

Minutes of the electronically conducted regular meeting of the City Commission held Monday, September 27, 2021, at 7:00 p.m.

Mayor Joseph called the meeting to order and the Pledge of Allegiance was recited.

Commissioners Present: Mayor William Joseph and Vice Mayor Amy Perschbacher; Commissioners Mary Alsager, Olivia Cyman, Lori Gillis, George Ronan and Petro Tolas. All Commissioners present indicated they were in Mt. Pleasant, Isabella County, Michigan.

Commissioners Absent: None

Others Present: City Manager Nancy Ridley and City Clerk Heather Bouck
All present attended virtually via Zoom video conference.

Proclamations and Presentations

Mayor Joseph read a proclamation recognizing October 10, 2021 as Bowlers Hall of Fame Day.

Brandon Crawford was introduced as a new hire in the Police Department and sworn in by Public Safety Director Paul Lauria.

Public Input on Agenda Items

Correspondence received from Cindy Kaliszewski, Sacred Heart Parish Business Manager, and Fr. Loren Kalinowski, Pastor, 302 S. Kinney Ave., opposing Special Assessment District #1-21 for pedestrian street lighting on Illinois St.

Receipt of Petitions and Communications

Received the following petitions and communications:

1. City Manager report on pending items.
2. Principal Shopping District Board Meeting Minutes. (June)
3. Planning Commission Meeting Minutes. (August)

Moved by Commissioner Tolas and seconded by Commissioner Gillis to approve the following items on the Consent Calendar:

1. Minutes of the electronically conducted regular meeting of the City Commission held September 13, 2021 with corrections to recess of closed session and comment of Commissioner Tolas.
2. Minutes of the closed session of the City Commission held September 13, 2021.
3. Bid of Greenscene Landscaping of Mt. Pleasant, Michigan for Downtown Sidewalk Snow Removal 2021-2022 snow season for \$660 per snow removal event and \$770 per salting event.
4. Authorize the Mayor and Clerk to sign the contract with Consumers Energy for the Water Treatment Plant rate change as presented.
5. Accept ownership of three properties designated on the quit claim deed from the Economic Development Corporation as presented.

6. Authorize the Mayor to sign the three year contract extension for third party administration (TPA) with Trustmark.
7. Approve Resolution Extending Conditional Approval of a recreational marihuana microbusiness for Rio's Happy Tree, LLC at 1012 N. Lansing Street as presented.

WHEREAS, Rio's Happy Tree, LLC received a conditional authorization for a Marihuana Microbusiness on September 17, 2021; and

WHEREAS, Section 115.03(F) of the Mount Pleasant City Code of Ordinances requires the City Clerk to grant final authorization for conditionally authorized recreational marihuana establishments if the applicant: (1) Submits the paperwork for the establishment-specific step of the application for a state operating license (and all related applications for stacked licenses) to LARA within 30 days of receiving conditional authorization; (2) Submits an application for special use authorization pursuant to section 154.410(B)(4)(p) of the zoning ordinance within 30 days of receiving conditional authorization; (3) Obtains special use authorization within six months of receiving conditional authorization; and (4) Obtains a state operating license within 18 months of receiving conditional authorization; and

WHEREAS, Rio's Happy Tree, LLC has not yet satisfied the requirements under Section 115.03(F)(1); and

WHEREAS, the conditional authorization granted to Rio's Happy Tree, LLC will otherwise expire because the applicant has not submitted the paperwork for the establishment-specific step of the application for a state operating license (and all related applications for stacked licenses) to LARA within 30 days of receiving conditional authorization as specified under Section 115.03(F)(1); and

WHEREAS, Rio's Happy Tree, LLC has requested a twelve (12) month extension to meet the requirement of Section 115.03(F)(1) for cause as outlined in their September 17, 2021 request for extension; and

WHEREAS, Section 115.03(G) of the Mount Pleasant City Code of Ordinances authorizes the City Commission to extend any of the deadlines required by Section 115.03(F) upon a showing of good cause.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The City Commission of the City of Mount Pleasant finds that Rio's Happy Tree, LLC has established good cause to extend the deadline to meet the requirements of Section 115.03(F)(1).

2. Rio's Happy Tree, LLC's request under Section 115.03(G) for a twelve-month extension to satisfy the requirements of Section 115.03(F)(1) for their Marihuana Microbusiness located at 1012 N. Lansing is granted and the deadline date to satisfy such requirements shall be October 17, 2022.

3. Except as otherwise modified by this Resolution, all other deadlines established by Chapter 115 of the Mount Pleasant City Code of Ordinances shall remain in full force and effect.

8. Warrants dated September 15, 16 & 22, 2021 and Payrolls dated September 17, 2021 all totaling \$1,216,604.96.

AYES: Commissioners Alsager, Cyman, Gillis, Joseph, Perschbacher, Ronan & Tolas

NAYS: None

ABSENT: None

Motion unanimously adopted.

A public hearing was held on Industrial Pretreatment Program (PPI) and sewer ordinance amendments. There being no public comments or communications received, the Mayor closed the public hearing.

Moved by Commissioner Tolas and seconded by Commissioner Alsager to approve the Industrial Pretreatment Program (PPI) including Ordinance 1074, an Ordinance to amend Chapter 51: SEWERS of the Mt. Pleasant Code of Ordinances having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Alsager, Cyman, Gillis, Joseph, Perschbacher, Ronan & Tolas

NAYS: None

ABSENT: None

Motion unanimously adopted.

Moved by Commissioner Tolas and seconded by Commissioner Gillis to approve the Resolution to set fees related to the Industrial Pretreatment Program (PPI) as follows:

WHEREAS, the ordinance provision, Section 51.100(B) requires the sanitary sewer fees be set by resolution of the City Commission,

WHEREAS, the ordinance provision 51.100 (A) in order to defray the costs of owning, operating, and maintaining the Municipal Collection and Treatment System, the City needs to charge users of the system rates, fees, and charges for connection to and use of that system,

WHEREAS, the ordinance provision, Section 51.102 requires there be no free service for the Sanitary Sewer System,

WHEREAS, the ordinance provision, Section 51.100(5) requires that an additional charge shall be made for sewage that imposes unreasonable additional burden on the system,

WHEREAS, 51.100(6) requires charges for applications, permits, inspections, etcetera,

WHEREAS, such fees should be periodically reviewed to assure they are adequate to fully cover the system's cost,

NOW, THEREFORE, BE IT RESOLVED that the following fees be set to begin immediately upon approval.

Industrial Pretreatment Program Fees

Industrial Permit Application Review	\$175.00
Industrial Permit (3 Yrs.)	\$590.00
Monitoring/Sampling/Surveillance	\$50.00 Hr.
Accidental Discharge Procedures Review	\$70.00
Construction Review	\$70.00
Grease/Sand Interceptor Permit (3 Yrs.)	\$90.00 *
BOD/lb.	\$0.32
TSS/lb.	\$0.15
Total Phosphorous/lb.	\$3.30
Ammonia/lb.	\$0.90

* The grease/sand interceptor permit fee becomes effective January 1, 2023.

AYES: Commissioners Alsager, Cyman, Gillis, Joseph, Perschbacher, Ronan & Tolas
NAYS: None
ABSENT: None
Motion unanimously adopted.

Moved by Commissioner Tolas and seconded by Commissioner Ronan to approve the amended Capital Project Special Assessment Policy as presented.

AYES: Commissioners Alsager, Cyman, Gillis, Joseph, Perschbacher, Ronan & Tolas
NAYS: None
ABSENT: None
Motion unanimously adopted.

Moved by Commissioner Ronan and seconded by Commissioner Cyman to approve resolutions #3 and #4 for Special Assessment District #1-21 regarding pedestrian lighting as presented.

SPECIAL ASSESSMENT DISTRICT 1-21
RESOLUTION NO. 3

WHEREAS, the City Commission, after due and legal notice, has met and heard all interested persons to be affected by the proposed public improvements hereinafter described; and,

WHEREAS, the City Commission deems it advisable and necessary to proceed with Special Assessment No. 1-21;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Commission hereby determines to install public improvements as follows: install pedestrian street lights on Illinois St. between Main St. and Fancher St. in the City Special Assessment District No. 1-21.
2. The plans, profiles and specifications previously prepared by the City Manager are hereby approved.
3. The Commission hereby approves the detailed estimates of cost and determines a total estimated cost of \$100,000.00. The amount of \$24,871.03 shall be spread by special assessments upon the City Special Assessment District No. 1-21, and the amount of \$75,128.97 shall be the obligation of the city-at-large.
4. The City Assessor is directed to prepare a special assessment roll in accordance with the Commission's determination.
5. When the Assessor has completed the assessment roll he shall file the roll with the City Clerk for presentation to the Commission.
6. All resolutions and parts of resolutions conflicting with the provisions of this resolution be and the same hereby are rescinded.

SPECIAL ASSESSMENT DISTRICT 1-21
RESOLUTION NO. 4

WHEREAS, the Assessor has prepared the special assessment roll for Special Assessment District No. 1-21 to special assess that portion of the cost of the public

improvements to the properties specially benefited by said public improvements, and the same has been presented to the City Commission by the City Clerk; and, WHEREAS, the Special Assessment District No. 1-21 is described as: install pedestrian street lights on Illinois St. between Main St. and Fancher St. in the City Special Assessment District No. 1-21;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Said special assessment roll is accepted and will be on file in the office of the City Clerk for public examination.
2. The City Commission shall meet virtually on **October 11, 2021 at 7 p.m.**, to hear all persons interested in reviewing the special assessment roll, and shall be afforded an opportunity to be heard, and the City Clerk is directed to publish and mail, in accordance with applicable statutory and ordinance provisions, the notice of hearing.
3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners Cyman, Gillis, Joseph, Perschbacher & Ronan

NAYS: Commissioners Alsager & Tolas

ABSENT: None

Motion carried.

Commissioners each identified their top 5 priorities for fall 2021 Saginaw Chippewa Indian Tribe 2% funding requests from City Departments.

Moved by Commissioner Tolas and seconded by Commissioner Alsager to authorize the Mayor and Clerk to sign the purchase agreement with Pat Jarman for land in Industrial Park South as presented.

AYES: Commissioners Alsager, Cyman, Gillis, Joseph, Perschbacher, Ronan & Tolas

NAYS: None

ABSENT: None

Motion unanimously adopted.

Announcements on City-Related Issues and New Business

Mayor Joseph encouraged safe practices during the pandemic, including wearing a mask indoors and consider getting vaccination if you have not done so. He announced the fall leaf pick-up program will begin with the first sweep on October 25th.

Commissioner Gillis gave a courtesy reminder for campaign signs which is, signs not be put out until 30 days prior to the election and to place signs in yards not City easement between the sidewalk and road. She complimented the Public Works Department for their brush clean-up program and encouraged getting vaccinated against COVID-19. Finally, she thanked those who offered condolences for her recent loss.

Commissioner Tolas complimented the re-construction of Lot #8 and stated that the City's hands are tied in regards to the Court of Appeals Opinion that was issued in regards to the recent ballot issue.

Commissioner Alsager encouraged getting vaccinated against COVID-19 as vaccination rates in the area should be increased.

Public Comment on Agenda and Non-Agenda Items

Deb Cary, 7434 Howard City Edmore Rd., Vestaburg, expressed her frustration and anger regarding the marijuana issue not being on the November ballot.

Micah Focken, 910 Chippewa St., shared his dismay over the marijuana issue not being on the November ballot. He referenced e-mailed correspondence sent to the City Commissioners and would like a discussion to be on a future agenda in this regard.

The Commission recessed at 8:08 p.m. and went into a work session at 8:14 p.m.

WORK SESSION: Discuss report from Ad Hoc Committee regarding local businesses.

Discussion ensued.

Mayor Joseph adjourned the meeting without objection at 9:03 p.m.

William L. Joseph, Mayor

Heather Bouck, City Clerk