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

The Pledge of Allegiance was said by all present.

Commissioners present: Mullins, Klinger, Wickey, Malone, Littman, Good, Mayor Hile
Commissioners absent: Bir, Vice-Mayor Dvorak

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

Moved by Comm. Littman and seconded by Comm. Mullins to approve the agenda as presented with the addition of 10I, MDOT Annual Permit Performance Resolution.
Voting yea: Seven             Voting nay: None            Absent: Bir, Dvorak                MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Mullins to approve the Consent Agenda of January 9, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the December 19, 2018 work session as presented.
APPROVE the minutes from the December 19, 2018 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $756,765.92 as presented.

8C. Fawn River Township PA 425 Property Transfer Agreement #5
ADOPT the Transfer of Property from Fawn River Township (Agreement #5) Resolution for 28276 Congress Street as presented.
Voting yea: Seven             Voting nay: None            Absent: Bir, Dvorak                MOTION CARRIED

Buildings Supervisor Will Prichard provided information on amendments to the Zoning Code, Section 1.1105 Accessory buildings, structures and uses, which will clarify definitions. Discussion followed including possibly the removal of the section related to tarp like structures.

Moved by Comm. Good and seconded by Comm. Littman to consider this the second reading and approve an amendment to the City Code of Ordinances Appendix A, Zoning Ordinance, Section 1.0202 Specific terms and Section 1.1105. - Accessory buildings, structures and uses as presented, with the removal of section B6.
Voting yea: Two             Voting nay: Five            Absent: Bir, Dvorak                MOTION DEFEATED

Moved by Comm. Mullins and seconded by Comm. Malone to consider this the second reading and approve of an amendment to the City Code of Ordinances Appendix A, Zoning Ordinance, Section 1.0202 Specific terms and Section 1.1105. - Accessory buildings, structures and uses as presented.
Voting yea: Five             Voting nay: Two            Absent: Bir, Dvorak                MOTION CARRIED
AMENDMENTS TO ZONING ORDINANCE
PERTAINING TO THE REGULATION
OF ACCESSORY BUILDINGS IN THE CITY

An ordinance to amend Article II and Article XI of the Zoning Ordinance of the City of Sturgis to provide for the modification of the regulation of accessory buildings, structures and uses in the City and an effective date of this Ordinance.

WHEREAS, the City Commission, upon recommendation from the Planning Board, has determined that it is in the best interest of the residents of the City to modify the Zoning Ordinance to provide for the further regulation of accessory buildings, structures and uses within the City;

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

Article II, Section 1.0202 of the Zoning Ordinance is hereby modified to add the following defined terms and Article XI, Section 1.1105 is hereby amended to provide as follows effective as of February 1, 2019.

ARTICLE II. Definitions

1.0202. Specific Terms.

Accessory Building. A type of structure that has a roof which is supported by columns or walls, is intended for the shelter or enclosure of persons, animals, goods or property, and is further intended to be used in a manner that is clearly incidental to, customarily found in connection with, subordinate to, and located on the same lot as the principal use to which it is exclusively related. Examples of accessory buildings include but are not limited to: garages, storage sheds, gazebos, play houses, greenhouses, pump houses, garden sheds, pergolas and dog houses.

Accessory Structure. Anything constructed or erected, the use of which requires location on the ground or attachment to something having such location, and that is intended to be used in a manner that is clearly incidental to, customarily found in connection with, subordinate to, and located on the same lot as the principal use to which it is exclusively related. Examples of accessory structures include but are not limited to: accessory buildings, swimming pools and decks around pools, play structures, HVAC units, generators, television antennas not installed on principal building, residential kennels, solar panels, trampolines, storage unit and tennis courts.

Kennel, Residential. Any structure or area designed and used specifically for the boarding or exercise of a private individual’s own pet or pets (dogs, cats, rabbits, etc.), including but not limited to dog houses, pens, outdoor cages, and dog/pet runs.

Dog House. A structure that has a roof and walls intended for the shelter or enclosure of a pet or pets (dogs, cats, rabbits, etc.).

ARTICLE XI. General Provisions

Section 1.1105. Accessory buildings, structures and uses.

(A) Accessory building or accessory structures in any district.

1. No accessory building or accessory structure may be permitted on a lot which does not contain a principal use or principal building.

2. No accessory building or accessory structure shall be placed in any required front or side yard.

3. Accessory buildings and swimming pools shall be no closer than ten (10) feet to any other building on the same lot except as listed below or as specified elsewhere in the zoning ordinance or city code of ordinances.

   i. Dog houses.
   ii. Pergolas.
   iii. Play houses.
   iv. Pump houses.
   v. Accessory buildings similar to the above.
(4) An accessory building or accessory structure located in a rear yard shall not be closer than three feet to any lot line, unless specified elsewhere in the zoning ordinance or city code of ordinances.

(5) Residential kennels shall be no closer than six (6) feet to the principle building on the same lot and no closer than six (6) feet to the lot line.

(B) Accessory building or accessory structures in a residential district. In addition to the requirements of subsection (A) of this section, the following restrictions shall apply to accessory buildings or accessory structures in residential districts.

(1) Accessory buildings or accessory structures shall not exceed 14 feet in height with the exception of satellite systems, antenna systems, solar panels, wind generators or similar structures. If these structures are installed as a stand-alone structure, they shall not exceed 20 feet in height. If these structures are installed atop an accessory building, or another accessory structure, their combined height shall not exceed 20 feet.

(2) A private garage or a portion thereof may be rented or leased for not more than two motor vehicles of the noncommercial type only to persons not a resident of the dwelling on the lot.

(3) The total square footage of all accessory buildings shall not exceed the square footage of the ground or first floor of a multi-story residence, or 50 percent of the square footage of a single-story building.

(4) When an accessory building in any residential district is intended for other uses than the storage of private motor vehicles, the uses proposed for the accessory building must be compatible with the uses permitted within the subject district.

(5) Accessory buildings exceeding 200 square feet must be provided with exterior finish materials similar to the principal building on the lot. Examples include roofing and siding materials. These items shall be of the same or similar, compatible colors to the principal building. An alternate roofing or siding material may be substituted if the color(s) is compatible with the principal building.

(6) Canopy and tarp like structures are not permitted unless used as outdoor furniture. These items may be used from the months of April through October if maintained in good condition and used in the manner they were designed.

(7) Dog houses shall not exceed six (6) feet in height and twenty (20) square feet in area.

(8) There shall be no more than two (2) accessory buildings on any one parcel excluding play houses, dog houses, or buildings of similar uses.

(C) Repair of vehicles in residential districts.

(1) A resident may repair vehicles of the resident on the property of the resident's dwelling unit; however, in no instance shall a resident repair the vehicles of other than a resident of the dwelling unit on said property and such repair shall be conducted in not to exceed seven consecutive days in any 30-day period.

Buildings Supervisor Will Prichard explained that the property at 315 N. Nottawa is split zoned and City Staff is recommending that the whole parcel be zoned B-H 2. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to approve this the introduction and first reading to rezone the property located at 315 N. Nottawa, parcel #75-052-200-004-00 to Business Highway 2 (B-H 2).

Voting yea: Seven Voting nay: None Absent: Bir, Dvorak MOTION CARRIED
City Engineer Barry Cox provided details on the final design for the reconstruction of Pleasant Street. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to approve the streetscape design plan for Pleasant Avenue as presented.

**Voting yea: Seven**  **Voting nay: None**  **Absent: Bir, Dvorak**  **MOTION CARRIED**

City Engineer Barry Cox provided details on three traffic orders related to bus parking at Congress and Wenzel Schools and on street parking in the 400 block of North Jefferson Street. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve Traffic Control Orders #19-01, #19-02 and #19-03 as presented.

**Voting yea: Seven**  **Voting nay: None**  **Absent: Bir, Dvorak**  **MOTION CARRIED**

City Engineer Barry Cox provided details on the contract document from MDOT for the North Lakeview Avenue Improvement Project. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve the contract between the City of Sturgis and MDOT (#18-5504) for the completion of the North Lakeview Avenue Reconstruction Project and authorize City Manager Michael Hughes and Mayor Robert Hile to sign all necessary documents.

**Voting yea: Seven**  **Voting nay: None**  **Absent: Bir, Dvorak**  **MOTION CARRIED**

City Engineer Barry Cox provided information on the needed sanitary collection system repairs which were included in the 6-year Capital Improvement Plan that was adopted as part of the FY 2018-2019 budget and the bids for these repairs. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Klinger to approve the bid from Visu-Sewer in the amount of three hundred eighty-three thousand five hundred seven dollars and thirty cents ($383,507.30) for the 2019 Sanitary Rehabilitation project and authorize the City Manager to sign all necessary documents on behalf of the City.

**Voting yea: Seven**  **Voting nay: None**  **Absent: Bir, Dvorak**  **MOTION CARRIED**

Moved by Comm. Mullins and seconded by Comm. Klinger to approve a contingency budget of thirty eight thousand dollars ($38,000.00) for the 2019 Sanitary Rehabilitation project.

**Voting yea: Seven**  **Voting nay: None**  **Absent: Bir, Dvorak**  **MOTION CARRIED**

DPS Supervisor Rick Miller provided information on vehicles and equipment up for replacement. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to approve a bid waiver for and the purchase of a John Deere 1575 Front Mower from GreenMark Equipment in an amount not to exceed thirty-two thousand, six hundred and eighty-three dollars and fifty-five cents ($32,683.55) as presented.

**Voting yea: Seven**  **Voting nay: None**  **Absent: Bir, Dvorak**  **MOTION CARRIED**
Moved by Comm. Klinger and seconded by Comm. Good to approve a bid waiver the purchase of a John Deere 5090E Utility Tractor, including loader attachment and extended warranty from GreenMark Equipment in the amount of fifty-eight thousand, three hundred and fifty-two dollars and seventy-seven cents ($58,352.77) as presented.

**Voting yea:** Six  
**Voting nay:** Mullins  
**Absent:** Bir, Dvorak  
**MOTION CARRIED**

Moved by Comm. Mullins and seconded by Comm. Klinger to approve the purchase of a Ford F-250 with a Vee-Plow and Service Body from Gorno Ford in the amount of forty-six thousand, two hundred and eighty-four dollars and forty-two cents ($46,284.42) as presented.

**Voting yea:** Seven  
**Voting nay:** None  
**Absent:** Bir, Dvorak  
**MOTION CARRIED**

Moved by Comm. Good and seconded by Comm. Klinger to approve the sale of vehicles via public auction or trade in as presented.

**Voting yea:** Seven  
**Voting nay:** None  
**Absent:** Bir, Dvorak  
**MOTION CARRIED**

City Manager Michael Hughes provided information on proposed changes in the form of an addendum to the County’s lease with the City for a Central Dispatch antenna on the City’s water tower which would remove payment for electric costs. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to approve the Addendum to the Real Estate Lease as presented.

**Voting yea:** Seven  
**Voting nay:** None  
**Absent:** Bir, Dvorak  
**MOTION CARRIED**

City Controller Holly Keyser provided details on DDA budget amendments to reflect anticipated revenue and expenses for downtown events and expenses for the acquisition of property. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Good to approve DDA Budget Amendment as presented.

**Voting yea:** Seven  
**Voting nay:** None  
**Absent:** Bir, Dvorak  
**MOTION CARRIED**

City Engineer Barry Cox provided information on the permit from MDOT to perform maintenance activities on M-66 and US12. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to approve the Performance Resolution for Governmental Agencies as presented.

**Voting yea:** Seven  
**Voting nay:** None  
**Absent:** Bir, Dvorak  
**MOTION CARRIED**

The City Commission had consensus for City Staff to prepare a resolution to MDOT in support of rehabilitation of South Centerville Road.

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

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Littman

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

Holly Carmichael provided information on accessible playgrounds. Discussion followed.

The City Commission had consensus to direct the City Manager to work with the schools to obtain a quote for an accessibility study in park and playground facilities.

Moved by Comm. Good and seconded by Comm. Bir to approve the agenda as presented.

Voting yea: Eight    Voting nay: None    Absent: Littman

MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Bir to approve the Consent Agenda of January 23, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the January 9, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $1,986,936.36 as presented.

8C. Regional Revolving Loan Fund Subrecipient Agreement
APPROVE the subrecipient agreement with Northern Initiatives as presented and AUTHORIZE City Manager Michael Hughes to sign all necessary documents.

Voting yea: Eight    Voting nay: None    Absent: Littman

MOTION CARRIED
Buildings Supervisor Will Prichard explained that the property at 315 N. Nottawa is split zoned and City Staff is recommending that the whole parcel be zoned B-H 2. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Klinger to consider this the second reading and approve of an amendment to the City Code of Ordinances Appendix A, Zoning Ordinance, the request to rezone the property located at 315 N. Nottawa, parcel #75-052-200-004-00 to Business Highway 2 (B-H 2).

Voting yea: Eight        Voting nay: None        Absent: Littman        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 mixed districts Business-Highway 2 (B-H2) and R-4 Apartment (R-4) to Business-Highway 2 (B-H2) 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 February 15, 2019.

Section 1.0302(A), and the zoning map incorporated by reference therein, is hereby modified to provide that the entirety of the following described property shall be in the Business-Highway 2 (B-H2) zoning district:

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

315 N. Nottawa Street, Parcel No. 75-052-200-004-00.

Electric Department Superintendent John Griffith provided information on a System Impact and Facilities Study as part of the approval process to construct a 15 megawatt solar array. The study will review and identify system capacity and performance issues and the cost of the study is $35,000.00. Discussion followed.

Moved by Comm. Good and seconded by Comm. Bir to approve the proposal from Power System Engineering to conduct the System Impact and Facility Study in the amount of thirty five thousand dollars ($35,000.00) as presented.

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

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 5:30 p.m.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Littman

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

Electric Department Superintendent John Griffith and Tom Asp of Columbia Telecommunication Corporation reviewed a proposal from KEPS Technologies, Incorporated (dba ACD.net) to lease certain strands of city owned fiber optic cable. Discussion followed.

The City Commission had consensus to direct City Staff to continue their investigation into leasing parts of the City owned fiber network.

Sturgis Hospital Board member Joseph Haas and Dr. James Grinnel provided information on the status of Sturgis Hospital.

The City Commission had consensus to direct City Staff to prepare a resolution in support of Sturgis Hospital.

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

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Littman

Also present: City Attorney, City Manager, Assistant City Manager, Buildings Supervisor, Electric Department Superintendent, Director of Public Safety, Deputy Fire Chief, City Engineer, City Forester, City Controller, City Clerk

City Clerk/Treasurer Kenneth Rhodes swore in Firefighter Brandon Adamski. The City Commission welcomed him to the City.

Moved by Comm. Mullins and seconded by Comm. Dvorak to approve the agenda as presented with the addition of Item 10H, Authorized Depositories.
Voting yea: Eight Voting nay: None Absent: Littman MOTION CARRIED

Moved by Comm. Mullins and seconded by Comm. Dvorak to approve the Consent Agenda of February 13, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the January 23, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $790,548.61 as presented.

8C. Traffic Control Order for Downtown Loading Zone
APPROVE Traffic Control Order #19-04 as presented.

8D. Property Transfer from Fawn River Township Agreement #4
ADOPT the Resolution for Transfer of Property from Fawn River Township (Agreement #4) for 68527 Lakeview Road as presented.

8E. Cemetery Rules & Regulations
APPROVE the Cemetery Rules and Regulations as presented with removal of date limitation in section 1-14.
Voting yea: Eight Voting nay: None Absent: Littman MOTION CARRIED
Mayor Hile opened the Public Hearing for consideration of CDBG funds for Gramby’s Homestyle Restaurant, 918 W. Chicago Road.

Assistant City Manager Andrew Kuk and Vernard Roberson provided information on the project and the job creation. There was discussion amongst the City Commission.

There was no comment from the public.

Mayor Hile closed the Public Hearing.

Moved by Comm. Klinger and seconded by Comm. Dvorak to adopt the Resolution for Application for Funding Through the City of Sturgis CDBG Revolving Loan Fund Program for Gramby’s Homestyle Restaurant.

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

**RESOLUTION FOR APPLICATION FOR FUNDING THROUGH THE CITY OF STURGIS STATE OF MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REVOLVING LOAN FUND (RLF) PROGRAM FOR GRAMBY’S HOMESTYLE RESTAURANT**

**WHEREAS,** Gramby’s Homestyle Restaurant has made application through Northern Initiatives, Inc. for City of Sturgis CDBG Revolving Loan Funds in the amount of $70,000 to aid in business acquisition and working capital (payroll and inventory), and

**WHEREAS,** the project location meets zoning requirements, is consistent with the City of Sturgis Master Plan, and the project will employ at least 51% low to moderate income persons, and

**WHEREAS,** The City of Sturgis participates in the Regional RLF Model, has executed a Subrecipient Agreement with Northern Initiatives and has designated Donald Eaton, President of the Sturgis EDC and Assistant City Manager Andrew Kuk as its representatives on its Regional Funds Approval Committee, and

**WHEREAS,** the Regional Fund Approval Committee has reviewed and approved said application submitted by Gramby’s Homestyle Restaurant on 10/26/2018 and

**WHEREAS,** no project costs (CDBG and non-CDBG) will be incurred prior to the formal loan award, completion of the environmental review procedures and formal, written authorization to incur costs has been provided by your CDBG Project Manager, and

**WHEREAS,** The City of Sturgis has advertised in Sturgis Journal newspaper and has held a public informational hearing in regard to the CDBG Revolving Loan Fund application on February 13th, 2019.

**THEREFORE BE IT FURTHER RESOLVED** that the City of Sturgis acknowledges that it has held a public informational meeting on February 13th, 2019 in regard to the CDBG Revolving Loan Fund Application by Gramby’s Homestyle Restaurant in the amount of $70,000 for business acquisition and working capital for its business within the City of Sturgis, that the project will employ at least 51% low to moderate income persons and the project meets zoning requirements and is consistent with the City of Sturgis Master Plan and authorizes City Manager Michael Hughes to sign all necessary documents.
Buildings Supervisor Will Prichard provided information on the proposed zoning ordinance amendments related to recreational marihuana. Discussion followed.

Moved by Comm. Dvorak and seconded by Comm. Mullins to consider this the first reading of an amendment to the Code of Ordinances Appendix A, Zoning Ordinance, Section 1.1121 Prohibition of Recreational Marihuana Establishments.

**Voting yea: Eight, Voting nay: None, Absent: Littman**

MOTION CARRIED

City Manager Michael Hughes and the City Forester provided information on the necessary tree removal and trimming of trees at Oak Lawn Cemetery. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve a bid waiver for and the purchase of tree maintenance services at Oak Lawn Cemetery from TreeCore in an amount not-to-exceed forty-four thousand, three hundred and twenty-four dollars ($44,324.00) as presented.

**Voting yea: Eight, Voting nay: None, Absent: Littman**

MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Klinger to approve the transfer of $45,000.00 for cemetery tree clearance from the perpetual care fund as presented and approve a budget amendment for 209 Cemetery Fund, increasing the Fiscal Year 2019 budget amount for Capital Outlay to $72,500.00 and the Fiscal Year 2019 budget amount for Contribution from Endowment to $82,500.00.

**Voting yea: Eight, Voting nay: None, Absent: Littman**

MOTION CARRIED

City Manager Michael Hughes and the City Forester provided information on the necessary tree removal at Franks Park near power lines. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve a bid waiver for and the purchase of tree maintenance services at Franks Park from TreeCore in an amount not-to-exceed twenty-nine thousand, one hundred and fifty dollars ($29,150.00) as presented.

**Voting yea: Eight, Voting nay: None, Absent: Littman**

MOTION CARRIED

City Engineer Barry Cox provided details on the Task Order for the Lakeview Ave Reconstruction project. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Good to approve Task Order 80a with Fleis and VandenBrink Engineering, Inc. for construction phase services on the N. Lakeview Avenue Reconstruction project in the amount of one hundred seventy one thousand, five hundred dollars ($171,500.00) as presented.

**Voting yea: Eight, Voting nay: None, Absent: Littman**

MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Good to approve a budget of five thousand dollars ($5,000.00) for offsite material testing services.

**Voting yea: Eight, Voting nay: None, Absent: Littman**

MOTION CARRIED
Moved by Comm. Good and seconded by Comm. Dvorak to approve a contingency budget of sixty seven thousand, three hundred dollars ($67,300.00) for the N. Lakeview Avenue Reconstruction project, which equals five percent (5%) of the construction bid amount.

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

City Engineer Barry Cox provided details on the TAP Grant program related to Pleasant Ave. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Klinger to approve the Transportation Alternative Program Grant Resolution for Pleasant Avenue as presented.

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

City Clerk/Treasurer Kenneth Rhodes explained that Andy Boyd has resigned from the Employee’s Retirement Board and that Kim Bontrager has expressed a willingness to serve on the board. Discussion followed.

Moved by Comm. Good and seconded by Comm. Dvorak to accept the resignation of Andy Boyd with regret and appoint Kim Bontrager to the Employee’s Retirement Board through May 2022.

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

City Clerk/Treasurer explained that the Auditorium staff is required to pay for all alcohol deliveries C.O.D. per State law. The annual Authorized Depositories resolution has been revised to approve Auditorium staff as signers on this account. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve the Resolution of Authorized Depositories as presented.

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

Moved by Comm. Good and seconded by Comm. Klinger to approve a proclamation in support of Sturgis Hospital as presented.

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

WHEREAS, The Sturgis City Commission recognizes the importance of having a local hospital; and
WHEREAS, The Sturgis Hospital has been and continues to make all efforts to provide compassionate care to the surrounding community; and
NOW, THEREFORE, BE IT RESOLVED, The Sturgis City Commission offers its full support to the Board of Directors, the physicians, and the employees as they pursue a stronger and more prosperous future for Sturgis Hospital.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 6:30 p.m.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Littman

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

City Manager Michael Hughes and Doyle and Recreation Director Mike Liston provided details on the policies, fees, and other items related to the new Spence Softball Complex. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Pastor Doug Carr, His House Church

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Littman

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

County Comm. Ken Malone provided information on the reconstruction of Wait Road and a potential meeting.

The City Commission had consensus to meet with the County Road Commission and other interested parties on a potential solution to the Wait Road issue.

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

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

Moved by Comm. Mullins and seconded by Comm. Dvorak to approve the Consent Agenda of February 27, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the February 13, 2019 work sessions as presented.
APPROVE the minutes from the February 13, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $2,331,036.91 as presented.

8C. S. Centerville Road Resolution
APPROVE the Resolution for Improvement of M-66 (S. Centerville Road) as presented.

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

Buildings Supervisor Will Prichard provided details on the zoning ordinance amendment related to opting out of commercial recreational marihuana. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Dvorak to consider this the second reading of and approve an amendment to the Code of Ordinances Appendix A, Zoning Ordinance, Section 1.1121 Prohibition of Recreational Marihuana Establishments.

Voting yea: Eight  Voting nay: None  Absent: Littman  MOTION CARRIED
AMENDMENT TO ZONING ORDINANCE
PERTAINING TO PROHIBITION OF
RECREATIONAL MARIHUANA ESTABLISHMENTS

An Ordinance to amend Article XI of the Zoning Ordinance of the City of Sturgis pertaining to the prohibition of recreational marihuana facilities within the City 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 by adding a provision prohibiting recreational marihuana establishments within the City.

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

Article XI of the Zoning Ordinance is hereby modified by adding Section 1.1121 as follows, effective as of March 22, 2019:

1.1121. - PROHIBITION OF RECREATIONAL MARIHUANA ESTABLISHMENTS

(A) Marihuana establishments, as authorized by and defined in the Michigan Regulation and Taxation of Marihuana Act (the “Act”), are prohibited in all zoning districts, and shall not be permitted as home occupations under Section 1.0401 (B) (9) or 1.0603 (A) of the City of Sturgis Zoning Ordinance.

(B) No use that constitutes or purports to be a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter or any other type of marihuana related business authorized by the Act, that was engaged in prior to the enactment of this Ordinance, shall be deemed to have been a legally established use under the provisions of the City of Sturgis Code of Ordinances; that use shall not be entitled to claim legal nonconforming status.

(C) Violations of this section are subject to the violations and penalties pursuant to Appendix B for Nonconforming use of land and for any other violation that may exist.

(D) This section does not supersede rights and obligations with respect to the transportation of marihuana by marihuana secure transporters through the City of Sturgis to the extent provided by the Act, and does not supersede rights and the regulations under Section 1.0603 (MM) and 1.0603 (NN) of this chapter and 38.92 of Article IV of the City of Sturgis Code of Ordinances with respect to medical marihuana facilities established pursuant to the Michigan Medical Marihuana Act.

(E) Conflict and Repeal. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Buildings Supervisor Will Prichard provided details on administrative rules, zoning changes, fees, and other items related to commercial medical marihuana facilities. Discussion followed on many issues including, among others, the moratorium on processing new applications, caps on provisioning centers, and provisioning centers as a stacked license in manufacturing districts.

Moved by Comm. Good and seconded by Comm. Klinger to approve this the first reading of an amendment to the City Code of Ordinances, Chapter 38, Section 38-92 Medical Marihuana Facilities as presented with no current cap on provisioning centers

Voting yea: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Voting nay: None
Absent: Littman

MOTION CARRIED
Moved by Comm. Good and seconded by Comm. Klinger to approve the changes to the Zoning Ordinance as presented to the Planning Commission for a Public Hearing and recommendation.  
**Voting yea: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile**  
Voting nay: None  
Absent: Littman  
MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Klinger to approve a non-refundable Medical Marihuana Application Document Review Fee of $500.00 as presented.  
**Voting yea: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile**  
Voting nay: None  
Absent: Littman  
MOTION CARRIED

City Engineer Barry Cox provided information on the new sidewalk and sidewalk repair assessment rolls that are being prepared as part of the reconstruction of North Lakeview Avenue. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Good to set a Public Hearing of Necessity for the 2019 New Sidewalk Assessment District and the Sidewalk Repair Assessment District on N. Lakeview Avenue on March 27th, 2019 at 7:30 pm in the Wiesloch Raum of City Hall, 130 N. Nottawa.  
**Voting yea: Eight**  
Voting nay: None  
Absent: Littman  
MOTION CARRIED

Electric Department Superintendent John Griffith provided information on the contract for tree management services with Plant Growth Management Services. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve the service agreement with Plant Growth Management Services with an annual total service budget not-to-exceed eighty thousand dollars ($80,000.00).  
**Voting yea: Eight**  
Voting nay: None  
Absent: Littman  
MOTION CARRIED

The City Commission had consensus to hold a work session on City tree management with PGMS.

Electric Department Superintendent John Griffith provided information on the quotes related to meter testing equipment. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Dvorak to approve the purchase of the electric meter test set from Radian Research in the amount of forty-seven thousand two hundred and ninety-one dollars ($47,291.00) as presented.  
**Voting yea: Eight**  
Voting nay: None  
Absent: Littman  
MOTION CARRIED
City Manager Michael Hughes provided information on the revised Auditorium Board bylaws which include a restructuring of the Board makeup. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Dvorak to approve the amendments to the bylaws as presented.

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

Moved by Comm. Mullins and seconded by Comm. Klinger to approve the slate of Auditorium Board Member appointments as presented.

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

New Auditorium Director Sheila Bolda provided initial impressions and plans to determine ways to improve the Auditorium.

The City Commission had consensus to hold a work session for consideration on a single trash hauler.

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

Voting yea: Mullins, Bir, Wickey, Klinger, Malone, Dvorak, Good, Hile
Voting nay: None  Absent: Littman  MOTION CARRIED

Meeting recessed at 9:50 p.m.
Meeting reconvened at 10:12 p.m.

The meeting was adjourned at 10:12 p.m.

Kenneth D. Rhodes, City of Sturigis Clerk/Treasurer
Mayor Hile called the meeting to order at 6:30 p.m.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

Comm. Good expressed the desire to consider one waste hauler in the City. Issues discussed amongst the City Commission included the condition of the streets, a franchise rate, service of different haulers, local companies, and others.

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

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Pastor Doug Carr, His House Church

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

City Clerk/Treasurer Kenneth Rhodes swore in Police Officer Christian Contreras. The City Commission welcomed him to the Department.

Moved by Comm. Littman and seconded by Comm. Dvorak to approve the agenda as presented.
Voting yea: Nine  Voting nay: None  MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Mullins to approve the Consent Agenda of March 13, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the February 27, 2019 work session as presented.
APPROVE the minutes from the February 27, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $733,017.51 as presented.

8C. MDEQ Consent to Enter Private Property
APPROVE the MDEQ Part 201 Consent to Enter Private Property as presented.

8D. 2019 Cross Walk
APPROVE the 2019 Cross Walk as presented.

8E. Fawn River Township PA 425 Agreement #5 Transfer
ADOPT the Transfer of Property from Fawn River Township (Agreement #5) Resolution for 68711 Vinewood Avenue as presented.

8F. Review of Golf Cart Ordinance
APPROVE the review of the Golf Cart Ordinance at the August 14th Commission Meeting.
Voting yea: Nine  Voting nay: None  MOTION CARRIED

Buildings Supervisor Will Prichard provided details on the amendments to the ordinance related to commercial medical marihuana facilities. Discussion followed on many issues including, among others, the moratorium on processing new applications, caps on provisioning centers, and provisioning centers as a
Moved by Comm. Mullins and seconded by Comm. Good to consider this the second reading of and approve an amendment to the City Code of Ordinances, Chapter 38, Section 38-92 Medical Marihuana Facilities effective April 1, 2019 with the addition of a cap of 3 for provisioning centers in BH1, unlimited in Manufacturing, and none in all other zoning districts.

Voting yea: Mullins, Bir, Klinger, Malone, Good, Vice-Mayor Dvorak
Voting nay: Wickey, Littman, Mayor Hile

MOTION CARRIED

AMENDMENTS TO CITY ORDINANCES
PERTAINING TO THE AUTHORIZATION AND PERMITTING
OF COMMERCIAL MEDICAL MARIHUANA FACILITIES

An ordinance to amend Chapter 38-Article IV Section 38-92 of the Ordinances of the City of Sturgis to provide for the modification of operational requirements of commercial medical marihuana facilities. WHEREAS, the City Commission, has determined that it is in the best interest of the residents of the City to modify the City Ordinances to provide for the modification of operational requirements of commercial medical marihuana facilities;
NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan ordains:
Chapter 38-Article IV, Section 38-92 of the City Ordinances is hereby amended as follows effective as of April 1, 2019.

ARTICLE IV. OFFENSES AGAINST PUBLIC SAFETY

Sec. 38-92 MEDICAL MARIHUANA FACILITIES

(a) Purpose. The purpose of this Ordinance is to exercise the police regulatory powers of the City of Sturgis by licensing and regulating provisioning centers, grower facilities, safety compliance facilities, processor facilities, and secure transporter to the extent permissible under the State of Michigan and to protect the public health, safety and welfare of the residents of the City of Sturgis. It is not the purpose or intent of this Ordinance to diminish, abrogate, or restrict the protections for medical use of marihuana found in the Michigan Medical Marihuana Act or City Ordinance Sec. 38-91.

(b) Definitions. The following words and phrases shall have the following definitions when used in this Ordinance:

(1) “Application” means an Application for a Permit under this Ordinance and includes all supplemental documentation attached or required to be attached thereto; the Person filing the Application shall be known as the “Applicant.”

(2) “Application Documents” means the items required as part of an Application submitted to the City prior to them being accepted as complete as provided in section (e)(1).

(3) “Clerk” means the City of Sturgis Clerk or his/her designee.

(4) “Co-Located Facility” means more than one Provisioning Center, Processor, or Grower
(Class A, B, or C), owned by the same Licensee, located together on the same Permitted Property, but each with its own Permitted Premises, License, and Permit.

(5) “Commercial Medical Marihuana Facility” or “Facility” means one of the following:

   a. “Provisioning Center,” as that term is defined in the Medical Marihuana Facilities Licensing Act, Public Act 281 of 2016 (“MMFLA”);

   b. “Processor,” as that term is defined in the MMFLA;

   c. “Secure Transporter,” as that term is defined in the MMFLA;

   d. “Grower,” including Class A, Class B and Class C, as those terms are defined in the MMFLA;

   e. “Safety Compliance Facility,” as that term is defined in the MMFLA.

(6) “Department” means the Michigan State Department of Licensing and Regulatory Affairs or any authorized designated Michigan agency authorized to regulate, issue or administer a Michigan License for a Commercial Medical Marihuana Facility.

(7) “License” means a current and valid License for a Commercial Medical Marihuana Facility issued by the State of Michigan.

(8) “Licensee” means a Person holding a current and valid Michigan License for a Commercial Medical Marihuana Facility.

(9) “Marihuana” means that term as defined in Section 7106 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7106.

(10) “Medical Marihuana” means that term as defined in MCL 333.26423.

(11) “Paraphernalia” means drug paraphernalia as defined in section 7451 of the Michigan Public Health Code, 1978 PA 368, MCL 333.7451, that is or may be used in association with Medical Marihuana.

(12) “Patient” means a “registered qualifying patient” or a “visiting qualifying patient” as those terms are defined by MCL 333.26421, et seq.

(13) “Permit” means a current and valid Permit for a Commercial Medical Marihuana Facility issued under this Ordinance, which shall be granted to a Permit Holder only for and limited to a specific Permitted Premises and a specific Permitted Property. Said Permit shall be in addition to the Special Use Permit required to be obtained under the City Zoning Ordinance.

(14) “Permit Holder” means the Person that holds a current and valid Permit issued under this Ordinance.

(15) “Permit Slot” means an unissued permit available to be issued to an Applicant.
Permitted Premises” means the particular building, buildings, or tenant space within which the Permit Holder will be authorized to conduct the Facility’s activities pursuant to the Permit.

“Permitted Property” means the real property comprised of a lot, parcel or other designated unit of real property upon which the Permitted Premises is situated.

“Person” means a natural person, company, partnership, profit or non-profit corporation, limited liability company, or any joint venture for a common purpose.

“Premises” means the particular building, buildings, section of land, or tenant space within which a particular use is conducted.

“Public Place” means any area in which the public is invited or generally permitted in the usual course of business.

“School” means any property owned or leased by an elementary, parochial, private, or secondary school, including buildings, fields, or other property utilized by the school. Elementary, parochial, private and secondary schools are defined as in the City of Sturgis Zoning Code.

(c) Permit Required; Eligibility; General Provisions.

(1) The City hereby authorizes the operation of the following types of Commercial Medical Marihuana Facilities:

i. Growers, Class A
ii. Growers, Class B
iii. Growers, Class C
iv. Processors
v. Provisioning Centers
vi. Safety Compliance Facilities
vii. Secure Transporters
viii. Co-Located Facilities as defined in this ordinance

(2) The following number of Permits can be issued for each authorized Commercial Medical Marihuana Facility type:

i. Growers, Class A Unlimited
ii. Growers, Class B Unlimited
iii. Growers, Class C Unlimited
iv. Processors Unlimited
v. Provisioning Centers in B-H 1 Zoning District 3 Permits
vi. Provisioning Centers in M Zoning District Unlimited
vii. Provisioning Centers in all other Districts 0 Permits
viii. Safety Compliance Facilities Unlimited
ix. Secure Transporters Unlimited

(3) No person shall operate a Commercial Medical Marihuana Facility at any time or any location within the City unless a currently-effective Permit for that person at that
location has been issued under this Ordinance.

(4) Commercial Medical Marihuana Facilities shall operate only as allowed under this Ordinance.

(5) The requirements set forth in this Ordinance shall be in addition to, and not in lieu of, any other licensing or permitting requirements imposed by applicable federal, state or local laws, regulations, codes or ordinances.

(6) As specified in this Ordinance, each Applicant shall pay nonrefundable Review fees, Application fees, annual fees, renewal fees and inspection fees for Permits to the City to defray the costs incurred by the City for inspection, administration and enforcement of the local regulations regarding Commercial Medical Marihuana Facilities. The City Commission shall by resolution set the fees in an amount not to exceed any limitations imposed by Michigan law.

(7) The City has no obligation to process or approve any incomplete Application.

(8) A Permit and a Renewal Permit shall not confer any vested rights, other than those identified in section (e)(4)(ii)(a) of this ordinance, or reasonable expectation of subsequent renewal on the Applicant or Permit Holder, and shall remain valid for one year following removal of all stipulations on an issued Permit.

(9) It is the sole and exclusive responsibility of each Permit Holder or Applicant at all times during the Application period and during its operation to immediately provide the City with all material changes in any information submitted on an Application and any other changes that may materially affect any state License or its City Permit.

(10) No Permit issued under this Ordinance may be assigned or transferred to any Person unless the assignee or transferee has submitted an Application and all required fees under this Ordinance and has been granted a Permit by the City. No Permit issued under this Ordinance is transferrable to any other location except for the Permitted Premises on the Permitted Property.

(11) The original Permit issued under this Ordinance shall be prominently displayed at the Permitted Premises in a location where it can be easily viewed by the public, law enforcement and administrative authorities.

(12) Acceptance by the Permit Holder of a Permit constitutes consent by the Permit Holder and its owners, officers, managers, agents and employees for any state, federal or local law enforcement to conduct random and unannounced examinations of the Facility and all articles of property in that Facility at any time to ensure compliance with this Ordinance, any other local regulations, and with the Permit.

(13) A Permit Holder may not engage in any other Commercial Medical Marihuana Facility in the Permitted Premises or on the Permitted Property, or in its name at any other location within the City, without first obtaining a separate Permit.

(14) No Permit shall be granted or renewed for a Commercial Medical Marihuana Facility
(d) Other Laws and Ordinances. In addition to the terms of the Ordinance, any Commercial Medical Marihuana Facility shall comply with all City Ordinances, including without limitation the City Zoning Ordinance, and with all other applicable federal, state and local ordinances, laws, codes and regulations. To the extent that the terms of this Ordinance are in conflict with the terms of any other applicable federal, state or local ordinances, laws, codes or regulations, the terms of the most restrictive ordinance, law, code or regulation shall control.

(e) Application for and Renewal of Permits.

(1) Application Documents. Application Documents for a Permit for a Facility shall be submitted to the Zoning Administrator, and on or after the effective date of the ordinance shall contain the following information. Information obtained from the Applicant is exempt from public disclosure under state law. Upon receipt, review, and approval as outlined in this Ordinance of all Application Documents by City staff, the Documents will be considered a complete Application.

i. The name, address, phone number and email address of the Applicant and the proposed Commercial Medical Marihuana Facility;

ii. The names, home addresses and personal phone numbers for all owners, directors, officers and managers of the Applicant and the Commercial Medical Marihuana Facility;

iii. One (1) copy of the following:

1) Pre-approval for a Medical Marihuana Facility license by the State of Michigan.

2) For Class A, B, or C Growers or Processors, a determination from the Sturgis Electric Department of the electric system’s ability to deliver the estimated peak capacity (kW) and energy (kWh) of the Facility.

3) All documentation of the Applicant’s valid tenancy, ownership or other legal interest in the proposed Permitted Property and Permitted Premises. If the Applicant is not the owner of the proposed Permitted Property and Permitted Premises, a notarized statement from the owner of such property authorizing the use of the property for a Commercial Medical Marihuana Facility.

4) If the Applicant is a corporation, non-profit organization, limited liability company or any other entity other than a natural person, indicate its legal status, attach a copy of all company formation documents (including amendments), proof of registration with the State of Michigan, and a certificate of good standing.

5) A valid, unexpired driver’s license or state issued ID for all owners,
directors, officers and managers of the proposed Facility.

6) Evidence of a valid sales tax license for the business if such a license is required by state law or local regulations.

7) Application for Sign Permit, if any sign is proposed.

8) Non-refundable Medical Marihuana Facility Application Document Review fee.

9) Business and Operations Plan, showing in detail the Commercial Medical Marihuana Facility’s proposed plan of operation, including without limitation, the following:

   1. A description of the type of Facility proposed and the anticipated or actual number of employees.

   2. A security plan meeting the requirements of Subsection (f)(3) of this Ordinance.

   3. A description by category of all products to be sold.

   4. A list of Material Safety Data Sheets for all nutrients, pesticides, and other chemicals proposed for use in the Commercial Medical Marihuana Facility.

   5. A description and plan of all equipment and methods that will be employed to stop any impact to adjacent uses, including enforceable assurances that no odor will be detectable from outside of the Permitted Premises.

   6. A plan for the disposal of Marihuana and related byproducts that will be used at the Facility.

10) An identification of any business that is directly or indirectly involved in the growing, processing, testing, transporting or sale of Marihuana for the Facility.

11) Whether any Applicant or any of the Applicant’s Owners directors, officers or managers has ever applied for or has been granted any commercial license or certificate issued by a licensing authority in Michigan or any other jurisdiction that has been denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the application, denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each action was taken, and the reason for each action.

12) A site plan and interior floor plan of the Permitted Premises and the Permitted Property signed and sealed by a Michigan registered architect,
or professional engineer. Site plan must include distance between the Permitted Premises and all applicable buffered uses identified in Section (f)(5) of this Ordinance, unless those uses are greater than 1,500 ft. from the Permitted Premises.

13) The amount of water usage estimated for the facility, including the estimated average gallons per day and peak gallons per minute as well as estimated needs for fire suppression, if applicable.

14) Information regarding any other Commercial Medical Marihuana Facility that the Applicant or any of the Applicant’s Owners directors, officers or managers is authorized to operate in any other jurisdiction within the State, or another State, and their involvement in each Facility.

iv. Any other information reasonably requested by the City to be relevant to the processing or consideration of the Application.

(2) Review of Application Documents. All Application Documents submitted by a potential Applicant will be reviewed by City staff for completeness with the requirements of Section (e)(1) of this Ordinance before being considered a complete Application. All Application Documents will be stamped or otherwise identified by City staff at the date and time they are submitted by a potential Applicant. Application Documents will be reviewed in the order they are received.

i. City staff has ten (10) business days to review the Application Documents and determine if they are complete.

ii. Complete Application Documents will be accepted as an Application under this Ordinance and processed. A determination of a complete Application shall not prohibit the City from requiring supplemental information at any time during the Application process.

iii. If Application Documents are found to be incomplete, the prospective Applicant will be notified in writing of the deficiencies and given ten (10) business days to correct those deficiencies.

i. If the deficiencies are corrected within the ten (10) business days, the Application Documents will be considered complete and accepted as an Application under the ordinance.

ii. If deficiencies are not corrected within the ten (10) business days, the Application Documents will be returned to the prospective Applicant. If the prospective Applicant wishes to re-submit Application Documents, they must be re-submitted in their entirety with a new Application Document Review fee. This re-submission will be considered a new set of Application Documents and will be date and time stamped for processing order at the date and time they are re-submitted.

(3) Processing and Review of Applications.
An Application will be held for processing until a Permit Slot is available for the Facility type specified on the Application.

An Application will be considered for a Permit Slot in the order that its Application Documents were submitted.

When a Permit Slot is available for an Application, the Applicant will be notified and will be given five (5) business days to pay the Medical Marihuana Facility Application Fee. The Medical Marihuana Facility Application Document Review fee will be applied to the cost of the Medical Marihuana Facility Application Fee. If an Applicant does not pay the fee within the time allotted, the next Application in order will be issued the Permit Slot, and the first Application will be returned to the list of completed Applications as first in line for the next Permit Slot.

Upon payment of the Medical Marihuana Facility Application Fee by an Applicant with an Application issued a Permit Slot, the Zoning Administrator shall refer a copy of the Application to the Department Head or designated staff person of the following for their review and approval: the Police Department, the Fire Department, the Wastewater Treatment Department, the City Engineer, the Electric Department, the Building Department, the Zoning Department, and any other applicable departments.

In order for a Medical Marihuana Facility Application to be approved, all of the following conditions must be met:

1) The Applicant, including the officers, directors and managerial employees of the Applicant and any persons who hold any direct or indirect ownership interest in the Applicant, have passed a criminal background check conducted by the City of Sturgis Police Department;

2) The Wastewater Treatment Department will verify all chemicals and methods of waste removal for compliance. All processors/growers proposing to connect to or to contribute to the POTW shall obtain a wastewater discharge permit before connecting to or contributing to the POTW. Refer to City of Sturgis Utilities Code, Subdivision II. Wastewater Discharge Permits, Section 62-191.;

3) The Engineering Department will confirm that the necessary amount of water for the facility is available.

4) The Electric Department will review all provided plans to ensure conformity with their previously supplied determination on the ability to supply the proposed Facility and general site requirements.

5) The Zoning Department has confirmed that the proposed location complies with the buffer requirements, and a preliminary review of the
site plan to the Zoning Code.

6) A Special Land Use Permit application has been submitted, Permit fees have been paid, and the Special Land Use Permit has been approved by the Planning Commission.

vi. Following review by City Departments and prior to approval of a Special Land Use Permit, if deficiencies are found in the Application, the Applicant is notified in writing of the areas of deficiency and given thirty (30) days to correct those deficiencies. If the deficiencies are considered by City staff to be corrected, the Applicant’s Special Land Use Permit will be considered by the Planning Commission. If the deficiencies are not considered to be corrected within the thirty (30) day time period, the Application will be denied.

vii. All inspections, review and processing of the Application shall be completed within ninety (90) days of payment of the Medical Marihuana Facility Application Fee or within one hundred twenty (120) days if the location of the Permitted Premises is proposed to be amended from an existing permitted location. The processing time may be extended upon written notice by the City for good cause, and any failure to meet the required processing time shall not result in the automatic grant of the Permit.

viii. If all conditions of this ordinance have been met, the City Clerk shall issue the Permit to the Applicant.

a. All Permits issued have the following stipulations:

i. Issuance of License Qualification by the State of Michigan for the Permit Holder under State law and the City of Sturgis receiving a copy of that License Qualification prior to occupancy.

ii. Issuance of final occupancy of the Permitted Premises by the Community Development Department. All construction must be in accordance with applicable zoning ordinances, building codes, and any other applicable state or local laws, rules or regulations.

iii. For Processors and Class A, B, and C Growers proposing to connect to or to contribute to the POTW, a wastewater discharge permit. Refer to City of Sturgis Code of Ordinances Section 62-191.

iv. Issuance of Final Approval by the State of Michigan and the City of Sturgis receiving a copy of the Final Approval prior to the business opening.

b. A Permit Holder has one (1) year from the date of issuance to meet all
stipulations of the Permit. If all stipulations are not met in this timeframe, the Permit is revoked and considered denied. A Permit Holder may request an extension up to six months to this timeframe, which may be granted by the City Clerk.

ix. If a Permit is denied, the denial must be in writing and must state the reason(s) for denial.

a. Applications which are denied will not be refunded the Medical Marihuana Facilities Application Fee.

b. Upon denial of the Application, the Permit Slot is considered open and the next Application in line is given the Permit Slot.

c. If the Applicant of a denied Application chooses to re-submit, this re-submission will be considered a new set of Application Documents and will be date and time stamped for processing order at the date and time they are re-submitted. A new Medical Marihuana Application Fee will be required.

x. Denial of an Application may be appealed to a court of competent jurisdiction; during appeal, the Permit Slot is considered open and will be issued to the next Application in line.

(4) Renewal Application. Renewal Applications shall require City approval.

i. Renewal Applications for a Medical Marihuana Facility maintaining the location of the Permitted Premises shall be received by the Zoning Administrator not less than ninety (90) days prior to the expiration of the annual Permit. Renewal Applications for a Medical Marihuana Facility requesting a change in the location of the Permitted Premises shall be submitted and received not less than one hundred twenty (120) days prior to the expiration of the Permit.

ii. A Renewal Application must follow the same approval process as all new Applications with the exception of the following:

a. A Permit Holder that submits an application for a Renewal Permit at a previously Permitted Premises shall be deemed in compliance with the spacing requirements set forth in Section (f)(5) of this Ordinance.

b. For any information required as part of the Application process that has not changed, the Permit Holder may submit an Affidavit of No Changes in place of the information when submitting a Renewal Application. If any of the items requested in the Application process has changed, such items must be submitted as required in this Ordinance.

c. A Permit Holder, as a stipulation of a renewal Permit issued by the City, must provide proof of having submitted a license renewal application no later than 30 days after expiration of their State License. Once a renewed State license has
been granted, a copy must be provided to the City of Sturgis.

d. A renewal Permit issued by the City takes effect on the date of expiration of the original Permit issued and the Permit Holder has one year from that date until renewal is again required.

iii. A Permit Holder whose Permit expires and for which a complete Renewal Application has not been received by the expiration date shall be deemed to have forfeited the Permit under this Ordinance. They will be considered denied and their Permit Slot will be issued to the next Application in line. The City will not accept Renewal Applications after the expiration date of the Permit.

iv. A Permit Holder issued a renewal Permit by the City that is either denied a renewal license by the State of Michigan or that does not meet all stipulations within six (6) months of the renewal permit being issued will have their Permit revoked and considered denied. Their Permit Slot will be issued to the next Application in line.

(5) Changes to Application or Permit.

i. If at any time before or after a Permit is issued pursuant to this Ordinance, any information required in the Permit Application, the MMFLA, or any rule of regulation promulgated thereunder, changes in any way from that which is stated in the Application, the Applicant or Permit Holder shall supplement such information in writing with ten (10) days from the date upon which such change occurs.

a. Changes to a new application will be considered a minor or major change as determined by the Zoning Administrator.

   i. Minor changes include a change to ownership or manager(s), additional MSDS pages being provided, updating power, water or waste water calculations or other similar information. Minor changes will be accepted as part of the Application.

   ii. Major changes include changing the location of the facility whether it be to a different site or changing the size of any new buildings, or other similar changes. A major change will result in the Application being returned to the Applicant. If the applicant wishes to re-submit, the re-submission will be considered a new set of Application Documents and will be date and time stamped for processing order at the date and time they are re-submitted. Any fees will not be waived.

   ii. An Applicant or Permit Holder has a duty to notify the City in writing of any pending criminal charge, and any criminal conviction of a felony or other offense involving a crime of moral turpitude by the Applicant, any owner, principal officer, director, manager, or employee within ten (10) days of the event.
iii. An Applicant or Permit Holder has a duty to notify the City in writing of any pending criminal charge, and any criminal conviction, whether a felony, misdemeanor, petty offense, or any violation of a local law related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marihuana, the MMMA, the MMFLA, any building, fire, health or zoning statute, code or ordinance related to the cultivation, processing, manufacture, storage, sale, distribution, testing or consumption of any form of marihuana by the Applicant, any owner, principal officer, director, manager, or employee within (10) ten days of the event.

(6) Expiration of Application. If an Application has been held waiting for a permit slot for one (1) year, the City will contact the Applicant and request in writing confirmation that the Application is accurate and that the Application should be kept on file. If the Applicant asks the Application to be removed, or if confirmation in writing is not received in ten (10) business days, the Application will be removed from the list of Applications and a letter sent to the Applicant. If the Applicant wishes to re-submit after this point, this re-submission will be considered a new set of Application Documents and will be date and time stamped for processing order at the date and time they are re-submitted. A new Medical Marihuana Application Fee will be required.

(f) Operational Requirements – Commercial Medical Marihuana Facilities. A Commercial Medical Marihuana Facility issued a Permit under this Ordinance and operating in the City shall at all times comply with the following operational requirements, which the City may review and amend from time to time as it determines reasonable.

(1) Scope of Operation. Commercial Medical Marihuana Facilities shall comply with all respective applicable codes of the local zoning, building, and health departments. The Facility must hold a valid local Permit and State Commercial Medical Marihuana Facility License for the type of Commercial Medical Marihuana Facility intended to be carried out on the Permitted Property. The Facility operator, owner or Licensee must have documentation available that local and State sales tax requirements, including holding any licenses, if applicable, are satisfied.

(2) Required Documentation. Each Commercial Medical Marihuana Facility shall be operated from the Permitted Premises on the Permitted Property. No Commercial Medical Marihuana Facility shall be permitted to operate from a moveable, mobile or transitory location, except for a Permitted and Licensed Secure Transporter when engaged in the lawful transport of Marihuana. No person under the age of eighteen (18) shall be allowed to enter into the Permitted Premises without a parent or legal guardian.

(3) Security. Permit Holders shall at all times maintain a security system that meets State law requirements, and in addition shall also include the following:

i. Robbery and burglary alarm systems which are professionally monitored and operated twenty-four (24) hours a day, seven (7) days a week and which will contact local law enforcement if triggered;

ii. A locking safe permanently affixed to the Permitted Premises that shall store all Marihuana and cash remaining in the Facility overnight;
iii. All Marihuana in whatever form stored at the Permitted Premises shall be kept in a secure manner and shall not be visible from outside the Permitted Premises, nor shall it be grown, processed, exchanged, displayed or dispensed outside the Permitted Premises; and

iv. All security recordings and documentations shall be preserved for at least thirty (30) days by the Permit Holder and made available to any law enforcement upon request for inspection.

(4) *Operating Hours.* No Provisioning Center shall operate between the hours of 8:00 p.m. and 8:00 a.m.

(5) *Required Spacing.* The following spacing requirements for Medical Marihuana Facilities are present:

i. No Commercial Medical Marihuana Facility shall be located within one thousand (1,000) feet from any school.

ii. No Provisioning Center shall be located within two hundred and fifty (250) feet from any of the following:

1. Public Park.
2. Church or house of worship.
3. City of Sturgis property zoned R-1, R-2, R-3, R-4, or R-5.
4. Burr Oak Township property zoned R1, R2, or R3.
5. Fawn River Township property zoned R1, R2, RMH, or RL.
6. Sherman Township property zoned RR, RP, MDR, WR, or MHC.
7. Sturgis Township property zoned R1, R2, R3, or MHP.
8. City dwelling units (as defined in the City of Sturgis Zoning Code) in a zoning district other than listed in (5) ii. 3).
9. Township dwelling units (as defined in the City of Sturgis Zoning Code) in a zoning district other than listed in (5) ii. 4) through 7).

iii. The distances provided in this section shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the Permitted Premises at which the proposed Medical Marihuana Facility is to be located to the nearest point of one of the following:

1. The lot line of the separated use, when:
   1. A school, public park, church, or house of worship is the only use on the parcel.
   2. A parcel is zoned in one of the districts listed in sections (5) ii. 3) through 7).

2. The premises of the separated use, when:
   1. A school, public park, church, or house of worship is one of multiple uses on the parcel.
   2. Measuring from (5) ii. 8) or 9).

(6) *Amount of Marihuana.* The amount of Marihuana on the Permitted Property and under the control of the Permit Holder, owner or operator of the Facility shall not exceed that amount permitted by the state License or the City’s Permit.
(7) **Sale of Marihuana.** The Marihuana offered for sale and distribution must be packaged and labeled in accordance with state law. The Facility is prohibited from selling, soliciting or receiving orders for Marihuana or Marihuana Products over the internet.

(8) **Sign Restrictions.** No pictures, photographs, drawings or other depictions of Marihuana or Marihuana Paraphernalia shall appear on the outside of any Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property. The words “Marihuana,” “Marijuana,” “cannabis” and any other words used or intended to convey the presence or availability of Marihuana shall not appear on the outside of the Permitted Premises nor be visible outside of the Permitted Premises on the Permitted Property.

(9) **Use of Marihuana.** The sale, consumption or use of alcohol or tobacco products on the Permitted Premises is prohibited. Smoking or consumption of controlled substances, including Marihuana, on the Permitted Premises is prohibited.

(10) **Indoor Operation.** All activities of Commercial Medical Marihuana Facilities, including without limitation, distribution, growth, cultivation, or the sale of Marihuana, and all other related activity permitted under the Permit Holder’s License or Permit must occur indoors. The Facility’s operation and design shall minimize any impact to adjacent uses, including the control of any odor by maintaining and operating an air filtration system so that no odor is detectable outside the Permitted Premises.

(11) **Unpermitted Growing.** A Patient or Licensed Caregiver may not grow his or her own Marihuana at a Commercial Medical Marihuana Facility.

(12) **Distribution.** No person operating a Facility shall provide or otherwise make available Marihuana to any person who is not legally authorized to receive Marihuana under state law.

(13) **Permits.** All necessary building, electrical, plumbing, and mechanical permits must be obtained for any part of the Permitted Premises in which electrical, wiring, lighting or watering devices that support the cultivation, growing, harvesting or testing of Marihuana are located.

(14) **Waste Disposal.** The permit holder, owner and operator of the Facility shall use lawful methods in controlling waste or by-products from any activities allowed under the License or Permit. All waste or by-products stored must be contained in a dumpster that is locked or located within a locked enclosure.

(15) **Transportation.** Marihuana may be transported by a Secure Transporter within the City under this Ordinance, and to effectuate its purpose, only:

   i. By Persons who are otherwise authorized by state law to possess Marihuana for medical purposes;

   ii. In a manner consistent with all applicable state laws and rules, as amended; and

   iii. In a secure manner designed to prevent the loss of Marihuana.

No vehicle used for the transportation or delivery of Marihuana under this Ordinance shall have for
markings the words “Marihuana”, “Marijuana” or “cannabis” or any similar words; pictures or other renderings of the Marihuana plant; advertisements for Marihuana or for its sale, transfer, cultivation, delivery, transportation or manufacture, or any other word, phrase or symbol indicating or tending to indicate that the vehicle is transporting Marihuana.

No vehicle may be used for the ongoing or continuous storage of Marihuana, but may only be used incidental to, and in furtherance of, the transportation of Marihuana.

(16) Additional Conditions. The City may impose such reasonable Terms and Conditions on a Commercial Medical Marihuana Facility special use as may be necessary to protect the public health, safety and welfare, and to obtain compliance with the requirements of this Ordinance and applicable law.

(g) Penalties and Consequences for Violation. In addition to any other penalties or legal consequences provided under applicable federal, state and local law, regulations, codes and ordinances:

(1) Violations of the provisions of this Ordinance or failure to comply with any of the requirements of this Ordinance shall constitute a misdemeanor. Any person who violates this Ordinance or fails to comply with any of the requirements of this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined no more than five hundred and 00/100 ($500.00) dollars, or imprisoned for not more than ninety (90) days, or both, and, in addition, shall pay all costs and expenses involved. Each day such violation continues shall be considered a separate offense.

(2) Violations of the provisions of this Ordinance or failure to comply with any of the requirements of this Ordinance shall constitute a civil infraction. The fine for any civil infraction shall be five thousand dollars ($5,000.00) plus courts costs, attorney fees and abatement costs of each violation, together with all other remedies pursuant to MCL 600.8701, et seq. Each day a violation continues shall be deemed a separate civil infraction.

(3) The owner of record or tenant of any building, structure or premises, or part thereof, and any architect, builder, contractor, agent or person who commits, participates in, assists in or maintains such violation may each be found guilty or responsible of a separate offense and suffer the penalties and forfeitures provided in subsections (1) and (2) of this section, except as excluded from responsibility by state law.

(4) In addition to any other remedies, the City may institute proceedings for injunction, mandamus, abatement or other appropriate remedies to prevent, enjoin, abate or remove any violations of this Ordinance. The rights and remedies provided herein are both civil and criminal in nature. The imposition of any fine, jail sentence or forfeiture shall not exempt the violator from compliance with the provisions of this Ordinance.

(h) Severability. The provisions of this Ordinance are hereby declared severable. If any part of this Ordinance is declared invalid for any reason by a court of competent jurisdiction, that declaration does not affect or impair the validity of all other provisions that are not subject to that declaration.
Moved by Comm. Good and seconded by Comm. Mullins refer the changes to the Zoning Ordinance as presented to the Planning Commission for a Public Hearing and recommendation.

**Voting yea: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile**

**Voting nay: Littman**

**MOTION CARRIED**

Doyle and Recreation Director Mike Liston provided information on the rates at the new Spence Softball Complex. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Bir to approve the proposed Softball Complex rates as presented.

**Voting yea: Nine**

**Voting nay: None**

**MOTION CARRIED**

Electric Department Superintendent John Griffith provided information on proposed upgrades at the industrial park substation. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Good to approve the Professional Services Agreement with PKM Consulting in the amount of one hundred nine thousand, nine hundred and eighty-six dollars ($109,986.00) as presented.

**Voting yea: Nine**

**Voting nay: None**

**MOTION CARRIED**

Electric Department Superintendent John Griffith provided information on the terrace, park, and cemetery tree maintenance program. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve the 2019 terrace, park, and cemetery maintenance program with Asplundh Tree Expert Company in the amount of one hundred and twenty thousand dollars ($120,000.00) as presented.

**Voting yea: Nine**

**Voting nay: None**

**MOTION CARRIED**

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

Moved by Comm. Klinger and seconded by Comm. Mullins to approve the Budget Amendments for Fiscal Year 2018-2019 as presented.

**Voting yea: Nine**

**Voting nay: None**

**MOTION CARRIED**
City Clerk/Treasurer Kenneth Rhodes provided information on the applicants for the vacancy on the Planning Commission. Discussion followed.

Comm. Bir nominated Rick Mahler.  
Comm. Good nominated Charles Huber.

Voting for Rick Mahler: Mullins, Bir, Wickey, Malone, Littman, Dvorak, Hile  
Voting for Charles Huber: Good, Klinger

Rick Mahler was appointed to the Sturgis Planning Commission through May 2020.

City Clerk/Treasurer Kenneth Rhodes provided information on the amendment to the City’s Investment Policy adding language, based on the State statute, allowing a percentage of the Cemetery Endowment Fund to be invested in equities. Discussion followed.

Moved by Comm. Dvorak and seconded by Comm. Klinger to adopt the City of Sturgis Investment Policy as presented.  
Voting yea: Nine                                      Voting nay: None                                      MOTION CARRIED

Assistant City Manager Andrew Kuk explained that in order to meet the requirements of the RLF for Gramby’s CDBG loan application, the State requires the City to have a Community Development plan. Discussion followed.

Moved by Good and seconded by Littman to approve the City of Sturgis Community Development Plan as presented.  
Voting yea: Nine                                      Voting nay: None                                      MOTION CARRIED

The meeting was adjourned at 9:00 p.m.  
Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 6:00 p.m.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

City Manager Michael Hughes provided information on the history of an alternate truck route that would direct through traffic north of downtown.

John Lindsey, Managing Director of the St. Joseph County Road Commission, explained that he appreciated the idea of an alternate truck route but does not know how it would be paid for. He also provided information on the current proposal for the reconstruction of Wait Road.

There was discussion about working together for a solution, alternate routes, traffic accidents, and the costs related to certain projects.

Bruce Bart, Sherman Township resident, provided views on the problems with the decision to upgrade Wait Road to an all season road.

Amy Frost provided information from the group against the expansion of Wait Road and asked many questions regarding the project.

Rod Chupp provided information on the activities of the Road Commission.

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

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

Mayor Hile read the following Proclamation:

**WHEREAS**, athletic trainers have a long history of providing quality health care for athletes and those engaged in physical activity based on specific tasks, knowledge and skills acquired through their nationally regulated educational processes; and

**WHEREAS**, athletic trainers provide:
• Prevention of injuries
• Recognition, evaluation and aggressive treatment
• Rehabilitation
• Health care administration
• Education and guidance
• Compassionate care for all; and

**WHEREAS**, the National Athletic Trainers' Association represents and supports 44,000 members of the athletic training profession employed in many settings including:
• Professional sports
• Colleges and universities
• High schools
• Clinics and hospitals
• Corporate and industrial settings
• Performing arts
• Military branches; and

**WHEREAS**, leading organizations concerned with athletic training and health care have joined together in a common desire to raise public awareness of the importance of the athletic training profession and to emphasize the importance of quality health care within the aforementioned settings; and

**WHEREAS**, such an effort will improve health care for athletes and those engaged in physical activity and promote athletic trainers as health professionals;

**NOW THEREFORE BE IT RESOLVED**, as Mayor of the City of Sturgis I do hereby proclaim the month of March as National Athletic Training Month in the City of Sturgis and I urge all citizens of Sturgis to learn more about the importance of athletic training.
Moved by Comm. Littman and seconded by Comm. Dvorak to approve the agenda as presented.  
Voting yea: Nine  
Voting nay: None  
MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Mullins to approve the Consent Agenda of March 27, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the March 13, 2019 work session as presented.
APPROVE the minutes from the March 13, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $2,695,103.08 as presented.  
Voting yea: Nine  
Voting nay: None  
MOTION CARRIED

Mayor Hile opened the Public Hearing for the 2019 Sidewalk Assessment District.

City Engineer Barry Cox and Clerk/Treasurer Kenneth Rhodes provided details on the sidewalk program and special assessments

Sandra Strong, 309 N. Lakeview, inquired about the requirement to fix the sidewalk in front of her house and spoke of a water line repair that may have cause damage.

Mayor Hile closed the Public Hearing

Moved by Comm. Good and seconded by Comm. Bir to approve the 2019 New Sidewalk Assessment District on N. Lakeview Avenue as presented.  
Voting yea: Nine  
Voting nay: None  
MOTION CARRIED

Moved by Comm. and seconded by Comm. to approve the Sidewalk Repair Assessment District on N. Lakeview Avenue as presented.  
Voting yea: Nine  
Voting nay: None  
MOTION CARRIED

Buildings Supervisor Will Prichard provided information the Zoning Ordinance changes referred to the Planning Commission related to medical marihuana. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve this the first reading of an amendment to the City Code of Ordinances, Appendix A – Zoning, Sections 1.0406, 1.0407, and 1.0409 related to the removal of Provisioning Centers as a special land use in the BOS, B-C, and B-H 2 zoning districts.

Voting yea: Nine  
Voting nay: None  
MOTION CARRIED
Electric Department Superintendent John Griffith provided information on PA 365 which provides for the regulation of wireless infrastructure providers and wireless service providers. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Littman to approve the Standard Pole Attachment License Agreement, Wireless Addendum, and Permit Form templates as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

City Engineer Barry Cox provided information regarding the warranty program required by MDOT for certain paving projects. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Good to adopt the Resolution to Adopt a Local Pavement Warranty Program as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Good to adopt the Resolution to Implement a Local Pavement Warranty Program as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

City Engineer Barry Cox provided information on the bids related to storm sewer cleaning. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Dvorak to approve the bid from B&B Environmental Services, LLC for the 2019 Storm Sewer Cleaning and Televising project in the amount of one hundred thirty-three thousand eight hundred ninety dollars ($133,890.00) and authorize City Manager Michael Hughes to sign all necessary documents.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Mullins to approve a contingency budget of thirteen thousand three hundred and eighty-nine dollars ($13,389.00) for the 2019 Storm Sewer Cleaning and Televising project, as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

The meeting was adjourned at 8:49 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Pastor Luke Eicher, Grace Christian Fellowship

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

Also present: City Attorney, City Manager, Buildings Supervisor, Facilities Manager, Director of Public Safety, City Controller, City Clerk

Mayor Hile read the following Proclamation:

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and;
WHEREAS, this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and;
WHEREAS, Arbor Day is now observed throughout the nation and the world, and;
WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife, and;
WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and;
WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and;
WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal.
NOW THEREFORE BE IT RESOLVED, as Mayor of the City of Sturgis I do hereby proclaim April 26th 2019, 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.

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

Voting yea: Nine Voting nay: None MOTION CARRIED
Moved by Comm. Littman and seconded by Comm. Mullins to approve the Consent Agenda of April 10, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the March 27, 2019 work session as presented.
APPROVE the minutes from the March 27, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $710,994.96.

8C. Sounds of Spring Event Request
APPROVE the request for closure of Pleasant St. from 2:00 p.m. until 10:00 p.m. on Friday April 26th for Sounds of Spring.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Buildings Supervisor Will Prichard provided information the Zoning Ordinance changes referred to the Planning Commission related to medical marijuana. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to consider this the second reading of and approve an amendment to the City Code of Ordinances, Appendix A – Zoning, Sections 1.0406, 1.0407, and 1.0409 related to the removal of Provisioning Centers as a special land use in the BOS, B-C, and B-H 2 zoning districts effective April 10th.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

AMENDMENT TO ZONING ORDINANCE
PERTAINING TO ELIMINATION OF SPECIAL LAND USE FOR PROVISIONING CENTERS IN BUSINESS DISTRICTS

An Ordinance to amend Appendix A-Zoning of the Ordinances of the City of Sturgis pertaining to elimination of Provisioning Centers as a special land use 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 elimination of Provisioning Centers as a special land use in certain zoning districts.

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

Appendix A-Zoning of the Ordinances of the City is hereby modified as follows, effective as of April 10, 2019:

1.0406. - B-OS business office service.
(C) Special land uses. The following special land uses are permitted in the B-OS district, under the conditions of article VI [of this zoning ordinance].
   (6) “Provisioning Centers” as defined in Article IV Section 38-92(b).

1.0407. - B-C central business district.
(C) Special land uses. The following special land uses are permitted in the BC district under the conditions of article VI [of this zoning ordinance].
   (8) “Provisioning Centers” as defined in Article IV Section 38-92(b).

1.0409. - B-H 2 business highway 2.
(C) Special land uses. The following special land uses are permitted in the B-H 1 district under the conditions of article VI [of this zoning ordinance].
   (12) “Provisioning Centers” as defined in Article IV Section 38-92(b).
Facilities Manager Dan Root provided information on a replacement for the Sturgis Memorial Gardens sign. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Good to approve use of the Cemetery Perpetual Care fund for purchase and installation of a new sign at Sturgis Memorial Gardens.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Facilities Manager Dan Root provided information on the bids received for custodial services at the Police Department. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Malone to approve a two year contract with Enviro-Clean Services for custodial services at the Police Department in the total amount of thirty-four thousand, one hundred and thirty-seven dollars and sixty cents ($34,137.60) as presented.

Voting yea: Eight  Voting nay: Good  MOTION CARRIED

Public Safety Director Geoff Smith provided information on a potential vehicle donation to the County Special Response Team. Discussion followed.

Moved by Comm. Wickey and seconded by Comm. Klinger to approve the donation of the 2006 Ford Econoline panel van to the St. Joseph County Sheriff’s Department Special Response Team as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Assistant City Manager Andrew Kuk provided details on the plans for the Bourbon, Bacon, and Blues event in May. Discussion followed.

Moved by Comm. Good and seconded by Comm. Bir to approve the requests for Bourbon, Bacon, and Blues 2019 as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

City Controller Holly Keyser provided details on the newly adopted Michigan Paid Medical Leave Act (MPMLA) which requires employers to provide paid medical leave to eligible employees that are not already provided leave by the City. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Bir to approve amending the Employee Handbook to add Section 308 related to the Michigan Paid Medical Leave Act as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED
Assistant City Manager Andrew Kuk provided information on a survey related to a Single Trash Hauler issue. Discussion followed.

Comm. Good and seconded by Comm. Littman to discontinue any consideration of a single trash hauler and allowing citizens to continue to make choices and not save money on trash services.

**Voting yea: Seven**  
**Voting nay: Dvorak, Mullins**  
**MOTION CARRIED**

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

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Pastor Doug Carr, His House Four Square Church

Commissioners present: Mullins, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Bir

Also present: City Attorney, City Manager, Buildings Supervisor, City Engineer, Doyle and Recreation Director, Electric Department Superintendent, City Controller, City Clerk

Sturgis Schools Superintendent Dr. Art Ebert provided information regarding the Sturgis Public School District Sinking Fund Millage Proposal. Discussion followed.

Moved by Comm. Littman and seconded by Comm. Dvorak to approve the agenda as presented.
Voting yea: Eight               Voting nay: None             Absent: Bir               MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Mullins to approve the Consent Agenda of April 24, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the April 10, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $2,254,291.59.

8C. 2019 Airport Fly-In
APPROVE the requests for the 2019 Airport Fly-In as presented and APPROVE the airport fuel discount as presented.

8D. Wall School Cinco de Mayo Request
APPROVE the closure of E. Lafayette St. May 3rd, 2019 and use of barricades for the Wall School Cinco de Mayo event.

8E. 2019 Memorial Day Parade
APPROVE the requests for the 2019 Memorial Day Parade and activities as presented.
Voting yea: Eight               Voting nay: None             Absent: Bir               MOTION CARRIED
Buildings Supervisor Will Prichard provided details on the proposed rezoning of parcels on North Nottawa Street. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Dvorak to consider this the first reading of an amendment to the Zoning Code, Article III pertaining to the zoning map as presented.

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

Buildings Supervisor Will Prichard provided details on proposed amendments to the Zoning Ordinance related to the Special Land Uses for Commercial Medical Marihuana Facilities and Provisioning Centers. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Klinger to consider this the first reading of an amendment to the City of Sturgis Zoning Ordinance Section 1.0603 (MM) and 1.0603 (NN) as presented.

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

Monica Smith, Executive Director of the Sturgis Neighborhood Program, provided information on the Neighbor2Neighbor Paint Program which involves a partnership between SNP, the City of Sturgis, and Habitat for Humanity of St. Joseph County to address and assist City residents with paint maintenance of their home. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Dvorak to approve the Neighbor2Neighbor Paint Program as presented.

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

Moved by Comm. Klinger and seconded by Comm. Dvorak to approve the transfer of five thousand dollars ($5,000.00) from the General Fund to the Housing Fund.

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

City Engineer Barry Cox provided information on the transfer of property on the south side of the City owned by Omnisource. Discussion followed.

Moved by Comm. Dvorak and seconded by Comm. Klinger to approve the Agreement to Transfer and Combine Real Estate as presented and authorize City Manager to sign all necessary documents.

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

Moved by Comm. Dvorak and seconded by Comm. Klinger to adopt the resolution transferring the property identified on Exhibit B from Sturgis Township into the City as presented.

Voting yea: Eight  Voting nay: None  Absent: Bir  MOTION CARRIED
Electric Department Superintendent John Griffith provided information on bids received related to infrastructure upgrades in the industrial park. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Littman to approve the bid for Underground Primary Cable from Power Line Supply in the amount of one hundred and sixteen thousand, one hundred and thirty-six dollars ($116,136.00), approve the bid for circuit breakers from WESCO in the amount of one hundred and six thousand, two hundred ninety dollars ($106,290.00), approve the bid for Motor Operated Isolation Switches from Irby Company in the amount of sixty-six thousand, eight hundred forty-four dollars ($66,844.00), and approve the bid for control panels from EP² in the amount of seventy-eight thousand, four hundred twenty-seven dollars ($78,427.00).

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

Sturgis Area Chamber of Commerce Executive Director and Assistant City Manager Andrew Kuk provided details on this year’s Sturgis Fest activities. Discussion followed.

Moved by Comm. Malone and seconded by Comm. Mullins to approve the requests for Sturgis Fest 2019 as presented.

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

Doyle and Recreation Director Mike Liston provided information on a request to utilize the new softball facility and potentially dedicate a memorial at the facility. Discussion followed.

The City Commission had consensus to direct City Staff to develop a policy related to memorials in City parks and facilities.

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

Voting yea: Mullins, Wickey, Klinger, Malone, Littman, Good, Dvorak, Hile
Voting nay: None               Absent: Bir               MOTION CARRIED

Meeting recessed at 9:08 p.m.
Meeting reconvened at 9:50 p.m.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 6:30 p.m.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Littman

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

Electric Department Superintendent John Griffith and Josh Mann, COO Plant Growth Management, provided a history of forestry management in the City, the types of work that is performed, how the contracts are managed and other related issues. Discussion followed.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Reverend Evelio Ramirez, Holy Angels Church

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Littman

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

Joe Verlin of NormanPaulsen presented the audit report of the City’s financial performance for the period ending September 30, 2018.

Sturgis Historical Society Director Jenifer Blouin Policelli and President Mike Mort provided information on their activities and the upcoming Dogtown movie.

Moved by Comm. Mullins and seconded by Comm. Dvorak to approve the agenda as presented.
Voting yea: Eight            Voting nay: None            Absent: Littman           MOTION CARRIED

Moved by Comm. Mullins and seconded by Comm. Dvorak to approve the Consent Agenda of May 8, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the April 24, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $913,673.83 as presented.

8C. 2019 Fireworks
AUTHORIZE Deputy Fire Chief Andrew Strudwick or his designated representative to complete all necessary permit reviews and SIGN all necessary documents for a community fireworks display. 
APPROVE closure of West Lafayette and temporary no parking on North Centerville as presented.
Voting yea: Eight            Voting nay: None            Absent: Littman           MOTION CARRIED

Buildings Supervisor Will Prichard provided information on the proposed zoning map changes presented at the previous meeting. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Dvorak to consider this the second reading of and approve an amendment to the Zoning Code, Article III pertaining to the zoning map effective May 15, 2019.
Voting yea: Eight            Voting nay: None            Absent: Littman           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 properties as set forth below.

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 May 15, 2019.

Group A: The properties in Group A are currently zoned Business Highway 1 (B-H 1) zoning district and are changed to be zoned Business Highway 2 (B-H 2) zoning district.
1344 N. Nottawa (75-052-777-300-00)
1291 N. Nottawa (75-052-777-507-00)
1249 N. Nottawa (75-052-777-525-00)
1263 N. Nottawa (75-052-777-525-00)
1227 N. Nottawa (75-052-777-508-00)
1207 N. Nottawa (75-052-777-506-00)
1159 N. Nottawa (75-052-777-509-00)
1125 N. Nottawa (75-052-373-002-00)

Group B: The properties in Group B are currently split zoned Business Highway 1 (B-H 1) and Residential 4 (R-4) zoning districts and are changed to be zoned Residential 4 (R-4) zoning district.
155 Memorial (75-052-777-300-10)
245 Memorial (75-052-777-300-20)

Group C: The properties in Group C are currently split zoned Residential 3 (R-3) and Residential 4 (R-4) zoning districts and are changed to be Residential 4 (R-4) zoning district.
1103 Merryview (75-052-490-120-00)
1150 N. Nottawa (75-052-777-001-05)

Group D: The property in Group D is currently split zoned Business Highway 1 (B-H 1) and Residential 4 (R-4) zoning districts and is changed to be Business Highway 2 (B-H 2) zoning district.
1189 N. Nottawa (75-052-777-501-00)

Group E: The properties in Group E are currently split zoned Business Highway 1 (B-H 1) and Residential 2 (R-2) zoning districts and are changed to be Business Highway 2 (B-H 2) zoning district.
1031 N. Nottawa (75-052-373-004-00)
200 Timothy (75-052-777-509-10)

Group F: The property in Group F is currently zoned Residential 2 (R-2) zoning district and is changed to be Business Highway 2 (B-H 2) zoning district.
106 Timothy (75-052-777-010-10)
Buildings Supervisor Will Prichard provided information on proposed amendments to the Zoning Ordinance related to the Special Land Uses for Commercial Medical Marihuana Facilities and Provisioning Centers presented at the previous meeting. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Good to consider this the second reading of and approve an amendment to the City of Sturgis Zoning Ordinance Section 1.0603 (MM) and 1.0603 (NN) effective May 15, 2019.

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

AMENDMENT TO ZONING ORDINANCE
PERTAINING TO SPECIAL LAND USE DESIGNATION OF COMMERCIAL MEDICAL MARIHUANA FACILITIES AND PROVISIONING CENTERS

An Ordinance to amend Appendix A-Zoning of the Ordinances of the City of Sturgis pertaining to designation of Commercial Medical Marihuana Facilities and Provisioning Centers as special land uses 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 designation of Commercial Medical Marihuana Facilities and Provisioning Centers as special land uses.

NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan ordains:
Appendix A-Zoning of the Ordinances of the City is hereby modified as follows, effective as of May 15, 2019:

1.0603 Special land use designated.

... (MM) Commercial Medical Marihuana Facilities. Commercial Marihuana Facilities as otherwise contemplated by the City of Sturgis Code of Ordinances may be permitted if the conditions set forth in Section 38-92 are met. (NN) Provisioning Centers. Provisioning Centers as otherwise contemplated by the City of Sturgis Code of Ordinances may be permitted if the conditions set forth in Section 38-92 are met.

City Manager Michael Hughes provided information on the available County tax foreclosed properties available for acquisition by the City. Discussion followed.

City Manager Michael Hughes provided information on a Styrofoam recycling event. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve the Polystyrene Foam Collection Agreement with Dart Care as presented.

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

Moved by Comm. Dvorak and seconded by Comm. Good to recess the City Commission meeting.

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

The meeting was recessed at 8:55 p.m.
President Hughes called the Sturgis Housing Development Corporation meeting to order at 8:55 p.m.

Assistant City Manager Andrew Kuk provided information on the lease bidding document for 211 N. Nottawa, which is adjacent to the Sturges-Young Auditorium. Discussion followed.

Moved by Dir. Bir and seconded by Dir. Klinger to approve the bidding documents for the lease of 211 N. Nottawa St. as amended to include a parking stipulation.

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

There was discussion about housing in Sturgis.

The S.H.D.C. meeting was adjourned at 9:02 p.m.

The City Commission reconvened at 9:02 p.m.

The meeting was adjourned at 9:13 p.m.

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Commissioner Justin Wickey

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

City Engineer Barry Cox provided information on Hot Asphalt Recycling. Discussion followed.

The City Commission had consensus for City Staff to move forward with the issuance of bidding documents for hot asphalt recycling.

Moved by Comm. Littman and seconded by Comm. Mullins to approve the agenda as presented.
Voting yea: Nine Voting nay: None MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Klinger to approve the Consent Agenda of May 22, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the May 8, 2019 work session as presented.
APPROVE the minutes from the May 8, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $2,464,765.00 as presented.

8C. 2019 Dave Locey Memorial Youth Triathlon
APPROVE the requests for the 2019 Dave Locey Memorial Youth Triathlon as presented.

8D. Amended Request for Sturgis Fest
APPROVE the amended request for Sturgis Fest as presented.

8E. Amended Request for Bourbon, Bacon & Blues
APPROVE the amended request for Bourbon, Bacon & Blues as presented.

8F. Traffic Control #19-05
APPROVE Traffic Control Order #19-05 pertaining to “Yield” signage at the corner of Clark Street and Wade Road.

8G. Traffic Control #19-06
APPROVE Traffic Control Order #19-06 pertaining to “No Parking” signage on N. Franks adjacent to Spence Softball Complex.
8H. Sturgis Township PA 425 Property Transfer Request
ADOPT the resolution transferring the property identified on Exhibit A, parcel number 75-015-012-068-01, from Sturgis Township into the City as presented.
Voting yea: Nine Voting nay: None MOTION CARRIED

City Manager Michael Hughes provided information on the tax foreclosed property available from the County. He explained that the County Treasurer was open to working with the City on demolition of four of the five available houses. The City would then purchase the remaining property for rehabilitation and sale to a new owner. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to purchase 405 Wenzel from the St. Joseph County Treasurer in the amount of $5,222.74 plus any miscellaneous charges.
Voting yea: Eight Voting nay: Dvorak MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Klinger to approve City Staff work with the St. Joseph County Treasurer on an agreement for demolition of 410 W. West, 403 W. Congress, 206 Washington, and 403 Mechanic.
Voting yea: Nine Voting nay: Dvorak MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Klinger to approve a budget amendment to transfer an additional twenty-five thousand dollars ($25,000.00) from the General Fund to the Housing Fund.
Voting yea: Nine Voting nay: Dvorak MOTION CARRIED

Electric Department Superintendent provided details on a purchase power agreement with Prism Power for a proposed solar farm to be constructed on South Centerville Road. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Dvorak to approve the Purchase Power Agreement and Interconnection and Operating Agreement with Prism Power Partners and authorize City Manager Michael Hughes to sign the agreements contingent upon final legal review.
Voting yea: Nine Voting nay: None MOTION CARRIED

City Controller Holly Keyser and representatives of Creative Dining provided information on an agreement to manage the food service operation for the Sturges-Young Auditorium. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Good to approve the Creative Dining Contract Proposal as presented and authorize the City Controller to sign all documents contingent on final legal review.
Voting yea: Nine Voting nay: None MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Good to approve a budget amendment to transfer an additional ten thousand dollars ($10,000.00) from the General Fund to the Auditorium Fund.
Voting yea: Nine Voting nay: None MOTION CARRIED
Assistant City Manager Andrew Kuk provided information on work that will be done at the airport and the related contracts. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Bir to approve contract FM 78-01-C32 with the Michigan Department of Transportation for the Taxi lane Rehabilitation Project as presented with a total City matching cost of one hundred and twenty-six thousand, six hundred and ninety dollars ($126,690.00) contingent upon receipt of final contract language and staff review and authorize City Manager Michael Hughes to sign all necessary documents.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Klinger to approve a contract for construction engineering with Prein & Newhof in the total amount of forty-four thousand, nine hundred dollars ($44,900.00) as presented and approve a contract with Michigan Paving and Materials Company for Taxi lane Rehabilitation project contingent upon execution of a grant contract with MDOT Aeronautics and review of final contract language and authorize City Manager Michael Hughes to sign all necessary documents.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Moved by Comm. Klinger and seconded by Comm. Good a budget amendment to increasing expenditure by seventy-six thousand, six hundred and ninety dollars ($76,690.00) in the airport fund as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

City Manager Michael Hughes provided information on a policy developed to address memorials and the naming of fields at Spence Field. Discussion followed.

Moved by Comm. Bir and seconded by Comm. Mullins to approve Spence Softball Complex Memorial and Donation Policy as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED


Voting yea: Nine  Voting nay: None  MOTION CARRIED

Commissioner Klinger left the meeting.

Electric Department Superintendent John Griffith provided information on the hiring of a new apprentice lineman to replace a journeyman who had resigned and the intent to hire an additional apprentice lineman. Discussion followed.

The City Commission had consensus to support the hiring of an additional lineman.
Assistant City Manager Andrew Kuk provided information on the requirement of Community Development Block Grant participation to include certain City policies. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve the Fair Housing Plan, Fair Housing Discrimination Complaint Process, CDBG Citizen Participation Plan, and Residential Anti-Displacement and Relocation Plan as presented.

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

City Clerk/Treasurer Kenneth Rhodes provided information on the current reappointments and appointments to the City’s volunteer boards and committees. Discussion followed.

Moved by Comm. Good and seconded by Comm. Dvorak to reappoint all board members requesting reappointment.

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

Moved by Comm. Good and seconded by Comm. Dvorak to appoint Luis Perez to the Sister City Committee.

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

Moved by Comm. Good and seconded by Comm. Dvorak to appoint Chuck Huber to the Planning Commission and Cathy Knapp and Luis Perez as alternate members.

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

The meeting was adjourned at 10:50 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Pastor Cal Kolzow, Trinity Lutheran Church

Commissioners present: Mullins, Bir, Klinger, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Wickey

Also present: City Attorney, Assistant City Manager, Auditorium Director, Buildings Supervisor, Public Safety Director, City Clerk

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

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

Moved by Comm. Littman and seconded by Comm. Dvorak to approve the Consent Agenda of June 12, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the May 22, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $1,882,249.69 as presented.

8C. Accounts Payable Authorization
AUTHORIZE the Finance Committee to authorize the payment of City bills at their next meeting.

8D. 2019 Independence Day Children’s Parade
APPROVE the request for an Independence Day Children’s Parade in the South Lakeview neighborhood to be held on Thursday, July 4, 2019 at 10:00 a.m. with a route as presented.

8E. 2019 Homegrown Music Festival
APPROVE the requests for the 2019 Homegrown Music Festival as presented.

8F. Sturgis Neighborhood Program Raffle License
ADOPT the Local Governing Body Resolution for Charitable Gaming Licenses for the Sturgis Neighborhood Program.

Voting yea: Eight  Voting nay: None  Absent: Wickey  MOTION CARRIED
Assistant City Manager Andrew Kuk provided details on the amendment to the Forbearance Agreement with Moso Village. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve the Amendment to Forbearance Agreement with the Sturgis Brownfield Redevelopment Authority, Inquire Partners Inc., Moso Village LLC, and Jeremy Gump as presented.

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

Buildings Supervisor Will Prichard provided information on the rezoning of the property recently annexed into the City owned by Omnisource.

Moved by Comm. Klinger and seconded by Comm. Dvorak to consider this the first reading of an amendment to the Zoning Code, Article III pertaining to the zoning map as presented.

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

Auditorium Director Sheila Bolda provided information on a grant application related to auditorium house lighting. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to adopt the Resolution for Grant Submittal for Auditorium House Lighting Replacement as presented.

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

Assistant City Manager Andrew Kuk provided details on additional requests related to Sturgis Fest. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Klinger to approve the additional requests for Sturgis Fest 2019 as presented.

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

The City Commission had consensus to set a Public Hearing for Wednesday, June 19, 2019 to discuss changing the start of the regular meeting to an earlier time.

The meeting was adjourned at 8:15 p.m.

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile called the meeting to order at 7:30 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Pastor Doug Carr, His House Church

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

Moved by Comm. Littman and seconded by Comm. Dvorak to approve the agenda as presented.
**Voting yea: Nine  Voting nay: None**
**MOTION CARRIED**

Moved by Comm. Littman and seconded by Comm. Dvorak to approve the Consent Agenda of June 19, 2019 as presented.

8A. **Action of Minutes of Previous Meetings**
APPROVE the minutes from the June 12, 2019 regular meeting as presented.

8B. **Low-Income Energy Assistance Fund**

8C. **Changes to Electric General Shutoff Rules**
APPROVE the amendment to the General Shutoff Rules for the Electric Department related to the dates for heating season as presented.

8D. **PA 425 Property Transfer – 28501 E. West Street**
ADOPT the Resolution for Transfer of Property from Fawn River Township (Agreement #4) for 28051 East West Street Road as presented.

8E. **DDA Resignation**
ACCEPT the resignation of Jeremy Gump from the DDA Board of Directors.
**Voting yea: Nine  Voting nay: None**
**MOTION CARRIED**
Buildings Supervisor Will Prichard provided information on the rezoning of the property recently annexed into the City owned by Omnisource.

Moved by Comm. Klinger and seconded by Comm. Dvorak to consider this the second reading of and approve an amendment to the Zoning Code, Article III pertaining to the zoning map as presented.

Voting yea: Eight  Voting nay: None  Absent: Wickey  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 R-2 subdivision residential district to the M manufacturing 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 July 12, 2019.

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 M manufacturing zoning district:

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

ALL THAT PART OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 13, T8S, R10W, STURGIS TOWNSHIP, ST. JOSEPH COUNTY, MICHIGAN, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 13 AND RUNNING
THENCE N00°45'49"E, ALONG THE SECTION LINE, 1220.27 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THE BOUNDARY RUNS THENCE N00°4S'49"E, ALONG THE SECTION LINE, 100.01 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13; THENCE S89°56'49"E, ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SECTION 13, 1500.08 FEET; THENCE S00°38'00"W 610.29 FEET (RECORDED AS SOUTH 610 FEET); THENCE N89°57'45"W (RECORDED AS WEST) 179.20 FEET TO A CONCRETE MONUMENT FOUND ON THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13; THENCE N02°34'21"W 510.84 FEET TO A CAPPED REBAR SET; THENCE N89°56'49"W, PARALLEL WITH AND 100 FEET SOUTH OF THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13. 1292.54 FEET TO THE POINT OF BEGINNING.

THIS PARCEL CONTAINS 5.711 ACRES. MORE OR LESS.
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.
Mayor Hile opened the Public Hearing for consideration of the 2019 City property tax millage rates.

City Clerk/Treasurer Kenneth Rhodes provided information on the proposed City Operating and City Streets/Sidewalks millages for 2019.

There was no comment from the public.

Mayor Hile closed the Public Hearing.

Moved by Comm. Dvorak and seconded by Comm. Good to set the 2019 operating millage tax rate at 10.4623 mils and set the Streets/Sidewalk Improvement Millage tax rate at 3.0 mils.

Voting yea: Nine Voting nay: None MOTION CARRIED

Mayor Hile opened the Public Hearing for consideration of changing the regular City Commission meeting times.

City Commissioners discussed the merits of moving the meeting time earlier. City Manager Michael Hughes explained that there seems to be a trend in Sturgis and elsewhere to move meetings to an earlier time in the evening.

There was no comment from the public.

Mayor Hile closed the Public Hearing.

Moved by Comm. Good and seconded by Comm. Mullins to approve an amendment to the City Commission Procedural Policy changing the starting time for Regular City Commission Meetings to 6:00 p.m. beginning with the next meeting on July 10, 2019.

Voting yea: Nine Voting nay: None MOTION CARRIED

City Manager Michael Hughes provided information lease between the City and Impact Radio for space on the water tower for an antenna. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve the Water Tower Space Lease with Impact Radio, LLC as presented.

Voting yea: Nine Voting nay: None MOTION CARRIED

City Manager Michael Hughes and St. Joseph County Treasurer Judie Ratering provided information a proposed agreement between the City and the County Treasurer for sharing demolition costs on tax foreclosed properties. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve the Agreement for Shared Demolition Costs between the City and the St. Joseph County Treasurer as presented.

Voting yea: Nine Voting nay: None MOTION CARRIED
Electric Department Superintendent John Griffith and Tom Asp of CTC Technology and Energy provided information on possible options for the existing fiber optic system.

Moved by Comm. Klinger and seconded by Comm. Mullins to authorize City staff to negotiate an Indefeasible Right of Use (IRU) agreement with ACD for use and operation of the City’s fiber optic system as presented.

Voting yea: Nine 
Voting nay: None

MOTION CARRIED

City Engineer Barry Cox provided information on the agreement with MDOT for a road safety audit for an area near the middle school. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to adopt the Resolution to Approve MDOT Contract #19-5216 And Designate Agents To Sign Contract Documents For The City Of Sturgis’ Road Safety Audit Associated With MDOT’s Highway Safety Improvement Program.

Voting yea: Nine 
Voting nay: None

MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on the upcoming Garden Party Series downtown. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Good to approve the requests for the Garden Party Pop-up Series as presented.

Voting yea: Nine 
Voting nay: None

MOTION CARRIED

City Manager Michael Hughes and SNP Director Monica Smith provided information on the Mod Program provides up to $1,960,000 in funding statewide for new construction of modular single-family spec models to support workforce housing needs within the community. Discussion followed.

**The City Commission had consensus to direct City Staff to not move forward with the current MSHDA Mod Program.**

Representatives from Shipshewana Homes presented a proposal to build houses in Subdivision 2 and requested the waiver of the cost of one lot and an option on two others. Discussion followed.

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

Voting yea: Mullins, Bir, Wickey, Klinger, Malone, Littman, Good, Dvorak, Hile
Voting nay: None

MOTION CARRIED

Meeting recessed at 9:50 p.m.
Meeting reconvened at 10:45 p.m.

The meeting was adjourned at 10:45 p.m.

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile 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 Dvorak

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

City Engineer Barry Cox provided details on the traffic study that was conducted at the intersection of E. Lafayette St. and N. Franks Ave. Discussion followed.

State Representative Aaron Miller provided an update on activities in the State legislature.

Moved by Comm. Littman and seconded by Comm. Wickey to approve the agenda as presented with the additions of Items 10B and 10C, Industrial Substation Bids and Zoning Amendments.

Voting yea: Nine Voting nay: None MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Klinger to approve the Consent Agenda of July 10, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the June 19, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $884,324.18 as presented.

8C. 2019 United Way Donut Drive
APPROVE the request of the United Way to host its “Donut Drive” at the Nottawa/Chicago Road Intersection on August 8th, 2019.

Voting yea: Nine Voting nay: None MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Bir to set a public hearing for consideration of the City’s 2019-2020 budget at 6:00 p.m. on August 14, 2019 at City Hall, 130 N. Nottawa.

Voting yea: Nine Voting nay: None MOTION CARRIED
City Manager Michael Hughes provided details on the construction bids for modifications to the Industrial Park Substation located on Progress Street received on July 1, 2019. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve the construction bid from Newkirk Electric Associates in the amount of two hundred forty-two thousand eight hundred seventy-one dollars ($242,871.00) as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

City Manager Michael Hughes explained that an error was discovered in the zoning amendment related to large solar energy systems. Discussion followed.

Moved by Comm. Good and seconded by Comm. Littman to approve the Amendment To Zoning Ordinance To Correct Clerical Error Pertaining To Special Land Use Designation Of Large Solar Energy Systems as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

AMENDMENT TO ZONING ORDINANCE TO CORRECT CLERICAL ERROR PERTAINING TO SPECIAL LAND USE DESIGNATION OF LARGE SOLAR ENERGY SYSTEMS

WHEREAS, on October 24, 2018 the City Commission held a first reading of an ordinance amendment adding Large Solar Energy Systems as a Special Land Use in Section 1.0410(C) of the Ordinances of the City of Sturgis; and

WHEREAS, on November 14, 2018 the City Commission held a second reading and approved the adding of Large Solar Energy Systems as a Special Land Use in Section 1.0410 of the Ordinances of the City of Sturgis “as presented”; and

WHEREAS, the amendment “as presented” inadvertently provided for the adding of Large Solar Energy Systems as a Permitted Land Use in Section 1.0410(B) of the Ordinances of the City of Sturgis rather than as a Special Land Use in Section 1.0410(C) of the Ordinances of the City of Sturgis.

NOW, THEREFORE, to correct the clerical error, the City of Sturgis, St. Joseph County, Michigan ordains:

Appendix A-Zoning of the Ordinances of the City is hereby modified to provide as follows, effective as of July 10, 2019:

1.0410. M manufacturing.

…

(B) Permitted uses.

…

(15) Large Solar energy Systems

(C) Special land uses.

…

(15) Large Solar energy Systems

City Manager Michael Hughes explained that he received a request to obtain a rock which was donated to the church, 211 N. Nottawa, which is now owned by the City.

The City Commission had consensus to decline the request to obtain the rock.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Mayor Hile 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 Dvorak

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: None

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

The Muwendo Children’s Choir performed “God Bless America”.

Carolyn Grace, Director of the St. Joseph County Conservation District provided a brief presentation explaining what they do, current projects and a request for funding. She explained that the Conservation District works with partners to promote ground and surface water practices, irrigation services, sustainable agriculture practices, education, environmental stewardship, and community projects. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger that the City of Sturgis join in partnership with the St. Joseph County Conservation District and support them in ways that the City is able.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

City Manager Michael Hughes provided details on the proposed 2019-2020 fiscal year budget. Discussion followed.

Gene Harrison explained that he is in support of the allowance of recreational marihuana businesses. Discussion followed.

The City Commission had consensus to hold a Special Meeting Work Session on Tuesday, August 6, 2019 at 6:00 p.m. to discuss the allowance of commercial recreational marihuana businesses within City limits.

Hilary Delaney provided information on the recreational marihuana markets.

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

Voting yea: Nine  Voting nay: None  MOTION CARRIED
Moved by Comm. Littman and seconded by Comm. Dvorak to approve the Consent Agenda of July 24, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the July 10, 2019 regular meeting as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $2,835,184.21 as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Buildings Supervisor Will Prichard provided details on the several amendments to the zoning code. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve an amendment to the City of Sturgis Zoning Ordinance Section 1.0603 (U) (5) Service Stations and Vehicle Repair Shops as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Klinger to approve amendments to the City of Sturgis Zoning Ordinance Sections 1.0403 (C) (5) R-3 Zoning District Special Land Uses, 1.0404 (C) (12) R-4 Zoning District Special Land Uses and to 1.0603 (PP) Special Land Uses Vacant Commercial Type Buildings Conditional Use Permit as presented.

Voting yea: Nine  Voting nay: None  MOTION CARRIED

AMENDMENT TO ZONING ORDINANCE
PERTAINING TO SPECIAL LAND USE DESIGNATION OF VACANT COMMERCIAL TYPE CONDITIONAL USE PERMIT AND AMENDMENT OF SERVICE STATIONS AND VEHICLE REPAIR SHOPS BUFFER REQUIREMENTS

An Ordinance to amend Appendix A-Zoning of the Ordinances of the City of Sturgis pertaining to the special land use designation of Vacant Commercial Type Conditional Use Permit and service stations and vehicle repair shops buffer requirements.

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 amend the Zoning Ordinance with respect to the designation of Vacant Commercial Type Conditional Use Permit and service stations and vehicle repair shops buffer requirements.

NOW, THEREFORE, the City of Sturgis, St. Joseph County, Michigan ordains upon Resolution duly made and unanimously approved:

Appendix A-Zoning of the Ordinances of the City is hereby modified as follows, effective as of August 20, 2019:

1.403 R-3 Residential
(C) Special Land Uses
...
(5) Vacant Commercial Type Buildings Conditional Use Permit

1.0404 R-4 Apartment
(C) Special Land Uses
...
(12) Vacant Commercial Type Buildings Conditional Use Permit

1.0603 Special land use designated.
(U) **Service stations and vehicle repair shops.** Service stations and vehicle repair shops may be permitted in accord with the following requirements:

(5) All proposed structures shall be located at least 300 feet from any property which is used as a public or private school, a church, hospital, theater, playground, fire station or place of public congregation.

(PP) **Vacant Commercial Type Buildings Conditional Use Permit.**

1. Eligible parcels. A new commercial use may only be permitted if all of the following conditions are met.
   a. A commercial use must have been permitted in the building based on assessing records.
   b. The structure has been vacant for 6 months or longer.
2. Use conditions.
   a. The use must not be reasonably expected to negatively affect, or create any nuisance to, the surrounding neighbors.
   b. Hours of operation should not intrude on the neighborhood in which they are located.
3. Requirements.
   a. The applicant must meet with the zoning administrator to determine whether the parcel and the use qualify for a Vacant Commercial Type Buildings Conditional Use Permit
   b. If the proposed use is determined to be a qualifying use, the applicant must provide all properties within 300 feet of the proposed property with a description of the intended use. The applicant must submit to the City the signatures of all owners along with an indication of whether each owner approves or disapproves of the proposed use. In cases where the applicant cannot reach an owner, an affidavit shall be submitted.
   c. Parking and means of egress shall be indicated on a sketch plan for review by Engineering, Police, Fire and Community Development Departments.

Moved by Comm. Good and seconded by Comm. Dvorak to consider this the first reading of an amendment to the City of Sturgis Zoning Ordinance Section 1.1003 Signs Accessory to Permitted Non-Residential Uses in Residential Districts as presented.

**Voting yea: Nine**  
**Voting nay: None**  
**MOTION CARRIED**

Moved by Comm. Dvorak and seconded by Comm. Good to consider this the first reading of an amendment to the City of Sturgis Zoning Ordinance Section 1.0410 (C) (13) Manufacturing Zoning District Special Land Uses and to 1.0603 (QQ) Indoor Vehicle Sales Areas as presented.

**Voting yea: Nine**  
**Voting nay: None**  
**MOTION CARRIED**

Moved by Comm. Klinger and seconded by Comm. Bir to consider this the first reading of an amendment to the City of Sturgis Zoning Ordinance Section 1.1001 Electronic Message Display Signs as presented.

**Voting yea: Nine**  
**Voting nay: None**  
**MOTION CARRIED**

Moved by Comm. Dvorak and seconded by Comm. Bir to consider this the first reading of an
amendment to the City of Sturgis Zoning Ordinance Section 1.0304 Zoning of Annexed or Transferred Areas as presented. 

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Buildings Supervisor Will Prichard provided information on the use and cost of a lift to assist with the completion of painting projects. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Bir to approve the use of Neighbor 2 Neighbor Paint Program funds as presented.  

Voting yea: Nine  Voting nay: None  MOTION CARRIED

City Engineer Barry Cox provided details on the bid related to the Hot-In-Place Asphalt Program. Discussion followed.

Moved by Comm. Mullins and seconded by Comm. Klinger to approve the bid of Gallagher Asphalt Corporation for the Hot-In-Place Asphalt Program in the amount of Two Hundred Thirty-Five Thousand, Ninety-Five Dollars and Eighty Cents ($235,095.80) as presented and authorize City Manager Michael Hughes to sign all necessary documents. 

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Assistant City Manager Andrew Kuk provided information on potential business expansion and a request to waive the special assessments in Bullard Industrial Park. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to approve the waiver of special assessment fees in Bullard Park as presented.  

Voting yea: Nine  Voting nay: None  MOTION CARRIED

Moved by Comm. Good and seconded by Comm. Klinger to approve the closure of North Street from US 12 to John Street for the Music on North event from 2:00 p.m. to 11:00 p.m. and Pleasant Street from US 12 to the parking lot from 3:00 p.m. to 10:00 p.m. 

Voting yea: Nine  Voting nay: None  MOTION CARRIED

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

Voting yea: Mullins, Bir, Wickey, Klinger, Malone, Littman, Good, Dvorak, Hile 
Voting nay: None  MOTION CARRIED

Meeting recessed at 8:52 p.m.  
Meeting reconvened at 9:20 p.m.

The meeting was adjourned at 9:20 p.m.

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*
Mayor Hile called the meeting to order at 6:00 p.m.

Commissioners present: Mullins, Klinger, Wickey, Good, Vice-Mayor Dvorak, Mayor Hile
Commissioners absent: Bir, Malone, Littman

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

City Manager Michael Hughes and other City Staff provided details and information on the regulations related to adult use marijuana.

The City Commission discussed many issues, both positive and negative, for the allowance of the commercial sale of adult use marijuana within City limits.

Gene Harrison, Barb Brothers, Nathan Shevick, and Matt Craven, as members of the community, provided their thoughts on this decision.

Commissioner Bir joined the meeting.

The City Commission had consensus to place the issue on the agenda for their regular meeting on August 28, 2019 to determine if City Staff should move forward with developing an ordinance.

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

Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer
Vice-Mayor Dvorak called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was said by all present.

The Invocation was given by Commissioner Good.

Commissioners present: Mullins, Bir, Klinger, Wickey, Malone, Littman, Good, Vice-Mayor Dvorak
Commissioners absent: Mayor Hile

Also present: City Attorney, City Manager, Assistant City Manager, City Controller, Public Safety Director, Buildings Supervisor, Electric Department Superintendent, Auditorium Director, GIS Director, Fire Marshall, City Clerk

GIS Director Jeff Davis gave a presentation on the City’s GIS public portal. Discussion followed.

Public Safety Director Geoff Smith gave a brief update on the golf cart ordinance.

Moved by Comm. Littman and seconded by Comm. Klinger to approve the agenda as presented.
Voting yea: Eight  Voting nay: None  Absent: Hile  MOTION CARRIED

Moved by Comm. Littman and seconded by Comm. Dvorak to approve the Consent Agenda of August 14, 2019 as presented.

8A. Action of Minutes of Previous Meetings
APPROVE the minutes from the July 24, 2019 regular meeting as presented.
APPROVE the minutes from the August 6, 2019 work session as presented.

8B. Pay Bills
AUTHORIZE the payment of the City bills in the amount of $1,338,556.08 as presented.

8C. Sturgis Township Property Transfer – 71238 and 71304 M-66
ADOPT the Transfer of Property from Sturgis Township (Agreement #1) Resolution for 71238 M-66 and 71304 M-66 as presented.

8D. 2019 Light Up the Dark 5K
APPROVE the request for the 2019 Light Up the Dark 5K from Radiant Life Church as presented.

8E. Upcoming DDA Event Requests
APPROVE the requests for Music on North, August 30th 2019 and the 2019 BBQ Fest as presented.
Voting yea: Eight  Voting nay: None  Absent: Hile  MOTION CARRIED

Buildings Supervisor Will Prichard provided a brief explanation of the Zoning amendments presented at the previous Commission meeting. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Good to consider this the second reading of and
approve an amendment to the City of Sturgis Zoning Ordinance Section 1.1003 Signs Accessory to Permitted Non-Residential Uses in Residential Districts as presented.

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

AMENDMENTS TO ZONING ORDINANCE PERTAINING TO THE REGULATION OF SIGNS IN THE CITY

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

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

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

Article X, Section 1.1003 of the Zoning Ordinance is hereby modified to provide as follows effective as of September 6, 2019.

ARTICLE X. SIGNS

1.1003. Signs accessory to permitted non-residential uses in residential districts.

(A) Sign(s) may be erected in residential districts for permitted non-residential uses. Such signs shall meet all the requirements as stated under this zoning ordinance including the following:

(1) No establishment shall have a total of more than two signs facing upon any one street or parking area.

(2) All signs attached to a building shall comply with the following requirements:

(a) No sign shall exceed 32 square feet.

(b) Where a sign extends more than three inches from the face of the building, the sign shall be no closer than eight feet to the ground.

(c) The maximum width of any sign attached parallel to a wall shall not exceed 60 percent of the width of the wall.

(3) There shall be no more than one ground sign per public road frontage.

(a) No part of the sign shall be closer than five feet to any property line or sidewalk.

(b) No sign shall exceed 32 square feet in area for a single face and 64 square feet in area if a two-sided sign. If a parcel has multiple road frontage access, then an additional ground sign is allowed up to a maximum of 50 square feet of total signage, counting a single face of each sign. Sign(s) shall not exceed six feet in height.

(4) Temporary signs subject to section 1.1012.

(5) For rent, lease or property for sale signs no larger than 16 square feet in area advertising the property on which they are located are permitted provided such signs are promptly removed upon rent, lease or sale of such property. A permit for such sign shall not be required.

Moved by Comm. Good and seconded by Comm. Bir to consider this the second reading of and approve an amendment to the City of Sturgis Zoning Ordinance Section 1.0410 (C) (13) Manufacturing Zoning District Special Land Uses and to 1.0603 (QQ) Indoor Vehicle Sales Areas as presented.

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

AMENDMENT TO ZONING ORDINANCE
AMENDMENT TO ZONING ORDINANCE  
PERTAINING TO SPECIAL LAND USE DESIGNATION OF  
INDOOR VEHICLE SALES AREA  

An Ordinance to amend Appendix A-Zoning of the Ordinances of the City of Sturgis pertaining to designation of Indoor Vehicle Sales Areas as a special land use 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 designation of Indoor Vehicle Sales Areas as a special land use.  

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

Appendix A-Zoning of the Ordinances of the City is hereby modified as follows, effective as of September 6, 2019:  

1.0603 Special land use designated.  

(QQ) Indoor Vehicle Sales Area.  

1. Two vehicles are allowed to be displayed on the outside of the building on an approved parking surface that meets the parking requirements in Article IX-Off Street Parking.  

2. To calculate the number of vehicles allowed inside a building, a floor plan must be submitted showing the area inside of the building which will be used for vehicle display. For each vehicle, both of the following minimum area standards must be met:  

   a. 25’x30’ floor area per vehicle.  
   b. Minimum of 5’ clearance on all sides of the vehicle.  

3. Required parking  

   a. Two parking spaces shall be provided for staff.  
   b. One parking space shall be provided per two vehicles spaces permitted inside the building.  

4. Building must meet all applicable Building, Electrical, Mechanical, Plumbing, Fire Prevention Code and Fire Safety requirements.  

5. Applicant must provide the City with State Issued License.
Moved by Comm. Klinger and seconded by Comm. Good to consider this the second reading of and approve an amendment to the City of Sturgis Zoning Ordinance Section 1.0304 Zoning of Annexed or Transferred Areas as presented.

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

AMENDMENTS TO ZONING ORDINANCE  
PERTAINING TO THE REGULATION  
OF ZONING DISTRICTS IN THE CITY

An ordinance to amend Article III of the Zoning Ordinance of the City of Sturgis to provide for the modification of the designation of zoning 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 zoning districts within the City;

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

Article III, Section 1.0304 of the Zoning Ordinance is hereby modified to provide as follows effective as of September 6, 2019.

ARTICLE III. Designation and Purpose of Zoning Districts

1.0304. - Zoning of annexed or transferred areas.
Any area annexed or transferred to the city shall, immediately upon such annexation or transfer, automatically be zoned the same as the adjacent zoning district. Upon recommendation of the zoning official or referral by the city commission as provided in Section 1.1406, the planning board shall recommend appropriate zoning for such area within three months after the matter is recommended by the zoning official or referred by the city commission.

Electric Department Superintendent and Tom Asp, CTC Technology, provided information on possible options for the existing fiber optic system. Discussion followed.

Moved by Comm. Good and seconded by Comm. Mullins to approve the Indefeasible Right of Use agreement with ACD for use and operation of the City’s fiber optic system pending final legal review and authorize City Manager Michael Hughes to sign all necessary documents.

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

City Controller Holly Keyser provided details on the proposed rates for the water and wastewater utilities. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Mullins to approve the wastewater and water rates for billings beginning on October 1, 2019 and October 1, 2020 as presented.

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

Vice-Mayor Dvorak opened the Public Hearing on the Fiscal Year 2019-2020 budget.

City Manager Michael Hughes provided details on the budget.

There was discussion amongst the City Commission.
There was no comment from the public.

Vice-Mayor Dvorak closed the Public Hearing.

Moved by Comm. Mullins and seconded by Comm. Good to adopt the 2019-2020 annual City of Sturgis Budget Summary and Appropriation Resolution and approve the City of Sturgis Fee Schedule as presented.

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

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

Moved by Comm. Good and seconded by Comm. Klinger to approve the primary and alternate routes for the 2019 Sturgis Toy Run as presented.

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

Auditorium Director Sheila Bolda provided information on the proposed name change of the facility. Discussion followed.

Moved by Comm. Good and seconded by Comm. Klinger to approve the merger of the Sturgis Council of the Arts and Sturgis-Young Civic Center & Auditorium under the new name of the Sturges-Young Center for the Arts as presented.

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

Electric Department Superintendent John Griffith provided information on a release from service of a water well requested by Glen Oaks Community College. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. Bir to approve the request from Glen Oaks Community College to be released from the City of Sturgis electric service contingent on receiving an acceptable written request.

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

Electric Department Superintendent John Griffith provided information on a proposed open house related to the route for the rural transmission line to the hydroelectric plant. Discussion followed.

Moved by Comm. Malone and seconded by Comm. Good to set the Transmission Line Open house on a date in September 2019 at a location to be determined.

Voting yea: Eight              Voting nay: None       Absent: Hile           MOTION CARRIED
Fire Marshal Cody Cripe provided information on recent inspections of buildings and proposed changes to the fine schedule. Discussion followed.

Moved by Comm. Klinger and seconded by Comm. to consider this the first reading of amendments to the City Code of Ordinances, Section 1-7 – General penalty; continuing violations, Section 14-1 – Penalty, Section 26-1 – Penalty, and Appendix B – Fine Schedule for Municipal Civil Infractions.

**Voting yea: Eight**

**Voting nay: None**

**Absent: Hile**

**MOTION CARRIED**

Vice-Mayor Dvorak opened the Public Hearing on an amendment to Agreement #5 for Conditional Transfer of Property Pursuant to 1984 PA 425 with Fawn River Township.

City Manager Michael Hughes provided details on the amendment

There was discussion amongst the City Commission.

There was no comment from the public.

Vice-Mayor Dvorak closed the Public Hearing.

Moved by Comm. Good and seconded by Comm. Mullins to approve First Amendment to Agreement #5 For Conditional Transfer Of Property Pursuant To 1984 PA 425 as presented.

**Voting yea: Eight**

**Voting nay: None**

**Absent: Hile**

**MOTION CARRIED**

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

**Voting yea: Mullins, Bir, Wickey, Klinger, Malone, Littman, Good, Dvorak**

**Voting nay: None**

**Absent: Hile**

**MOTION CARRIED**

Meeting recessed at 8:15 p.m.

Meeting reconvened at 9:00 p.m.

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

*Kenneth D. Rhodes, City of Sturgis Clerk/Treasurer*