the status of the acquisition of the hospital including the requirements as it relates to licenses and their status as a non profit.

Moved by Comm. Hile and seconded by Comm. Perez to approve the agenda as presented with the addition of Item 10C related to the airport.

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

Moved by Comm. Hile and seconded by Comm. Perez to approve the Consent Agenda of July 12, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the the June 28, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,598,267.24 as presented.

C. MML Workers' Compensation Board of Trustee's Election

- APPROVE submittal of ballot for the Michigan Municipal League Worker's Compensation Board of Trustees as presented and AUTHORIZE the City Manager to sign all necessary documents.

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

Community Development Director Will Prichard provided information on a request to rezone 121 S. Monroe St. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to consider this the second reading of and approve an amendment to the Zoning Code, Article III pertaining to the Zoning Map for 121 S. Monroe Street as presented with an effective date of August 7, 2023.

Voting yea: Eight

Voting nay: None

Absent: Miller

MOTION CARRIED

**AMENDMENT TO ZONING ORDINANCE
PERTAINING TO ZONING MAP**

An Ordinance to amend Article III of the Zoning Ordinance of the City of Sturgis pertaining to the zoning map and to provide for 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 with respect to the zoning map to change the zoning designation of certain property from the Residential 4 (R-4) zoning district to the Central Business (BC) district.

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

Article III of the Zoning Ordinance is hereby modified as follows, effective as of August 7, 2023.

Section 1.0302(A), and the zoning map incorporated by reference therein, is hereby modified to provide that the following described property shall be in the Central Business (BC) zoning district:

Land situate in the City of Sturgis, St. Joseph County, Michigan:
121 S. Monroe Street
Parcel No. 052-040-461-00

City Manager Andrew Kuk provided details on discussion related to the bonds for Sturgis Hospital Inc. Representatives of Blue Rose Capital Advisors provided details on scenarios of different acquisition deals for the hospital. Scenarios included hypothetical deals showing the cost to the City, as it relates to the bond debt, if the hospital were to liquidate and if they were to be sold to a non-profit organization that agreed to pay half the bond debt. There were also scenarios, based on discussions with an interested party, that showed the affect if the hospital were to be sold to a for profit organization. Here, the net present value of the bond debt for the City was calculated if the purchaser was to pay a certain amount at the time of closing and an additional amount over a period of time. Asker Corp., the interested party, had agreed in principle, to a scenario that would have them pay \$1.5M at the time of closing and an additional \$1.5M over five years to the City towards the outstanding bond debt. The City would retain security, over the assets of the hospital, for five years until all of the additional funds were paid.

It was also explained that any agreement on the bond debt was contingent on the language of a final agreement. Additionally, the agreements on the sale of the hospital would still need to be negotiated and completed. Finally, an agreement in principle on the bond debt did not preclude the City and hospital to continue to seek out or negotiate with another party for sale of the hospital.

The City Commission discussed these issues and other topics related to the hospital.

Mr. Kuk also presented an engagement letter from a transaction attorney familiar with hospital sales of this kind.

Moved by Comm. Hile and seconded by Comm. Smith to authorize the City Manager and City legal counsel to develop an agreement with Sturgis Hospital, Inc. and Asker Corp. regarding the reduction of the payments and amounts owed to the City of Sturgis under the current Sub-Lease Agreement with Sturgis Hospital, Inc. in an amount not less than three million dollars (\$3,000,000.00), with a terms of payment extending no more than 60 Months, and with a lien on assets to secure payment as presented, subject to a full review of financial information and final approval of the Commission.

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

Moved by Comm. Hile and seconded by Comm. Perez to authorize the City Manager to sign the engagement letter with Andrew Rogalski of Warner Norcross for Representation of City of Sturgis in Conjunction with Proposed Sale of Sturgis Hospital.

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

City Manager Andrew Kuk provided information on a fuel discount related to an upcoming aviation event. He explained that the City Commission has approved a similar discount in the past. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the airport fuel discount for July 22nd to July 30th as presented.

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

City Manager Andrew Kuk provided information on previous and needed rehabilitation of airport taxilanes. He provided additional information on the requirement to bid out engineering services every five years and the limitations of reimbursement for this kind of work. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve engineering contract with Mead & Hunt for design and bid phase services for the airport taxilane project in the amount of thirty thousand dollars (\$30,000.00) as presented.

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

City Clerk/Treasurer Kenneth Rhodes provided information on the one property that was available for purchase through the County tax foreclosure program. It was explained that this property should be able to be quickly sold to either Sturgis Neighborhood Program or a qualified party after a RFP process which will ensure a responsible rehabilitation.

Moved by Comm. Perez and seconded by Comm. Hile to approve the purchase of one County tax foreclosed property at 903 Neuman for \$7,443.54 plus any additional mowing charges.

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

The City Commission had consensus to schedule a budget work session for Thursday, July 27, 2023 at 5:00 p.m. at City Hall.

The meeting was adjourned at 7:17 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, JULY 26, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Vice-Mayor Miller.

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

Commissioners absent: Kinsey

Also present: Assistant to the City Attorney, City Manager, City Controller, Public Safety Director, Community Development Director, City Clerk

Community Development Director Will Prichard and Sturgis Housing Commission Chair Craig Bolthouse provided an overview of a “Cottage Court” housing project proposed for 208 N. Prospect. Discussion followed.

The City Commission had consensus to instruct City Staff to continue to pursue zoning and other related issues to allow for this type of project.

Clayton Lyczynski, Housing Coordinator for St. Joseph County (Human Services Commission) introduced himself and provided information on his activities related to housing. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the agenda as presented with the elimination of Item 10C.

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

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of July 26, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the July 12, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,076,040.83 as presented.

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

Community Development Director Will Prichard provided information on the work done related to the potential allowance of urban chickens. He explained that the Planning Commission recommended to not approve an ordinance at this time, but they would support a ballot initiative. The City Commission had extensive discussion on the issue and whether to move forward now or allow residents to vote on the issue. It was explained that public hearings would need to be held at the Planning Commission for related zoning ordinances if the City Commission was willing to move forward with a potential ballot initiative.

Moved by Comm. Miller and seconded by Comm. Perez to direct City Staff to develop an ordinance based on the presentation for consideration at a future meeting with an accompanying resolution to allow for final approval at a future election.

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

Community Development Director Will Prichard provided information related to outdoor storage areas not accessory to a principal building use. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to consider this the first reading of an amendment to Special Land Use Designated section 1.0603 and Manufacturing section 1.0401 for Outdoor Storage Area not accessory to principal building use in the Manufacturing zoning district as presented.

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

Moved by Comm. Miller and seconded by Comm. Hile to set a public hearing for consideration of the City's Fiscal Year 2023-2024 budget during the Regular City Commission meeting at 6:00 p.m. on August 9, 2023.

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

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

Moved by Comm. Hile and seconded by Comm. Perez to approve the Budget Amendments for Fiscal Year 2022-2023 as presented.

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

City Manager Andrew Kuk provided information on a downtown event and a request to close a street.

Moved by Comm. Hile and seconded by Comm. Perez to approve the closure of N. Clay from US-12 to John St. for the Freakin' End of Summer Event on August 19, 2023.

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

Moved by Comm. Hile and seconded by Comm. Perez to go into Closed Session to discuss union negotiations

Voting yea: Bir, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

Absent: Kinsey

MOTION CARRIED

Meeting recessed at 7:30 p.m.

Meeting reconvened at 7:53 p.m.

The meeting was adjourned at 7:53 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 9, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Comm. Kinsey.

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

Commissioners absent: None

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

Terry Conklin, County Commissioner, provided information about himself and explained that he is available for any needs.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of August 9, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the July 26, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,200,120.80 as presented.

C. Outdoor Storage Ordinance Second Reading

- CONSIDER this the second reading of and APPROVE an amendment to Special Land Use Designated section 1.0603 and Manufacturing section 1.0401 for Outdoor Storage Area not accessory to principal building use in the Manufacturing zoning district effective September 1, 2023 as presented.

AMENDMENTS TO ZONING ORDINANCES
PERTAINING TO THE REGULATION OF
OUTDOOR STORAGE AREA NOT ACCESSORY TO PRINCIPAL BUILDING USE IN
THE MANUFACTURING ZONING DISTRICT AS A SPECIAL LAND USE

An ordinance to amend Appendix A of the Zoning Ordinance of the City of Sturgis to provide for the modification of regulation of Outdoor storage area not accessory to principal building use in the Manufacturing zoning district as a special land use 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 modification of regulation of Outdoor storage area not accessory to principal building use in the Manufacturing zoning district as a special land use;

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

Appendix A of the Zoning Ordinance of the City of Sturgis, Article IV. – Description of Districts, section 1.0401 and Article VI. – Special Land Uses and Structures, Section 1.0603, of the Zoning Ordinance is hereby modified to provide as follows effective as of September 1, 2023.

ARTICLE IV. – Description of Districts

...

1.0410. – M manufacturing.

...

(C) Special Land Uses

...

(20) Outdoor storage area not accessory to principal building use.

Article VI. – Special land uses and structures

...

Section 1.0603. – Special land use designated.

...

(UU) Outdoor storage not accessory to principal building use.

(1) *Location.* Outdoor storage areas shall not be permitted in any front, side, or rear yard setback areas.

(2) *Fencing/screening.*

- a. Outdoor storage areas shall be secured with a minimum 6-foot-tall chain link fence, solid fence, or wall. Fencing or screening type may be required as determined by the Planning Commission.
- b. Outdoor storage areas shall be screened on all sides abutting or across a street or alley from a residential use.

(3) *Storage area surface.* Outdoor storage area surfaces shall either:

- a. Be paved with a solid surface that is a minimum 3 inches of asphalt or 4 inches of concrete.
- b. If screened, may not be paved but in no instance shall green space be used for parking (area must be improved with gravel or equivalent). Surface to be approved by zoning administrator and city engineer.

(4) *Lighting.* Lighting may be required as determined by the Planning Commission. All lighting shall be shielded from adjacent properties and not exceed 0.5-foot candles when measured from ground level at the adjoining property boundary.

(5) *Other site requirements.*

- a. All driveways and maneuvering lanes to the outdoor storage areas to be a paved solid surface.
- b. No required parking for the principal building shall be used by the outside storage area special land use.

(6) *Site Plan review.*

- a. *Existing parking area to be used for outside storage.* For all existing developed parking areas, a sketch plan is required. This plan must indicate the following: number of required parking spaces for each use on the parcel, type of parking

surface provided, parking area design as per section 1.0904 of this zoning ordinance, and other information required to verify compliance.

- b. *Undeveloped area to be used for outside storage.* A site plan review and approval in accordance with the provisions of this zoning ordinance will be required.

Permit for use; annual renewal. A permit will be issued for this use upon approval of a special land use and renewed on an annual basis by the applicant. To ensure compliance with the permit, the zoning administrator shall conduct periodic inspections. The Planning Commission shall review and approve the renewal of this permit annually.

D. 2023 Sturgis High School Homecoming Parade and Fireworks

- APPROVE the request of Sturgis High School for the 2023 Homecoming Parade on September 29th and AUTHORIZE Deputy Director Fire Operations Andy Strudwick to approve the fireworks display as presented.

E. Charitable Gaming License

- APPROVE the Local Governing Body Resolution For Charitable Gaming License for the Open Door Art Center as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the proposed electric rates for the upcoming fiscal year. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Miller to approve the electric rate design plan as presented.

Voting yea: Eight

Voting nay: Smith

MOTION CARRIED

Mayor Mullins opened the Public Hearing for consideration of the 2023-2024 fiscal year budget.

City Manager Andrew Kuk provided details on the various funds, fees, and capital expenditures in the budget.

The City Commission had discussion on various items and explained that this budget had been reviewed over a series of three work sessions.

There was no comment from the public.

Mayor Mullins closed the Public Hearing.

Moved by Comm. Hile and seconded by Comm. Miller to adopt the 2023-24 annual City of Sturgis Budget Summary and Appropriation Resolution and approve the City of Sturgis Fee Schedule as presented.

Voting yea: Eight

Voting nay: Bir

MOTION CARRIED

City Manager Andrew Kuk provided details on the Purchase Agreement with SNP for the recently acquired tax foreclosed property on Neuman St. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the Purchase Agreement with Sturgis Neighborhood Program for 903 Neuman St. as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk provided details on the dog show that will take place at the upcoming downtown event. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the use of Free Church Park for the Paws in the Park event on Friday, August 11th from 3:00 pm to 10:00 pm as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided details on the urgent need to upgrade the City's financial software and the process of reviewing options for the upgrade. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Miller to approve a bid waiver for and contracts with Civica North America for utility billing, finance, purchasing, and payroll software with initial costs in the amount of one hundred and seventeen thousand, eight hundred and fifty-five dollars (\$117,855.00) and a five-year maintenance agreement as presented and authorize Holly Keyser to sign all necessary documents, subject to final legal review.

Voting yea: Eight

Voting nay: Perez

MOTION CARRIED

City Clerk/Treasurer Kenneth Rhodes explained that there are currently two vacancies on the EDC and BRA boards and there is one qualified application. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to appoint Rod Chupp to the EDC and BRA Board of Directors through May 2026.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Controller Holly Keyser provided information on the Walgreen's Settlement Agreement related to opioids. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve participation in the Walgreen's Settlement Agreement as presented and authorize City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, AUGUST 23, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

Commissioners present: Bir, Kinsey, Smith, Hile, Mayor Mullins

Commissioners absent: Nieves, Harrington, Perez, Vice-Mayor Miller

Also present: City Attorney, City Manager, City Controller, Community Development Director, DPS Director, Doyle and Recreation Director, City Engineer, City Clerk

Moved by Comm. Hile and seconded by Comm. Smith to approve the agenda as presented with addition of a Closed Session for discussion of the purchase of property.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of August 23, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the August 9, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$ 2,349,031.37 as presented.

C. Electric Department Antenna Lease Termination

- APPROVE the termination of the 15-year lease with Sturgis Hospital for placement of an antenna as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided details on the proposed ordinance related to an Extreme Weather Center. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve this the first reading of an amendment to add Extreme Weather Center as a special land use with amendments to the City Code of Ordinance, Appendix A, Zoning Ordinance sections 1.0202, 1.0401, 1.0402, 1.0403, 1.0404, 1.0406, 1.0407, 1.0408, 1.0409, 1.0409.1, 1.0410, and 1.0603 as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided details on a proposed zoning change to a parcel on Timothy Street and a property transfer between Grace Christian Fellowship and Jamie Crite's parcel at 1189 N Nottawa. This would allow for construction of a building for Mr. Crites Culligan. The Planning Commission recommended approval. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve this the first reading of an amendment to the Zoning Code, Article III pertaining to the Zoning map for the portion of property at 300 Timothy Street as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None

MOTION CARRIED

Doyle Center Director Mike Liston provided details on the proposed membership rates. These were recommended by the Doyle Board after reviewing similar centers. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the Doyle membership rate changes as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the traffic study done on East Lafayette and the State regulations related to speed limits. It was explained that the data dictates that the speed limit be set at 45 mph, but 25 mph during school hours. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve Traffic Control Order 001-23 as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None

MOTION CARRIED

Deputy DPS Director Tom Sikorski provided details on the bids and the work to be done on related to sealcoating City parking lots and other sites. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve the bid from Tustin's Asphalt Sealing with revised scope in the total amount of forty thousand, five hundred dollars (\$40,500.00) for sealcoating and re-stripping of parking lots as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None
MOTION CARRIED

DPS Director Rick Miller provided information on the bids and the work to be done to allow for standby power to be extended to an additional water well at Thurston Woods Park. The City Commission had questions about the cost of an additional generator and other issues and determined it would be best to delay a decision until all questions were answered.

Moved by Comm. Hile and seconded by Comm. Kinsey to postpone consideration of the bids for standby power to Well #6 to a future meeting.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None
MOTION CARRIED

Assistant DPS Director Tom Sikorski provided information on an alternative plow for the new dump trucks. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the changes to the upfitting of DPS plow trucks from Lindco Equipment Sales in the amount of forty thousand, nine hundred sixty-two dollars and seventy-eight cents (\$40,962.78) as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None
MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the sale of two Monroe 10 foot front plows as presented.

Voting yea: Five

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None
MOTION CARRIED

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

Voting yea: Bir, Kinsey, Smith, Hile, Mullins

Absent: Nieves, Harrington, Perez, Miller

Voting nay: None
MOTION CARRIED

Meeting recessed at 7:22 p.m.

Meeting reconvened at 7:45 p.m.

The meeting was adjourned at 7:55 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

SPECIAL MEETING - STURGIS CITY COMMISSION
MONDAY, AUGUST 28, 2023
WIESLOCH RAUM – CITY HALL

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

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

Commissioners absent: None

Also present: City Manager, City Controller, City Clerk

City Manager Andrew Kuk provided details on a proposed term sheet with Insight related to the Sturgis Hospital Inc bonds. Discussion continued.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the Insight Summary Term Sheet for Member Substitution as presented and authorize City Manager Andrew Kuk to sign all necessary documents.

Voting Yea: Nine

Voting Nay: None

MOTION CARRIED

The City Commission had consensus to allow Southern Michigan Bank to utilize parking spots in front of their ATM on North Street for a blood drive on August 29, 2023.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 13, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Vice-Mayor Miller.

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

Commissioners absent: None

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

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of September 13, 2023 as presented with a correction of the minutes to remove the Nay vote on the motion to postpone consideration.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the August 23, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,780,257.32 as presented.

C. Rezoning Request Second Reading

- CONSIDER this the second reading of and APPROVE an amendment to the Zoning Code, Article III pertaining to the Zoning map for the portion of property at 300 Timothy Street as described in the resolution, effective October 9, 2023, as presented.

**AMENDMENT TO ZONING ORDINANCE
PERTAINING TO ZONING MAP**

An Ordinance to amend Article III of the Zoning Ordinance of the City of Sturgis pertaining to the zoning map and to provide for 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 with respect to the zoning map to change the zoning designation of certain property from the Residential 2 (R-2) zoning district to the Business Highway 2 (B-H 2) zoning district.

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

Article III of the Zoning Ordinance is hereby modified as follows, effective as of October 9, 2023.

Section 1.0302(A), and the zoning map incorporated by reference therein, is hereby modified to provide that the following described property shall be in the Business Highway 2 (B-H 2) zoning district:

Land situate in the City of Sturgis, St. Joseph County, Michigan:

Legal Description:

BEGINNING AT A 1/2" REBAR FOUND AT A POINT DEEDED AS NORTH 1228.49 FEET, EAST 334 FEET, NORTH 30 FEET, EAST 66 FEET, NORTH 557.74 FEET, NORTHEASTERLY, ALONG A 116.00-FOOT RADIUS CURVE TO THE RIGHT AN ARC DISTANCE OF 51.85 FEET AND EAST 85.45 FEET FROM THE SOUTH 1/4 CORNER OF SECTION 36 OF T7S, R10W AND RUNNING THENCE N00°14'24"E 143.39 FEET (RECORDED AS NORTH 143.45 FEET) TO A 1/2" REBAR FOUND; THENCE S89°36'07"E (RECORDED AS EAST) 45.00 FEET TO A CAPPED REBAR SET; THENCE S00°14'24"W 143.41 FEET TO A CAPPED REBAR SET; THENCE N89°34'43"W 45.00 FEET TO THE POINT OF BEGINNING.

D. Planning Commission Board Resignations

• ACCEPT the resignations of Garry Allen and Michael Caywood from the Sturgis Planning Commission and SEND a letter of recognition for their service.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided details on the proposed ordinance related to an extreme weather center. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to consider this the second reading of and approve amendments to the City Code of Ordinances, Appendix A, Zoning Ordinance sections 1.0202, 1.0401 through 1.0404, 1.0406 through 1.0410, and 1.0603 adding Extreme Weather Center as a special land use effective October 9, 2023.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

AMENDMENTS TO ZONING ORDINANCES PERTAINING TO THE REGULATION OF EXTREME WEATHER CENTERS IN R-1, R-2, R-3, R-4, B-OS, B-C, B-H1, B-H2, B-N AND M ZONING DISTRICTS AS A SPECIAL LAND USE

An ordinance to amend Appendix A of the Zoning Ordinance of the City of Sturgis to provide for the modification of regulation of Extreme Weather Centers in the R-1, R-2, R-3, R-4, B-OS, B-C, B-H1, B-H2, B-N and M zoning district as a special land use 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 modification of regulation of Extreme Weather Centers in the R-1, R-2, R-3, R-4, B-OS, B-C, B-H1, B-H2, B-N and M zoning district as a special land use;

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

Appendix A of the Zoning Ordinance of the City of Sturgis, Article II.- Definitions, section 1.0202, Article IV. – Description of Districts, sections 1.0401, 1.0402, 1.0403, 1.0404, 1.0406, 1.0407, 1.0408, 1.0409, 1.0409.1, 1.0410, and Article VI. – Special Land Uses and Structures, Section 1.0603, of the Zoning Ordinance is hereby modified to provide as follows effective as of October 9, 2023.

ARTICLE II.-Definitions

...

1.0202. – Specific Terms

...

Extreme Weather Center. Extreme weather center means a building that provides a location on a temporary basis for individuals during extreme temperatures which does not include any form of housing. The building must be approved for a special land use.

ARTICLE IV. – Description of Districts

...

1.0401. – R-1 rural residential.

...

(C) Special land uses.

...

(8) Extreme weather center

1.0402. – R-2 subdivision residential.

...

(C) Special land uses.

...

(6) Extreme weather center.

1.0403. – R-3 residential.

...

(C) Special land uses

...

(7) Extreme weather center.

1.0404. – R-4 apartment.

...

(C) Special land uses.

...

(13) Extreme weather center.

1.0406. – B-OS business office service.

...

(C) Special Land Uses.

...

(9) Extreme weather center.

1.0407. – B-C central business district.

...

(C) Special Land Uses.

...

(14) Extreme weather center.

1.0408. – B-H 1 business highway 1.

...

(C) Special land uses.

...

(15) Extreme weather center.

1.0409. – B-H 2 business highway 2.

...

(C) Special land uses.

...

(24) Extreme weather center.

1.0409.1. – B-N business neighborhood.

...

(C) Special land uses.

...

(22) Extreme weather center.

1.0410. – M manufacturing.

...

(C) Special land uses.

...

(20) Extreme weather center.

Article VI. – Special land uses and structures

...

Section 1.0603. – Special land use designated.

...

...

(VV) Extreme Weather Center. An extreme weather center may be permitted as a special land use under the following provisions and conditions:

(1) Will comply with applicable building codes, fire codes, and all other state, county or local laws and ordinances.

(2) Provide a floor plan of the building and space to be utilized for the center.

(3) Provide operations/management plan. This should include the following:

a. Conditions and processes for when the center opens and closes.

b. Roles and responsibilities of key staff.

c. Site/facility management, including security and emergency plan.

d. Site/facility maintenance.

e. Provide experience or qualifications to operate an emergency weather center.

f. Additional information as requested by the city to ensure compliance.

(4) Provide a site plan showing parking for volunteers and people utilizing the center.

(5) Will not pose any unreasonable risk to public health and safety.

(6) Permit for use; annual renewal. A permit will be issued upon approval of a special land use and renewed on an annual basis by the applicant. To ensure compliance with the permit, the zoning administrator shall conduct periodic inspections. The Planning Commission shall review and approve the renewal of this permit annually.

DPS Director Rick Miller provided additional details on standby power for a water well. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the bid from Byler Electric for standby power to Well #6 in the amount of ninety-nine thousand, nine hundred and seventy-five dollars (\$99,975.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Cemetery and Parks Superintendent Anthony VanNest and children's librarian Michelle Frost provided information on the permanent installation of a poetry/story walk pedestals in Thurston Woods Park. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the placement of permanent posts for the Sturgis District Library Story Walk / Poetry Walk as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Chris McArthur provided details on the bids related to installation of breakers at a substation. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the bid from Kent Power to install four (4) 15kV breakers in the amount of eighty-eight thousand, nine hundred sixty-seven dollars and thirty-five cents (\$88,967.35).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve the bid alternate #1 for replacement of control cables for Franks Substation breakers 1, 2, and 4 from Kent Power in the amount of nineteen thousand, eight hundred sixty-four dollars and seventy-four cents (\$19,864.74).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve a contingency budget for the breaker installation in the amount of eight thousand, three hundred and forty-seven dollars and ninety-one cents (\$8,347.91).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Public Safety Director Ryan Banaszak provided details on two new patrol vehicles. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve a bid waiver for and the purchase of two 2023 Dodge Durango Pursuit Vehicles from John Jones Police Pursuit Vehicles in the total amount of ninety-two thousand, six hundred and four dollars (\$92,604.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve the sale of Vehicle 325, a 2015 Chevy Tahoe and Vehicle 313, a 2019 Dodge Durango via public auction.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk provided details on the task order related to the rehabilitation of downtown parking lots. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the Task Order #2b with Fleis and Vandenbrink Engineering, Inc. in the amount of one hundred seventy-one thousand, six hundred dollars (\$171,600.00) for completion of preliminary design, final design, and bidding services for the Downtown Parking Lot Improvement Project.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the need for additional contingency funds for West Congress Street reconstruction project. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve a supplemental contingency budget of forty-five thousand dollars (\$45,000.00) for the W. Congress Utility and Street Improvements Phase 2 Project.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Community Development Director Will Prichard provided details on the RFPs for rehabilitation of two County foreclosed properties acquired by the City. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the Request for Proposals for the purchase of the properties located at 306 North St. and 602 Jean Ave. as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Comm. Kinsey announced that he was stepping down from his position in October.

The City Commission had consensus to advertise the impending vacancy, conduct interviews at the first meeting in October, select a replacement at the second meeting in October, and have the selected individual take their seat at the Organizational Meeting in November.

Moved by Comm. Hile and seconded by Comm. Perez to go into Closed Session to discuss union negotiations, pending litigation, a to conduct a periodic personnel evaluation at the request of the employee.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:40 p.m.

Meeting reconvened at 8:45 p.m.

Moved by Comm. Hile and seconded by Comm. Perez to approve the changes to the CBA with POLC and LOA 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 25, 2023
WIESLOCH RAUM – CITY HALL

Mayor Mullins called the meeting to order at 10:00 a.m.

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

Commissioners absent: None

Also present: City Attorney, City Manager, City Clerk

City Manager Andrew Kuk introduced Justin Dunaskiss who explained who he was a consultant assisting with the transaction related to the purchase of Sturgis Hospital.

Mr. Kuk provided details on a proposed Letter of Agreement with Asker Corp which would release the City's interest in the assets of Sturgis Hospital after a payment of funds.

The City Commission had a number of questions of Asker Corp including their plans upon purchase of Sturgis Hospital.

Omar Elias, Askar Corp, explained that they have performed due diligence in reviewing the operations of Sturgis Hospital, have relationships with many specialty clinics, and will determine the best methods to increase services and usage of Sturgis Hospital. Their group would interview each of the employees of the hospital to ensure they had the right fit.

The City Commissioners expressed support and concerns in the hope of ensuring the long term viability of the hospital. Mr. Elias was receptive to the comments,

Sturgis Hospital CFO Bobby Morin provided information on the status of the Rural Emergency Hospital, related payments, current contracts, and the nature of an advisory board for a for profit hospital.

Moved by Comm. Hile and seconded by Comm. Kinsey to authorize the City Manager and City Attorney to execute and authorize a Letter of Agreement (LOA) between the City of Sturgis, Sturgis Hospital, and Askar Corporation as presented with the following terms and conditions:

- 1) Three Million dollars (\$3,000,000.00) to be paid to the City of Sturgis no later than October 16, 2023 (Payment);
- 2) Upon said Payment, the City of Sturgis will release all security interest and obligations contained in the Sub-Lease agreement;
- 3) The City of Sturgis will grant Askar Corporation the right to a first priority security interest in the Accounts Receivable of Sturgis Hospital from the execution of the LOA until such time as the Payment is delivered.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 10:58 a.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, SEPTEMBER 27, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

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

Commissioners absent: Kinsey

Also present: City Attorney, City Manager, City Controller, Wastewater Superintendent, Electric Department Superintendent, Economic Development Specialist, City Clerk

Economic Development Specialist Jeff Coney provided information on the award of the Redevelopment Ready Communities Certification. Julie Turnbull, MEDC presented the award.

Moved by Comm. Hile and seconded by Comm. Smith to approve the agenda as presented with the replacement of Item 10C with a hospital bond item.

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

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of September 27, 2023 as presented with a correction of the minutes to remove the Nay vote on the motion to postpone consideration.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the August 28, 2023 special meeting as presented.
- APPROVE the minutes from the September 13, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,339,917.96 as presented.

C. MML Liability and Property Pool Board of Directors Election

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

D. LDFA Board Member

- APPOINT Rod Chupp to the Local Development Finance Authority Board of Directors through May 2026.

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

Electric Department Superintendent Chris McArthur provided details on the bids for Line Clearance and Tree Maintenance bids. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the bid of Treecore, LLC for line clearance services for 2023-2024 with two one-year renewal options as presented and authorize City staff to sign all necessary documents.

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

Moved by Comm. Hile and seconded by Comm. Perez to approve the bid of Asplundh Tree Experts LLC for Public Tree Maintenance services for 2023-2024 with two one-year renewal options as presented and authorize City staff to sign all necessary documents.

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

Wastewater Superintendent Brandon Schrader provided details on the bids for the upgrade of the WWTP Laboratory. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve the bid from Teclab, Inc. for the purchase and installation of laboratory cabinets, countertops, fixtures and fume hood in the amount of sixty-two thousand, five hundred forty-five dollars and twenty cents (\$62,545.20) with a five thousand dollar (\$5,000.00) contingency budget, as presented.

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

City Manager Andrew Kuk provided information on a small change related to the recently approved Letter of Agreement with Askar Corporation to allow for additional time for payment. He also explained the request for a quit claim deed as it relates to the property. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the change of the Payment in the LOA with Askar Corp from October 16, 2023 to October 23, 2023.

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

City Controller Holly Keyser provided details on the annual resolution related to PA152. Discussion followed.

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

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

RESOLUTION TO CONTROL 2024 MUNICIPAL HEALTH CARE COSTS

WHEREAS, Public Act 152 of 2011 (PA 152), an act to limit a public employer's expenditures for employee medical benefit plans, was approved by the State of Michigan and made effective September 27, 2011 and

WHEREAS, PA 152 mandates hard cap limits on health care expenses for public employers in a total amount equal to \$7,702.85 times the number of employees with single person coverage, \$16,109.06 times the number of employees with individual and spouse coverage or individual plus

one nonspouse dependent coverage, and \$21,007.83 times the number of employees with family coverage, for a medical benefit plan coverage year beginning on or after January 1, 2024; and

WHEREAS, PA 152 allows public employers the option, instead of the hard cap, of electing to pay not more than 80% of the total annual costs of all of the medical benefit plans it offers or contributes to for its employees and elected public officials with a majority vote of its governing body; and

WHEREAS, PA 152 allows local units of government, including cities, the option to opt out of all limits set forth in the act with a 2/3rds majority vote of its governing body; and

WHEREAS, these limits would impact all non-union employees beginning January 1st, 2024 and all union employees upon the expiration of their current union contract; and

WHEREAS, the City Commission has approved cost-sharing levels for non-union employees equal to 20% of the rates for traditional health care plans; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STURGIS, that the City will comply with the requirements of Public Act 152 of 2011 for the 2024 calendar year by opting out of the requirements of the Act as stipulated in Section 8 of the Act; and

LET IT BE FURTHER RESOLVED, that the City will implement cost-sharing levels for employees equal to \$200 for a single or \$300 for dual and family coverage when enrolled in the high deductible health plan; and

LET IT BE FURTHER RESOLVED, that the City will implement health incentives equal to \$100 for employees that complete 24 visits to the Doyle Community Center in the calendar year and \$100 for each employee and an additional \$100 if the employee's spouse also participates in a health screening which will be discounted from the biweekly employee contribution levels; and

LET IT BE FURTHER RESOLVED, that the City will contribute \$0.00 in 2024 to Flexible Spending Accounts; and

LET IT BE FURTHER RESOLVED, that the City will rebate \$3,500.00 for declining medical coverage and an additional \$200 for also declining dental.

LET IT BE FURTHER RESOLVED, that the City will contribute \$1,200.00 in 2024 to each Health Savings Account established, with payments distributed during January 2024.

City Clerk/Treasurer Kenneth Rhodes provided details on the agreement with St. Joseph County for early voting services. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the Agreement for Election Services Between St. Joseph County and the City of Sturgis et al as presented.

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

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

Moved by Comm. Hile and seconded by Comm. Perez to approve the Budget Amendments for Fiscal Year 2022-2023 as presented.

Voting yea: Seven Voting nay: Bir Absent: Kinsey MOTION CARRIED

The meeting was adjourned at 7:03 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 11, 2023
WIESLOCH RAUM – CITY HALL**

Mayor Mullins called the meeting to order at 5:00 p.m.

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

Commissioners absent: Hile

Also present: City Manager, City Controller, City Clerk

The City Commission conducted interviews to fill the vacancy for 2nd Precinct Commissioner.
Applicants included Alan Albarran and Rodger Moyer.

The meeting was adjourned at 5:45 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 11, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Comm. Kinsey.

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

Also present: City Attorney, City Manager, City Controller, Cemetery and Parks Superintendent,
City Engineer, Economic Development Specialist, City Clerk

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

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

Moved by Comm. Smith and seconded by Comm. Kinsey to approve the Consent Agenda of October 11, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the September 27, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,744,683.56 as presented.

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

City Engineer Barry Cox and Scott Lang, Environmental Resource Management representing Newell Brands, provided information on a request to install monitoring wells near the airport. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Perez to approve three monitoring well easements and vehicular access to the monitoring well locations on the Kirsch Municipal Airport property pending staff and City Attorney review and authorize City Manager Andrew Kuk to sign all necessary documents.

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

Parks and Cemetery Superintendent Anthony VanNest provided information on a request to utilize Oak Lawn Park for the Sturgis Farmer's Market. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Perez to approve the use of Oak Lawn Park for the Sturgis Farmer's Market beginning in the spring of 2024 as presented.

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

Economic Development Specialist Jeff Coney provided information on the bids received to demolish structures at the State Line Industrial Park. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Perez to approve the bid from Michigan Demolition for demolition of the structures located at 26846 State Line Road in the total amount of fourteen thousand nine hundred dollars (\$14,900.00) as presented.

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

City Clerk/Treasurer Kenneth Rhodes and Sean McMickle, Spire Development, provided information on a proposed apartment complex on St. Joseph Street and an associated Payment In Lieu of Tax. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Perez to consider this the first reading of an amendment to Chapter 2, Article IV, Division 1 of the Ordinances of the City of Sturgis adding Section 2-309. - Tax exemption for St. Joseph Street Lofts and fee in lieu of taxes.

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

Moved by Comm. Harrington and seconded by Comm. Perez to recess the regular meeting.

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

The City Commission recessed at 7:10 p.m.

Mayor Mullins called the meeting of the Sturgis Housing Development Corporation to order at 7:15 p.m.

Moved by Dir. Perez and seconded by Dir. Harrington go into Closed Session for discussion of the potential purchase of property.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Perez, Miller, Mullins, Kuk
Voting nay: None Absent: Hile MOTION CARRIED

SHDC Meeting recessed at 7:16 p.m.

SHDC Meeting resumed at 7:43 p.m.

SHDC Meeting adjourned at 7:43 p.m.

City Commission Meeting resumed at 7:43 p.m.

Moved by Comm. Smith and seconded by Comm. Perez to go into Closed Session to discuss the potential purchase of property a to conduct a periodic personnel evaluation at the request of the employee.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:43 p.m.

Meeting reconvened at 8:58p.m.

City Manager Andrew Kuk provided information on concepts related to retirement provisions for long term employees.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, OCTOBER 25, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

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

Commissioners absent: None

Also present: City Attorney, City Manager, City Controller, Community Development Director, Electric Department Superintendent, Facilities Manager, City Clerk

Moved by Comm. Hile and seconded by Comm. Perez to approve the agenda as presented with the addition of Item 10D related to Sturgis Hospital bonds.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve the Consent Agenda of October 25, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the October 11, 2023 work session as presented.
- APPROVE the minutes from the October 11, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$3,043,062.96 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Comm. Hile explained that he believed he should abstain from voting on the selection of a new 2nd Precinct Commissioner because he was unable to attend the interviews at the previous meeting. Discussion followed.

The City Commission had consensus to allow Comm. Hile to abstain from voting on the selection of a new 2nd Precinct Commissioner.

City Commissioners thanked both individuals for applying and said that they were both highly qualified.

Comm. Kinsey nominated Roger Moyer.

Comm. Perez nominated Alan Albarran.

Voting for Moyer –Kinsey, Miller, Mullins

Voting for Albarran – Bir, Nieves, Smith, Harrington, Perez

Alan Albarran was selected as 2nd Precinct Commissioner to fill the unexpired term of Brandon Kinsey.

Mr. Albarran will be sworn in prior to the next regular meeting on November 8, 2023. The term for this seat, which expires in November 2026, will be on the ballot in November 2024, for a two year term.

City Clerk/Treasurer Kenneth Rhodes provided information on a proposed apartment complex on St. Joseph Street and an associated Payment In Lieu of Tax and the minor changes to the PILT ordinance since the first reading at the previous meeting. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to consider this the second reading of and approve an amendment to Chapter 2, Article IV, Division 1 of the Ordinances of the City of Sturgis adding Section 2-309. - Tax exemption for St. Joseph Street Lofts and fee in lieu of taxes, effective November 14, 2023.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

**AMENDMENT TO THE ORDINANCES OF THE CITY OF STURGIS ADDING A TAX
EXEMPTION FOR ST. JOSEPH STREET LOFTS AND FEE IN LIEU OF TAXES**

An ordinance to amend Chapter 2, Article IV, Division 1 of the Ordinances of the City of Sturgis adding a tax exemption for St. Joseph Street Lofts and fee in lieu of taxes 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 add a tax exemption and fee in lieu of taxes for St. Joseph Street Lofts, a development providing housing for individuals and/or families of low to moderate income.

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

Part II – Chapter 2, Article IV, Division 1 is hereby amended to repeal Section 2-307 and Section 2-308 and add Section 2-309 as follows, effective as of November 14, 2023:

Section 2-307 – Repealed

Section 2-308 – Repealed

Section 2-309. – Tax exemption for St. Joseph Street Lofts and fee in lieu of taxes.

- (a) *Purpose.* It is acknowledged that it is a proper public purpose of the State of Michigan and its political subdivisions to provide housing for its low income persons and families and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the Act. The City of Sturgis is authorized by this Act to establish or

change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under this Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for low income persons and families is a public necessity, and as the City of Sturgis will be benefited and improved by such housing, the encouragement of the same by providing real estate tax exemption for such housing is a valid public purpose. It is further acknowledged that the continuance of the provisions of this Ordinance for tax exemption and the service charge in lieu of all *ad valorem* taxes during the period contemplated in this Ordinance are essential to the determination of economic feasibility of the Housing Development that is constructed or rehabilitated with financing extended in reliance on such tax exemption.

The City of Sturgis acknowledges that the Sponsor (as defined below) has offered, subject to receipt of an allocation under the LIHTC Program by the Michigan State Housing Development Authority, to construct, own and operate a Housing Development identified as St. Joseph Street Lofts on certain property located at 303 St. Joseph Street, parcel identification number 052-040-101-00 in the City of Sturgis to serve Low Income Persons and Families, and that the Sponsor has offered to pay the City on account of this Housing Development an annual service charge for public services in lieu of all *ad valorem* property taxes.

- (b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Act means the State Housing Development Authority Act, being Public Act 346 of 1966, of the State of Michigan, as amended.

Annual Shelter Rent means the total collections during an agreed annual period from or paid on behalf of all occupants of the Housing Development representing rent or occupancy charges, less the cost of Utilities.

Authority means the Michigan State Housing Development Authority.

City means the City of Sturgis, a Michigan municipal corporation.

Housing Development means the St. Joseph Street Lofts; a development that contains a significant element of housing for individuals and/or families of low to moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the Authority has determined improves the quality of the development as it relates to housing for persons of low income.

LIHTC Program means the Low Income Housing Tax Credit program administered by the Authority under Section 42 of the Internal Revenue Code of 1986, as amended.

Low Income Persons and Families means persons and families eligible to move into the Housing Development constructed and maintained by the Sponsor.

Mortgage Loan means a loan that is Federally-Aided (as defined in Section 11 of the Act) or a loan or grant made or to be made by the Authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a Housing Development, and secured

by a mortgage on the Housing Development.

PILOT means “payment in lieu of tax” or a service charge in lieu of property taxes in accordance with the Act.

Sponsor means St. Joseph Street Lofts Limited Dividend Housing Authority L.P., a Michigan limited partnership, which has or intends to apply to the Authority for an allocation of Low Income Housing Tax Credits to finance a Housing Development, and any entity that receives or assumes a Mortgage Loan.

Utilities means charges for gas, electric, water, sanitary sewer and other utilities furnished to the occupants that are paid by the housing project.

- (c) *Class of Housing Projects.* It is determined that the class of Housing Developments to which the tax exemption shall apply and for which a service charge shall be paid in lieu of such taxes shall be Housing Developments for Low Income Persons and Families that are financed with a Mortgage Loan or subject to income and rent restrictions pursuant to the LIHTC Program. It is further determined that St. Joseph Street Lofts is of this class. Passage of this section shall not be deemed precedent for other similar PILOT ordinances.
- (d) *Establishment of annual service charge.* The Housing Development identified as St. Joseph Street Lofts and the property on which it will be located shall be exempt from all *ad valorem* property taxes from and after the commencement of construction. The City of Sturgis acknowledges that the Sponsor and the Authority have established the economic feasibility of the Housing Development in reliance upon the enactment and continuing effect of this Ordinance, and the qualification of the Housing Development for exemption from all *ad valorem* property taxes and a payment in lieu of taxes as established in this Ordinance. Therefore, in consideration of the Sponsor's offer to construct and operate the Housing Development the City agrees to accept payment of an annual service charge for public services in lieu of all *ad valorem* property taxes subject to the requirements of subsections (g) and (h) hereto. Subject to receipt of a Mortgage Loan for the Housing Development, the annual service charge shall be equal to nine percent (9%) of the Annual Shelter Rents actually collected by the housing project but not less than \$18,000.00 during each operating year.
- (e) *Limitation on the payment of annual service charge.* Notwithstanding subsection (d), the service charge to be paid each year in lieu of taxes for the part of the Housing Development that is tax exempt but which is occupied by other than Low Income Persons or Families shall be equal to the full amount of the taxes which would be paid on that portion of the Housing Development if the Housing Development were not tax exempt.
- (f) *Contractual effect of section.* Notwithstanding the provisions of section 15(a)(5) of the Act to the contrary, a contract between the City of Sturgis and the Sponsor with the Authority as third party beneficiary under the contract, to provide tax exemption and accept payments in lieu of taxes, as previously described, is effectuated by enactment of this section.

- (g) *Verification of Annual Shelter Rent.* The Sponsor shall verify Annual Shelter Rent revenues to the City with a statement of profit and loss of the Housing Development as reported to the Authority by an independent certified public accountant or such other form of financial documentation deemed suitable by the City. The statement of profit and loss, or such other form of financial documentation acceptable to the City, together with a statement describing the methodology by which the Sponsor calculated the service charge, shall be submitted to the City Treasurer by April 30 each year.
- (h) *Duration.* This Ordinance shall remain in effect and shall not terminate so long as all of the following are true:
- (1) The Housing Development remains subject to income and rent restrictions under the LIHTC Program, but not more than forty-five (45) years.
 - (2) Construction of the Housing Development commences within eighteen (18) months from the award of a Low-Income Housing Tax Credit for the Housing Development from the Authority and is completed within twenty-four (24) months from commencement of construction unless extensions are approved by resolution of the Sturgis City Commission.
- (i) *Payment of service charge.* The annual service charge in lieu of taxes as determined under this Ordinance shall be payable in the same manner as general property taxes are payable to the City and distributed to the several units levying the general property tax in the same proportion as prevailed with the general property tax in the previous calendar year. An exception to this is that the annual payment for each operating year shall be paid on or before June 1st of the following year. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206, as amended; MCL 211.1, *et seq*), including applicable provisions of the Charter and Ordinances for the City of Sturgis, with respect to such payment, including, but not limited to the provisions providing for interest and penalties on late payments, return of delinquent taxes, and the sale of the lands for delinquent taxes.
- (j) *Termination.* The tax exemption extended hereunder may be terminated and the property restored to the tax rolls by resolution duly adopted by the City in any of the following events. Any default must be noticed in writing to the Sponsor and the Authority by certified mail (return receipt requested) or by nationally recognized overnight carrier (with receipt acknowledged in writing) to the address on file with the Department of Labor and Economic Growth or any successor department. Termination can only progress if there is failure by the Sponsor to cure the default within 30 days following delivery of written notice to the Sponsor. Determinations of the event and continuing existence of default and the sufficiency of actions taken to cure default shall be in the sole judgment of the City.
- (1) Failure of the Sponsor or the Housing Development to remain in compliance with the terms of this section or the Act.
 - (2) Failure of the Sponsor to complete construction as provided in subsection (h)(3) hereof.
 - (3) Failure of the sponsor to provide such reports and documentation as may be required by

subsection (g) hereof.

- (k) *Severability.* The various subsections and provisions of this section shall be deemed to be severable, and should any subsection or provision of this section be declared by any court of competent jurisdiction to be unconstitutional or invalid the same shall not affect the validity of this section as a whole or any subsection or provision of this section, other than the subsection or provision so declared to be unconstitutional or invalid.
- (l) *Inconsistent ordinances or sections.* All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this section are repealed to the extent of such inconsistency or conflict.
- (m) *Effective date and automatic repeal.* This Ordinance section shall become effective twenty (20) days after its passage, as provided in the City of Sturgis Charter. In the event the sponsor does not receive an award of a Low-Income Housing Tax Credit for the Housing Development from the Authority on or before December 31, 2025, this section shall be automatically repealed without further action of the City.

Community Development Director Will Prichard provided information on the one bid received for each of the two County foreclosed properties acquired by the City which will be rehabilitated by a developer. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the sale of 306 North St. in the amount of eight thousand dollars (\$8,000.00) and 602 Jean Ave. in the amount of twelve thousand dollars (\$12,000.00). to Jose Lopez as presented and authorize the City Manager and Community Development Department to prepare a development agreement that incorporates all the necessary repairs and criteria to complete the rehabilitation of the properties and sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Facilities Manager Dan Root provided information on the necessary work needed to be done on the dam spillway, as required by the Federal Energy Regulatory Commission, and the bids received to complete the work. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve the bid from Do It All Painting for the painting of the spillway and walkway at the hydro dam in the amount of forty-six thousand seven hundred eighty-eight dollars and seventy-eight cents (\$46,788.78) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk provided information on an agreement between the City and the Clerk/Treasurer Kenneth Rhodes which outlines and clarifies duties, benefits, and supervision of the position and allows Mr. Rhodes to purchase service time up to the retirement date of January 2, 2027 if he were to be fired without cause between the signing of the contract and that date. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the Employment contract with Kenneth D. Rhodes for the position of City Clerk/Treasurer as presented.

Voting yea: Six

Voting nay: Bir, Nieves, Perez

MOTION CARRIED

City Manager Andrew Kuk provided information on the minor changes to the Letter of Agreement with Asker Corporation and the change in payment date. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Kinsey to approve the Letter of Agreement with Asker Corporation, along with SH Holdco, LLC, SH Management Group, LLC, Sturgis Hospital, Inc., and the City of Sturgis, as presented and allow City Manager Andrew Kuk to sign all associated documents, and allow City Manager Andrew Kuk to sign a revised Letter of Agreement, if necessary, with a payment date up to November 1, 2023 and all associated documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Comm. Kinsey read a letter reflecting on his time on the City Commission. City Commissioners thanked him for his service.

Moved by Comm. Hile and seconded by Comm. Perez to go into Closed Session to discuss union negotiations.

Voting yea: Bir, Kinsey, Nieves, Smith, Harrington, Hile, Perez, Miller, Mullins

Voting nay: None

MOTION CARRIED

Meeting recessed at 7:15 p.m.

Meeting reconvened at 7:35 p.m.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, NOVEMBER 8, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given by Mayor Mullins.

City Clerk/Treasurer Kenneth Rhodes swore in new 2nd Precinct Commissioner Alan Albarran.

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

Commissioners absent: None

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

Greg Lomas, 1624 Griffith, inquired about traffic violations and enforcement.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve the Consent Agenda of November 8, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the October 25, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,594,557.01 as presented.

C. Dashing Thru Downtown Event Requests

- APPROVE the 2023 Dashing Thru Downtown Requests as presented.

D. Set LDFA Public Hearing for Stateline Business Park

- ADOPT the Resolution of Intent to Amend the City of Sturgis Local Development Finance Authority Boundaries and Setting Date and Time for Public Hearing and SET a Public Hearing for amended LDFA Development and TIF Plans on December 13, 2023.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Chris McArthur provided details on the change orders related to generators at the Hydro Dam. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve HCMS Contract Change Order 003 for Outboard Bearing Seals in the amount of thirty-nine thousand, six hundred and seventy dollars (\$39,670.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Perez to approve the Hydro #3 and #4 Power Control System Upgrade by Newkirk in the amount of ninety-five thousand and five hundred dollars (\$95,500.00) as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Facilities Manager Dan Root provided information on a backup generator at PSUB and necessary changes to the wiring. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Miller to approve the Shouldice Bulletin #3 change order to complete the installation of the new emergency backup generator in an amount not-to-exceed thirty-seven thousand, five hundred and ninety-one dollars (\$37,591.00) as presented.

Voting yea: Eight

Voting nay: Bir

MOTION CARRIED

City Manager Andrew Kuk and Clayton Lyczynski, St. Joseph County Housing Coordinator, provided information on the possible benefits with the creation of a Land Bank in St. Joseph County. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to approve a resolution of support for a St. Joseph County Land Bank as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

CITY OF STURGIS
RESOLUTION SUPPORTING A ST. JOSEPH COUNTY LAND BANK

WHEREAS, 2003 PA 258, entitled "Land Bank Fast Track Act," allows for the ability of counties in the State of Michigan to create a Land Bank Authority; and

WHEREAS, land banks are public entities with unique governmental powers, created to help address vacant, blighted, and/or tax delinquent properties; and

WHEREAS, the goal of land banks is to return properties to productive use in the community by addressing blight and facilitating redevelopment; and

WHEREAS, County Land Bank Authorities in the State of Michigan provide the ability to access certain grant funds, engage in expedited quiet title and foreclosure actions, and expand eligible activities within the Brownfield Redevelopment Authority Act; and

WHEREAS, a County Land Bank Authority would provide new tools to address blight, facilitate redevelopment projects, and access grant funds to jurisdictions and municipalities throughout St. Joseph County, including the City of Sturgis.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STURGIS: that we support the creation of a St. Joseph County Land Bank Authority by the St. Joseph County Commission; and

BE IT FURTHER RESOLVED, we direct City staff to provide this resolution of support to the St. Joseph County Commission.

City Clerk/Treasurer Kenneth Rhodes explained that there are currently two vacancies on the Planning Commission and one application on file. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Perez to appoint Buddy Denman to the Sturgis Planning Commission through May 2026.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**ORGANIZATIONAL MEETING
STURGIS CITY COMMISSION
MONDAY, NOVEMBER 13, 2023
CITY HALL – LARGE CONFERENCE ROOM**

Deputy City Clerk/Treasurer Ana Garcia called the meeting to order at 8:00 p.m.

Commissioners present: Mullins, Bir, Nieves, Albarran, Smith, Harrington, Hile, Perez, Miller
Commissioners absent: None

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

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

Comm. Hile nominated Comm. Mullins
Comm. Bir nominated Comm. Perez

Moved by Comm. Hile and seconded by Comm. Bir to close the nominations for the Office of Mayor.

Voting Yea : Nine Voting Nay : None MOTION CARRIED

Voting for Comm. Mullins: Mullins, Hile, Miller

Voting for Comm. Perez: Bir, Nieves, Albarran, Smith, Harrington, Perez

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

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

Comm. Hile nominated Comm. Miller.
Comm. Smith nominated Comm. Bir

Moved by Comm. Hile and seconded by Comm. Bir to close the nominations for the Office of Vice-Mayor.

Voting Yea : Nine Voting Nay : None MOTION CARRIED

Voting Bir : Bir, Nieves, Smith, Perez

Voting Miller : Mullins, Albarran, Harrington, Hile, Miller

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

Mayor Perez made the Commissioner appointments to City Boards and Commissions.

City Manager Andrew Kuk provided information on the proposed changes to the City Commission Procedural Policy and the Resolution of Authorized Depositories, and the City's Investment Policy, which has no changes.

Moved by Comm. Hile and seconded by Comm. Mullins to adopt the City Commission Procedural Policy, the Resolution of Authorized Depositories, and the City's Investment Policy 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

Huntington Bank - Sturgis, Michigan

Southern Michigan Bank & Trust, Coldwater, 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 all accounts in the aforementioned banks.

The meeting was adjourned at 8:29p.m.

Ana Garcia, City of Sturgis Deputy Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
MONDAY, NOVEMBER 20, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given Commissioner Miller

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

Commissioners absent: None

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

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Vice-Mayor Miller to approve the Consent Agenda of November 20, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the November 8, 2023 regular meeting as presented.
- APPROVE the minutes from the November 13, 2023 organizational meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$1,582,563.14 as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on sanitary sewer maintenance needs as identified in the 2020 Asset Management Plan and through field-observations and rehabilitation of sanitary manholes via lining, bench repair, and flow channel improvements. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Albarran to approve the 2023 Sanitary Sewer Rehabilitation Project bid from Spectra Tech, LLC in the amount of two hundred and twenty thousand, nine hundred dollars (\$220,900.00) and authorize the City Manager to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve a contingency budget for the 2023 Sanitary Sewer Rehabilitation project in the amount of twenty-two thousand dollars (\$22,000.00).

Voting yea: Nine

Voting nay: None

MOTION CARRIED

The meeting was adjourned at 6:20 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 13, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given Commissioner Miller.

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

Commissioners absent: None

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

Bennett Ahrens, 111 Arden Park, presented an ordinance related to the exterior finish of roofing.

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

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Moved by Comm. Hile and seconded by Comm. Smith to approve the Consent Agenda of December 13, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the November 20, 2023 regular meeting as presented.

B. Pay Bills

- AUTHORIZE the payment of the City bills in the amount of \$2,107,721.92 as presented.

C. Accounts Payable Authorization

- AUTHORIZE the Finance Committee to approve the payment of City bills at their next meeting.

D. Airport AWOS Contract

- APPROVE Contract No. 2023-00619 with MDOT Aeronautics for AWOS services and AUTHORIZE City Manager Andrew Kuk to sign all necessary documents.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Mayor Perez opened the Public Hearing on the boundary adjustments and Amendments to Development Plan and Tax Increment Financing Plan for the Local Development Finance Authority of the City of Sturgis.

City Clerk/Treasurer Kenneth Rhodes briefly explained the purpose of the LDFA and stated that the only changes in the current amendments are to add the two parcels for the Stateline Business Park, which were not located within the City limits when the boundaries were last adjusted.

There were no questions or comments from the Commission or public.

Mayor Perez closed the Public Hearing.

Moved by Comm. Hile and seconded by Comm. Smith to approve the Resolution Approving Amendments to Development Plan and Tax Increment Financing Plan for the Local Development Finance Authority of the City of Sturgis as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

**RESOLUTION APPROVING AMENDMENTS TO DEVELOPMENT PLAN AND TAX
INCREMENT FINANCING PLAN FOR THE LOCAL DEVELOPMENT FINANCE
AUTHORITY OF THE CITY OF STURGIS**

WHEREAS, the Recodified Tax Increment Financing Act, Act 57 of the Public Acts of Michigan of 2018, Document 57-2018-4. (collectively, the "Act") authorizes the City to establish and amend the Local Development Finance Authority of the City of Sturgis (LDFA); and

WHEREAS, the LDFA was established in 2008 and previously amended in 2018; and

WHEREAS, the LDFA is amending its boundaries, Development Plan, and Tax Increment Financing (TIF) Plan to include the two parcels at Stateline Business Park for the benefit of the eligible properties within the Authority District; and

WHEREAS, on December 13, 2023, the City Commission held a public hearing on the Plan Amendments pursuant to Act 57, Public Acts of Michigan, 2018, as amended; and,

WHEREAS, the City Council has given the taxing jurisdictions in which the District is located an opportunity to meet with the City Commission and to express their views and recommendations regarding the Plan Amendments, as required by the Act; and

WHEREAS, the LDFA Board has recommend for approval the amendments to the District boundaries, Development Plan and TIF Plan attached here as Exhibit A (the "Plan Amendments").

NOW THEREFORE BE IT RESOLVED, the Sturgis City Commission approves amendments to the LDFA District Boundaries, LDFA Development Plan, and LDFA TIF Plan as presented.

City Clerk/Treasurer Kenneth Rhodes provided information on a request from the Sturgis Improvement Association (SIA) for a waiver of a portion of paving, water, and sewer special assessments from lot sales in Stapleton Industrial Park. He explained that the SIA has used proceeds from the sale of other industrial lots to pay \$131,604.45 of the \$147,225.00 special assessment bill. The balance of \$15,620.55 is the waiver request amount. The SIA plans to use the funds, if waived, on redevelopment of a downtown building. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve the waiver of special assessments for the Sturgis Improvement Association as presented.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

Electric Department Superintendent Chris McArthur provided information on the bids received related to a contract for environmental engineering and consulting services for the department. The scope of work includes performing environmental engineering and consulting services for the current diesel generator and future generation to be added. Discussion followed.

Moved by Comm. Hile and seconded by Comm. Smith to approve the proposal from NTH Consultants, Ltd. for Electric Environmental Engineering/Consulting Services for a term of five (5) years.

Voting yea: Nine

Voting nay: None

MOTION CARRIED

City Manager Andrew Kuk provided details on changes to the City Commission Procedural Policy related to Commissioner expenses, apparel and business cards.

Moved by Comm. Hile and seconded by Comm. Smith to postpone consideration of changes to the City Commission Procedural Policy until a future work session.

Voting yea: Eight

Voting nay: Miller

MOTION CARRIED

The meeting was adjourned at 6:48 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

**WORK SESSION - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 20, 2023
WIESLOCH RAUM – CITY HALL**

Mayor Perez called the meeting to order at 5:00 p.m.

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

Commissioners absent: Hile

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

Electric Department Superintendent Chris McArthur and Robert Lalonde, Michigan Public Power Agency, provided information on the activities of MPPA and potential battery storage for the solar farm. Discussion followed.

The meeting was adjourned at 5:52 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer

REGULAR MEETING - STURGIS CITY COMMISSION
WEDNESDAY, DECEMBER 20, 2023
WIESLOCH RAUM – CITY HALL

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

The Pledge of Allegiance was said by all present.

The Invocation was given Commissioner Miller.

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

Commissioners absent: Hile

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

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

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

Moved by Comm. Harrington and seconded by Comm. Smith to approve the Consent Agenda of December 20, 2023 as presented.

8A. Action of Minutes of Previous Meetings

- APPROVE the minutes from the December 13, 2023 regular meeting as presented.

B. 2024 Commission Meeting Dates

- APPROVE the 2024 Commission Meeting schedule as presented.

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

City Manager Andrew Kuk provided information on a termination agreement between the Sturges-Young Center of the Arts and the St. Joseph County ISD for use of the kitchen. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Smith to approve the Termination Agreement with the St. Joseph County ISD regarding use of the Sturges-Young Center for the Arts as presented.

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

City Engineer Barry Cox provided information on a resolution to decertify a section of William Street that is located at the former railroad crossing. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Smith to approve the Resolution Decertifying 60 feet of William Street as presented.

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

RESOLUTION FOR STREET DECERTIFICATION

WHEREAS, the City Commission of the City of Sturgis, County of St. Joseph, and State of Michigan, the same being the legislative body of the said City of Sturgis deems it advisable and in the best interests of the City of Sturgis that a portion of William Street now situate and being within the City of Sturgis be decertified., said street being described as follows, to wit:

William Street (Portion)

A parcel of land located in the City of Sturgis, St. Joseph County, Michigan, described as follows: Commencing at the survey monument at intersection of South Jefferson Street and William Street and running thence westerly along the centerline of William Street 198 feet, to the Point of Beginning, thence continuing westerly 60 feet to a point 476 feet east of the intersection of Grove Street and William Street on the centerline of William Street, which is the Point of Ending of this description. Subject to all easements and restrictions of record.

Also as shown graphically in Exhibit A.

NOW, THEREFORE, BE IT RESOLVED:

The 60 foot portion of William Street, as described, is hereby decertified for Act 51 purposes.

Director of Public Safety Ryan Banaszak provided information on the ambulance service activity and billing as well as a purchase of a cardiac monitor. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Smith to approve a bid waiver for and the purchase of one Lifepak 15v4 monitor/defibrillator from Stryker in the amount of thirty-nine thousand, two hundred fifty-nine dollars and twenty-nine cents (\$39,259.29) as presented.

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

DPS Superintendent Tom Sikorski introduced Foreman Lee Ross and Mechanic Cole McCann and provided information on financing of two new dump trucks. City Controller Holly Keyser provided details on the financing quotes. Mr. Sikorski also provided information on the disposal of two 2009 dump trucks in lieu of the originally planned 2007 trucks. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Smith to adopt the Resolution Authorizing Installment Purchase Agreement as presented.

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

Moved by Comm. Harrington and seconded by Comm. Smith to approve the disposal of two 2009 dump trucks, units 610-09 and 611-09 per the purchasing policy.

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

DPS Superintendent Tom Sikorski provided information on the status of the current sweepers and the opportunity for purchase of a new sweeper. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Bir to approve the purchase of a 2007 Johnston-Allianz M3 sweeper from Brown Equipment Company in the amount of one hundred thousand dollars (\$100,000.00) as presented.

Voting yea: Eight

Voting nay: None

Absent: Hile

MOTION CARRIED

City Engineer Barry Cox provided an update on DWSRF funding and the plan to reapply. Discussion followed.

Moved by Comm. Harrington and seconded by Comm. Smith to go into Closed Session to discuss union negotiations.

Voting yea: Mullins, Bir, Nieves, Albarran, Smith, Harrington, Miller, Perez

Voting nay: None

Absent: Hile

MOTION CARRIED

Meeting recessed at 7:12 p.m.

Meeting reconvened at 7:40 p.m.

The meeting was adjourned at 7:40 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer