

Regular Meeting of the Mt. Pleasant City Commission
Monday, March 28, 2022
7:00 p.m.

AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PROCLAMATIONS AND PRESENTATIONS:

1. Introduce Social Crisis Advocate Krysta Carabelli.

ADDITIONS/ DELETIONS TO AGENDA:

PUBLIC INPUT ON AGENDA ITEMS:

RECEIPT OF PETITIONS AND COMMUNICATIONS:

2. City Manager report on pending items.
3. 2021 Annual Report.
4. Minutes of the Airport Joint Operations and Management Board (January).

CONSENT ITEMS:

5. Approval of the minutes from the special meeting held March 9, 2022.
6. Approval of the minutes from the regular meeting held March 14, 2022.
7. Approval of the minutes from the closed sessions (4) held March 14, 2022.
8. Consider commitment to purchase road salt for the 2022-2023 season through the State of Michigan MIDEAL Extended Purchasing Program.
9. Consider Michigan Department of Transportation (MDOT) resolution authorizing the City Manager to approve a contract amendment for the approach slope clearing project at the Mt. Pleasant Airport.
10. Consider setting a public hearing for April 11, 2022 to obtain public input on the Michigan Economic Development Corporation (MEDC) Revitalization and Placemaking Grant proposal.
11. Consider setting a public hearing for April 11, 2022 to obtain public input on the Michigan Economic Development Corporation (MEDC) Public Gathering Spaces Grant application.
12. Consider approval of Payrolls and Warrants.

All interested persons may attend and participate. Persons with disabilities who need assistance to participate may call the Human Resources Office at 989-779-5313. A 48-Hour advance notice is necessary for accommodation. Hearing or speech impaired individuals may contact the City via the Michigan Relay Service by dialing 7-1-1.

PUBLIC HEARINGS:

13. Public hearing on the Michigan Department of Natural Resources Trust Fund Grant application and consider approval of resolution on the same.

NEW BUSINESS:

14. Consider budget amendment for Water Plant Operator.
15. Consider approval of Broadway Central for the 2022 season and consider budget amendment for the same.
16. Consider approval of street closure with conditions.
17. Prioritize and approve submission of City requests for Saginaw Chippewa Indian Tribe 2% allocations.
18. Consider approval of amendments to Purchasing Policy.
19. Receive an ordinance to amend Chapter 112 of the Mt. Pleasant Code of Ordinances to update standards for medical marihuana facilities and set a public hearing for April 11, 2022 on the same.
20. Receive an ordinance to amend Chapter 115 of the Mt. Pleasant Code of Ordinances to update standards for adult-use marihuana establishments and set a public hearing for April 11, 2022 on the same.
21. Consider appointments to Isabella County Material Recovery Facility Board as recommended by the Appointments Committee.
22. Consider recommendation from the Planning Commission to reappoint Corey Friedrich as the representative of the Planning Commission to the Zoning Board of Appeals.

ANNOUNCEMENTS ON CITY-RELATED ISSUES AND NEW BUSINESS:

PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS:

RECESS:

CLOSED SESSION:

RECESS:

WORK SESSION:

23. Discussion on Michigan Municipal League (MML) Capital Conference learning.

ADJOURNMENT:

All interested persons may attend and participate. Persons with disabilities who need assistance to participate may call the Human Resources Office at 989-779-5313. A 48-Hour advance notice is necessary for accommodation. Hearing or speech impaired individuals may contact the City via the Michigan Relay Service by dialing 7-1-1.

TO: MAYOR AND CITY COMMISSION

MARCH 23, 2022

FROM: AARON DESENTZ, CITY MANAGER

SUBJECT: CITY MANAGER REPORT ON AGENDA ITEMS

Proclamations and Presentations:

1. Introduction of Social Crisis Advocate Krysta Carabelli
 - a. Staff will introduce Krysta Carabelli who is joining us as our Social Crisis Advocate in partnership with RISE.
 - i. Recommended Action: No action is required for this item.

Receipt of Petitions and Communications:

Consent Items:

8. Consider commitment to purchase road salt for the 2022-2023 season through the State of Michigan MIDEAL Extended Purchasing Program.
 - a. The City annually purchases salt through the MIDEAL program each year and must submit a commitment to purchase so that the state can bid out the contract with the appropriate quantities. Salt will be purchased at the market rate through the program in accordance with the City's Purchase Policy and budgeted allotment.
 - i. Attachments: Memo Advanced Commitment of Road Salt
 - ii. Recommended Action: Approval of the consent agenda
9. Consider Michigan Department of Transportation (MDOT) resolution authorizing the City Manager to approve a contract amendment for the approach slope clearing project at the Mt. Pleasant Airport.
 - a. The City Commission approved a contract for this program on January 24th 2022. MDOT later found an error in their contract and has made the correction. MDOT requires the City Commission to approve the City Manager to sign the corrected contract.
 - i. Attachments: MDOT Contract Amendment Memo, Contract Amendment, MDOT Resolution
 - ii. Recommended Action: Approval of the consent agenda.
10. Consider setting a public hearing for April 11, 2022 to obtain public input on the Michigan Economic Development Corporation (MEDC) Revitalization and Placemaking Grant proposal.
11. Consider setting a public hearing for April 11, 2022 to obtain public input on the Michigan Economic Development Corporation (MEDC) Public Gathering Spaces Grant application.
 - a. Items 10 and 11 relate to applications for State funding for the reconstruction of the Town Center Civic Space. The City is applying for \$1 million through the programs and using a local match of \$500,000 for the project. Approval of this item will set a public hearing on the proposed grant application and project ahead of the application being submitted to MEDC.
 - i. Attachments: Placemaking Memo, Gathering Spaces Memo

- ii. Recommended Action: Approval of the consent agenda.

Public Hearings:

13. Public hearing on the Michigan Department of Natural Resources Trust Fund Grant application and consider approval of resolution on the same.
 - a. The City plans to submit a grant application for \$300,000 for the GKB trail extension from Nelson Park to Mission Creek. The City will use \$525,000 in matching funds for the grant and is partnering with Union Township on the application. The Township is committing \$375,000 for work to be done outside of the City. The State requires a public hearing to be held prior to submission of a grant application. Once held, the City Commission can approve the grant application.
 - i. Attachments: MNRTF Resolution Memo, MDNR Resolution, Map
 - ii. Recommended Action: Following the public hearing, a motion to adopt the attached Resolution.

New Business

14. Consider budget amendment for Water Plant Operator.
 - a. The City has a reorganization plan for the Water Department that dates back to 2018. The staff planned to add another Water Plant Operator in 2023. However, with recent change in staffing and an increasing need for support, staff is requesting that the additional Water Plant Operator start in 2022. This will require a budget amendment of \$60,000 for 2022. Overall the need for additional staffing to keep up with large scale maintenance needs, increased regulatory guidance, and to keep operations running smoothly, we are asking for this change in 2022.
 - i. Attachments: Water Plant Operator Addition Memo
 - ii. Recommended Action: A motion to approve the budget amendment of \$60,000 to cover the addition of a Water Plant Operator for the remainder of 2022.
15. Consider approval of Broadway Central for the 2022 season and consider budget amendment for the same.
 - a. Broadway Central refers to the block of Broadway between Main and University that was closed to regular traffic and used for social/gathering space. The space has held community organization and city sponsored events and activities. Staff plans to add new elements including improved planters and hanging lights for evening activity. Staff has included a breakdown of the cost which will be paid from existing fund balance from the Economic Incentives Fund. Staff plans to explore the possibility of a social district in the near future.
 - i. Attachments: Broadway Central Memo
 - ii. Recommended Action: A motion to approve Broadway Central for the May 2 – October 11, 2022 season and a budget amendment of \$30,500 from the fund balance for economic initiatives. Staff is also looking for direction on desired events and activities.

16. Consider approval of street closure with conditions.

- a. The City received an application for a special event to take place on September 17, 2022 from 8pm to midnight. The proposed event would use Jockey Alley, Lot #9 (Mosher and Court) and Court Street between Mosher and Broadway. The event would be an electronic dance music concert with an estimated attendance of 2,000 people.

Other details include: a fenced perimeter around the event, a temporary liquor license for serving within the fenced in area, a minimum of 14 portable restrooms, and a medic will be onsite. The event is designed to bring students from CMU and surrounding communities to downtown Mount Pleasant.

- i. Attachments: Special Event Memo, EDM Concert Layout, EDM Application
- ii. Recommended Action: A motion to approve the street closure for Richli, Inc. to hold an EDM concert on Saturday, September 17, 2022 on Court Street with the following conditions:
 - 1. Time of concert: from 8:00pm to 12:00am (midnight);
 - 2. Notification of the public, including downtown restaurants, a minimum of three times via social media and press release;
 - 3. Maximum of 2,000 people;
 - 4. Trash is removed and disposed of within 12 hours of ending.

17. Prioritize and approve submission of City requests for Saginaw Chippewa Indian Tribe 2% allocations.

- a. The City Commission annually reviews staff requests for 2% Allocation Grants through the Saginaw Chippewa Indian Tribe. As part of this review the City Commission is asked to rank the top five (5) projects for consideration from the Tribe. The City Commission packet from 03/14/2022 included all of the applications that staff has prepared. At the meeting, we will ask for the top 5 from each City Commissioner and provide the collective top 5 ranking ahead of submitting all of the applications to the Tribe.
 - i. Attachments: Summary listing of applications for submission.
 - ii. Recommended Action: Feedback on the top 5 projects is needed from each City Commissioner.

18. Consider approval of amendments to Purchasing Policy.

- a. The City's Purchasing Policy is being offered for review and approval from the City Commission. Proposed updates include:
 - i. Increased purchase threshold for sealed bids from \$20,000 to \$25,000 to account for inflation over time.
 - ii. Increases the petty cash transaction maximums from \$50 to \$100.
 - iii. A rule against serial purchasing used to avoid the purchase policy maximums.
 - iv. Changes the requirement that bids must be published in the newspaper and instead allows more discretion based on best route to advertise.
 - v. Increases local and in state preferences to \$2,500.

- i. Attachments: 2022 Purchasing Policy Memo, Purchasing Manual
- ii. Recommended Action: A motion to approve the revised purchasing policy to enhance and streamline the purchasing process.

19. Receive an ordinance to amend Chapter 112 of the Mt. Pleasant Code of Ordinances to update standards for medical marihuana facilities and set a public hearing for April 11 on the same.

20. Receive an ordinance to amend Chapter 115 of the Mt. Pleasant Code of Ordinances to update standards for adult-use marihuana establishments and set a public hearing for April 11 on the same.

- a. Both items 19 and 20 are being provided to the City Commission following direction from our 02/14/2022 City Commission meeting. At that meeting, the City Commission expressed an interest in allowing reciprocity between medical and adult use marijuana establishments. The City Commission also wanted to hear from the City Attorney on the potential legal risk involved. The City Attorney met with the Commission on 03/14/2022.

The proposed ordinance amendments include both the reciprocity language requested by the City Commission and the proposed administrative changes proposed by staff. Based on the City Attorney's opinion of the matter, I cannot recommend moving forward with the reciprocity language in the ordinance.

- i. Attachments: Marijuana Ordinances Memo
- ii. Recommended Action: A motion to instruct staff to prepare an ordinance with the administrative changes and to remove the reciprocity language. From there, a proposed ordinance would be provided to the Commission on April 11th and a request for a public hearing on the changes would be scheduled for April 25th.

TO: MAYOR AND CITY COMMISSION

MARCH 23, 2022

FROM: AARON DESENTZ, CITY MANAGER

SUBJECT: CITY MANAGER REPORT ON PENDING ITEMS

This report on pending items reflects the current status of tasks that were previously agreed to.

1. Task Related Issues:

SHORT DESCRIPTION OF TOPIC	MEETING TOPIC WAS AGREED TO	REQUESTED DUE DATE	STATUS AS OF 3-23-2022
Housing Study Follow-Up Staff to work with Planning Commission and others to recommend ordinance amendments and programs as generally agreed to for implementation	July 13, 2020	None	Dr. Colarelli's graduate class held focus groups on November 5th to solicit input from local housing providers on: (1) Insights about the future of existing student housing in Mt. Pleasant (2) Creative solutions for improving housing and neighborhoods in the city (3) Collaborative partnerships to improve housing and help Mt. Pleasant become more economically and culturally vibrant. Initial feedback was that there was not a lot of engagement on items 2 and 3 even though the focus groups were well attended. Draft report will be available Jan 2022. Draft report is being reviewed and feedback given. Staff will present on the findings on 04/11/2022.
Downtown Analysis Follow-Up Staff to work with Planning Commission and complete additional research to recommend ordinance and programs/policies as generally agreed to for implementation	August 10, 2020	None	Analysis completed in 2021. All seven commissioners agreed to proceed. Staff is reviewing options for grant funding for design/build of Town Center.
Charter Amendment Provide resolution language for changing 3-year terms to 4-year terms in 2022 election	August 9, 2021	ASAP	Attorney General's Office reviewed the proposed charter amendment and now disputes the need for a Charter amendment. City Attorney's office is providing a reasoning behind the needed amendment. Assuming the AG's Office signs off on the language, we assume a 2022 ballot question on the proposed amendment.

SHORT DESCRIPTION OF TOPIC	MEETING TOPIC WAS AGREED TO	REQUESTED DUE DATE	STATUS AS OF 3-23-2022
Local Economy Based on listening sessions, research options for downtown façade grants, downtown fire suppression grants, and rent subsidy programs. Revisit Broadway Central Closure in March 2022.	September 27, 2021	ASAP	Will move forward with summary direction documented in September 27 memo. 200 Broadway remains the only outstanding item on this list.

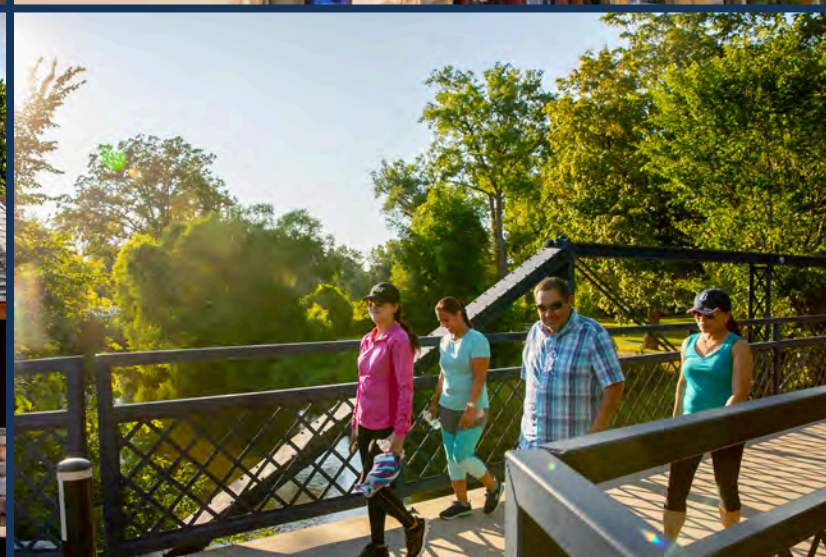
Please note items that have changed since the last report are highlighted in yellow for easy reference.



Come home to *Mt. Pleasant*

Mt. Pleasant
[meet here]

Annual Report
2021





A message from City Manager

Aaron Desentz

The year 2020 introduced us to a global pandemic and forced us to reimagine the way we conduct business. And then 2021 arrived and presented its own set of challenges. Even though COVID-19 continued to play a central role, it did not hinder the progress we made in tackling a number of notable projects to move our City forward. This report is designed to highlight a few of the many accomplishments from the past year. These include: infrastructure improvements; park and recreation upgrades; as well as collaborative service delivery.

Throughout 2021, City staff completed a variety of street and parking lot reconstruction projects, increased traffic at our airport, received community improvement grants through the Michigan State Housing Development Authority (MSHDA), installed new Island Park Fitness equipment, and created a new outdoor community ice rink.

Services enhanced during the year include: receiving approval for a mental health position in the police department; adding a Spring Farmers' Market; reimagining the Ladies' Day Out event; and offering No-Fee Brush Chipping opportunities. To keep employees and visitors to our facilities safe, extensive work by our Human Resources Department went into implementing our COVID-19 protocols and response plan.

The City boasts of a number of support service

departments who were recognized for their outstanding work. For the 33rd year, the Finance Department was awarded the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting. This is a top honor among municipalities that documents the City's dedication to open and transparent financial reporting. Meanwhile, our Public Relations Department received two international awards for their "Be the Reason" campaign.

Looking ahead to 2022, the City has a number of opportunities we plan to address with the same vigor as was done in 2021. Goal and project highlights include, but are not limited to: receiving and allocating \$2.6 million from the American Rescue Plan Act (ARPA); beginning a multi-year renovation to the Water Resource Recovery Facility (WRRF); making improvements to Horizon Park; and further analysis of the Mission Street corridor improvements. For a comprehensive project and goal list visit the City's 2022 budget document, found at www.mt-pleasant.org

Sincere thanks to our residents for your trust which enables us to pursue these worthwhile endeavors. Also, thanks to our City Commission for the guidance and support in executing the City's mission, and gratitude to the City's dedicated staff who diligently work every day to enhance the Mt. Pleasant that we call home.

2021 City Commission

2021 City Commission

*Back Row (L-R): William Joseph, Petro
Tolas, George Ronan*

*Front Row (L-R): Mary Alsager, Lori Gillis,
Amy Perschbacher*

Far Right: Olivia Cyman



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Economic Opportunity for Businesses Offering Competitive Wages

Mt. Pleasant Municipal Airport Continues to See Growth

A global pandemic did not hinder flight schedules at the Mt. Pleasant Municipal Airport (KMOP). For the past two years the airport has experienced an increase in air traffic, fuel sales, and other service offerings.

2021 Airport Statistics

- 232 corporate aircraft landings (turbo prop & jets).
- Fuel sales total 59,036 gallons (8,500 increase from 2020).
- 114 after hours call outs.
- 59 ramp fees.
- 88 rental cars dropped off for customer use.

The Mt. Pleasant Municipal Airport serves as an integral hub for economic growth, contributing \$8 million dollars to the local economy. It also provides convenient accessibility for athletic teams, corporate and entertainment business as well as general aviation.

Make it Mt. Pleasant Rental Subsidy Program Awards Grants

The Make it Mt. Pleasant Rental Subsidy Program is offered to new or expanding downtown Mt. Pleasant businesses. Fully funded by Lake Trust Credit Union, and administered by the City's Downtown Development Office, this program is designed to support new retail, dining, arts and entertainment businesses, and focuses on first floor commercial spaces within the downtown TIFA district.

Up to two businesses per year are accepted for funding. Selected applicants receive 12 months of rental assistance, not to exceed \$4,200 annually, as well as a waiver of city fees and charges not to exceed \$2,500. This waiver supports costs associated with building, sign, outdoor merchandising and outdoor dining permits.

The first two recipients of this outreach support are GreenTree Cooperative Grocery, and RedBloom Yoga.



Well Maintained, Livable & Desirable Neighborhoods

City Received Grant & High Achiever Bonus Funds for Home Exterior Improvements

In 2021, there was \$130,000 available for home exterior improvement projects. Of this sum, \$60,000 was provided by the city and \$30,000 was funded by a Michigan State Housing Development Authority (MSHDA) grant. Due to Mt. Pleasant's previous success with this program, a 'high achiever' bonus of \$40,000 was also awarded by MSHDA so additional projects could be funded.

Since the program's inception in 2020, 14 household improvement projects have been accomplished: nine in the city's west side neighborhood bordered by the Chippewa River; Pickard Street, High Street/M-20 and the western city limit; and five in other areas of the city. An additional 4-5 projects are expected to be supported due to the high-achiever bonus. Awarded projects include roof repairs, porch and deck replacements, as well as window and door installations.

City Offering Accessory Dwelling Unit Design Assistance



Accessory dwelling units (ADU's) are small, secondary dwelling structures located on the same lot as a larger, principal dwelling unit. ADU's can be a detached structure in the backyard, an over-the-garage unit, or a space attached to the primary residence. The ADU's (also referred to as granny flats or in-law units), cannot be sold separately. The owner of the principal home must also be the owner of the ADU.

New ADU's are built and have become an increasingly popular housing option because:

- They create additional housing options and supply within existing residential neighborhoods.
- They increase housing affordability.
- They provide opportunities for multi-generational housing and/or aging-in-place.

- They generate supplementary income for homeowners.

This innovative housing option can be created in the CD-4 zoning district by right, or in the CD-3L or CD-3 zoning district with Planning Commission approval.

To make the ADU design process easy, and to assure these units meet all zoning guidelines, city staff prepared example building plans for both stand-alone and over-the-garage ADU's. These plans can also be adjusted by city staff to reflect the architectural details of primary dwellings.

City Commission Approves Amended Animal Ordinance

In July 2021, the City Commission approved an amended animal ordinance to address the increasing number of complaints regarding stray cats. These concerns include noise, sanitary issues, child safety, and the growing stray cat population afflicting certain areas of the city. Over the past several years Code Enforcement has worked with the Humane Animal Treatment Society (HATS) and Isabella County Animal Control to deal with these issues. The trap, neuter/spay and release method has been utilized, but with limited success due to the feeding and harboring of these animals by some residents.

The amended ordinance provides Code Enforcement personnel with additional tools to address health and safety issues created by animals. As in the past, the first enforcement step is education. The second step involves working with local partners to: (1) humanely impound the animal(s); (2) have the animal(s) trapped, spayed/neutered; (3) released/adopted if possible. Neither the original or amended ordinances allows stray animals to be euthanized, except as determined by a licensed veterinarian.

The amended ordinance does not change the number of household pets permitted (up to three cats/dogs; no more than four in total) that has been in effect for decades.

Safe, Clean, & Environmentally Conscious Community

Health and Safety Top Priorities for City and Township

City and Charter Township of Union employees joined forces to clean up two separate pieces of property; one owned by the City, near the 127N Business Loop, and the other owned by Charter Township of Union at the dead-end of Airport Road. These sites had become unauthorized dumping grounds, and were creating health and safety hazards.

It was determined that several people were, sometimes residing at the 127N site. Before clean-up occurred, these individuals were put in contact with community resources that could be of assistance.

Led by the City of Mt. Pleasant's Neighborhood Resource Unit, members of the City's Parks and Street Departments and Charter Township of Union staff efficiently cleared up both sites.

Lights Installed at Hannah's Bark Park

Hannah's Bark Park at Mission Creek Park was constructed as a collaborative joint effort in 2015 with funds provided by the City of Mt. Pleasant, Charter Township of Union and Friends of the Dog Park. This collaboration continued in 2021 when the Friends of the Dog Bark looked into installing (8) LED lights to increase safety and expand park hours. Total project cost was \$12,500 with \$8,000 of this raised by the Friends of the Dog Park. The remaining \$4,500 was covered by the City of Mt. Pleasant, Charter Township of Union and Friends of the Dog Park each contributing \$1,500.

This park features 3.6 acres of fenced area, separated for small and large dogs. Weekly and annual passes are available for registered members.



Mt. Pleasant Police Officers Continue De-escalation Training for Area Law Enforcement Agencies

As has been the practice for many years, all Mt. Pleasant Police Department (MPPD) officers receive annual de-escalation and use of force training. Two MPPD officers are certified de-escalation training instructors. These trainers conduct educational settings throughout the year not only for the MPPD, but for surrounding law enforcement agencies as well.



Stable Funding

from a Diverse Tax Base

City Awarded Financial Certificate of Achievement for 33rd Year

For the 33rd year in a row, the Government Finance Officers Association (GFOA) awarded Mt. Pleasant the Certificate of Achievement for Excellence in Financial Reporting. GFOA established this recognition program in 1945 to encourage and assist state and local governments to go above the minimum requirements of Generally Accepted Accounting Principles. The award acknowledges municipalities that clearly communicate its financial story while motivating potential users and user groups to read the Comprehensive Annual Financial Reports (CAnFR). The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting. The CAnFR was prepared by the dedicated Finance Division staff. Budget preparations that led to this award were spearheaded by Mary Ann Kornexl, Director of Finance and Chris Saladine, Assistant Director of Finance.

2021 Marihuana Licensing Update

In 2021, nine final marihuana license approvals were issued by the city.

Medical

- 1 Provisioning Center
- 1 Class C Grower
- 1 Processor

Adult-Use

- 2 Class C Growers
- 1 Processor
- 3 Retailers

Within the city at the end of 2021, there were six licenses with provisional approval, and 15 licenses with final approval.

Mt. Pleasant continues to welcome applications for Processors, Secure Transporters, Safety Compliance Facilities and Class A Growers on a first-come, first-serve basis.

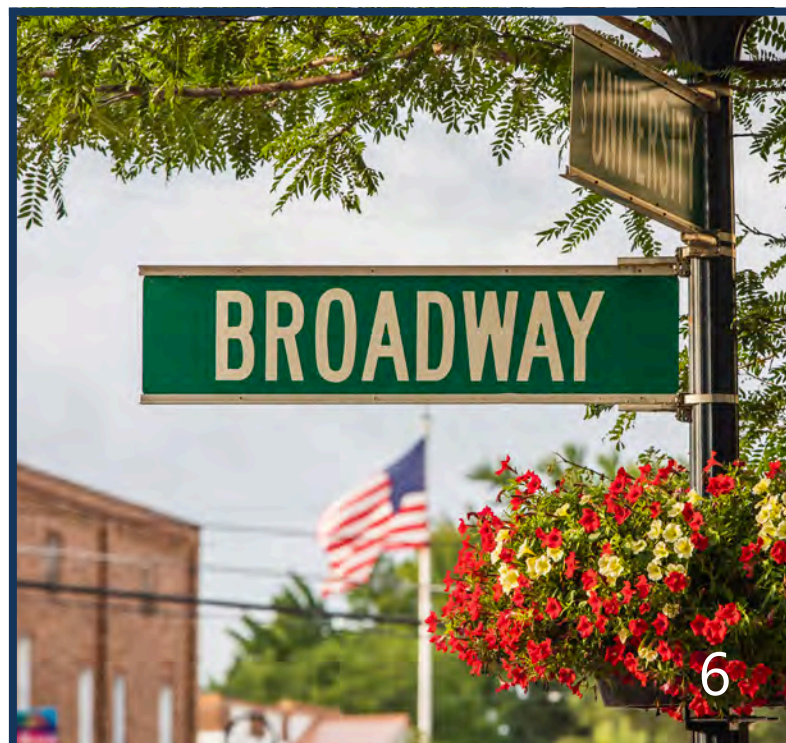
American Rescue Plan Funding

The American Rescue Plan is a \$1.9 trillion COVID-19 relief package designed to address the continued impact of COVID-19 on our nation's economy, public health, state and local governments, individuals and businesses.

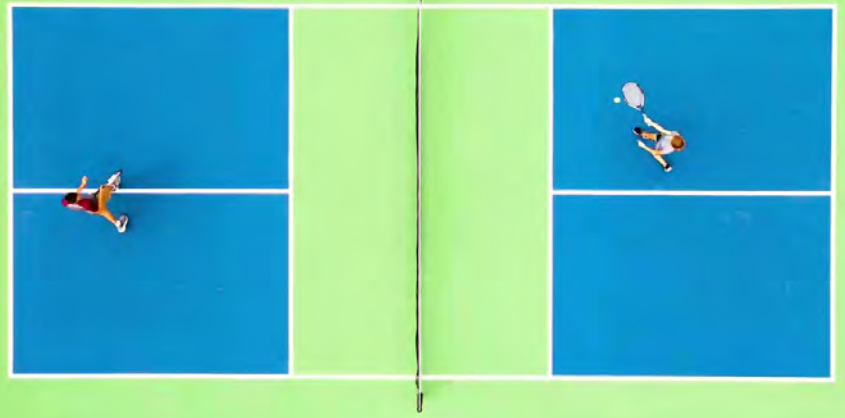
There is \$350 billion available to state and local governments. Eligible uses are as follows:

- Respond to the public health emergency or its negative economic impacts.
- Provide premium pay to eligible workers performing essential work.
- Replace the reduction in revenue for local government.
- Invest in water, sewer and/or broadband infrastructure.

Based on population, the City of Mt. Pleasant qualifies for almost \$2.6 million as a Non-Entitlement Unit of Local Government (NEU). These funds must be allocated by December 31, 2024 and spent by December 31, 2026. In July, the City Commission chose to accept this funding and staff is currently determining the best use of these funds.



Recreational & Cultural Activities



Final Island Park Fitness Equipment Installation Completed



Residents can now complete their workout alongside the Chippewa River due to additional fitness equipment being installed on the south side of Island Park. Striders, an overhead ladder, and a multi-function AB bench are just some of the recent additions.

This project, which also added a half-mile paved trail to Island Park, now connects to the GKB Riverwalk Trail, and was funded by City Capital Improvement Funds, Saginaw Chippewa Indian Tribe's 2% distribution, and a Michigan Department of Natural Resources Trust Fund Grant.

Six New Pickle Ball Courts Opened at Island Park

Pickle ball has become a popular sport across the nation as well as in the Mt. Pleasant community. Coupled with Master Plan input from residents requesting pickle ball courts, the Parks Department staff decided to convert two of the four Island Park tennis courts to six pickle ball layouts. Organized pickle ball groups meet at 9 a.m. on Monday, Wednesday, Friday, and Sunday; and 5 p.m. on Tuesday and Thursday.

Airport Hosts Young Eagles Event



The Mt. Pleasant Municipal Airport (KMOP) was buzzing with activity when 66 young pilots took to the blue skies during the EAA Chapter 907's Young Eagles event. Kids aged 9-17 were given free airplane rides by community pilots, who shared their love of aviation with their young passengers. The EAA works in conjunction with Airport Manager Bill Brickner on several kid-friendly programs and community events throughout the year.

MPPD Hosts 20th Youth Police Academy

Mt. Pleasant Police Officers conducted this popular program structured like a real police academy with values such as teamwork, integrity, compassion and discipline being stressed. For three weeks in July, cadets in grades 6-8, were required to participate in physical training and complete the same agility tests given to recruits during a standard police academy. Cadets came to realize how much knowledge a police officer must possess to perform their job.

Participants completed a series of classroom instruction and hands-on training sessions which covered: self-defense; firearm, marine and fire safety; how to conduct investigations; writing citations and reports; first aid; and defensive driving tactics. Field trips and demonstrations were also included in the curriculum, as well as introductions to specialized units such as the Emergency Services Team, K-9 unit and DNR.



The Central Michigan University Police Department, Isabella County Sheriff's Department, Michigan State Police, Mt. Pleasant Fire Department, Saginaw Chippewa Tribal Police Department and Saginaw Police Department also shared their expertise with the cadets throughout this program.



Island Park Ice Rink Approved

In October, City Commissioners approved the installation of an outdoor Island Park ice rink. Located on the south softball field this 54' x 95' rink will be open in January and February during regular park hours, weather permitting. There is no charge to use this facility, which is maintained by the Parks Department.



Services & Opportunities Optimized by Communication & Cooperation

"Be the Reason" Online Video Campaign Wins Prestigious Awards



Mt. Pleasant's "Be the Reason" online video campaign which addressed the COVID-19 pandemic, received the Communicator's Gold Award of Excellence, as well as a Bronze Telly.

Communicator Awards honor the best digital, mobile, audio, video, print, and social content the industry has to offer. More than 6,000 international entries were submitted for judging. These entries were originated by advertising agencies, interactive agencies, production studios, design firms and public relations units. Other winners of the Gold Award of Excellence top honor included: Disney Creative Studios, PepsiCo, Forbes, Microsoft, Accuweather and Canada Life.

The Telly Award competition garnered more than 12,000 entries internationally. Telly award winners represent submissions from the most respected advertising agencies, television stations, production companies, publishers and public relations units from around the world. Other Telly Award recipients include: Netflix, CBS/Late Late Show with James Cordon, FOX Entertainment, and Disney.



Due to Michigan's Stay-at-Home Order, city staff could not shoot any new video for this campaign. Instead, existing footage was repurposed with all production being completed remotely by Mt. Pleasant's creative team, which included: Tenley McLaughlin-Good/Graphic Designer, Paul Lauria/Director of Public Safety, Zach Huffman/Videographer/CEO and Founder of Hyvion, Jim Bollella/Voiceover Talent/Owner of Freeform Audio, and Darcy Orlik/Director of Public Relations.

City Clerk's Office Conducts Three Elections and Streamlines Operations



The City Clerk's Office was busy in 2021 not only due to three elections, but by researching ways to be more efficient and reduce costs. Precincts were consolidated from 7 to 3 for all elections, which resulted in \$37,000 in savings. In addition, an Absentee Counting Board was constituted in August and will be used in future elections to process absentee ballots.

Election	Voter Turnout
May - Mid Michigan Community College Millage Request	11%
August - 911 Surcharge Renewal	12%
November - Mt. Pleasant Public Schools Millage Renewal & City Commissioner Race	16%

Play It Safe

City and CMU partner to welcome and inform students of expectations and safety protocols.



In the days leading up to the start of the Fall semester, Mt. Pleasant Public Safety officers, the Central Michigan University Police Department, and Central Michigan University staff members took to the streets to personally welcome students to town, and educate them on how to 'play it safe.' This outreach event, not only welcomed students, but set clear expectations for the coming academic year. COVID-19 safety protocol reminders were once again added to the conversation.



Mental Health Position Approved; R.I.S.E. Partnership Enhanced



The Mt. Pleasant Police Department's (MPPD) relationship with the Recovery, Independence, Safety and Empowerment Advocacy, Inc. (R.I.S.E.), continued to grow in 2021. R.I.S.E. provides support services for survivors of both domestic violence and sexual assault. Assistance from a R.I.S.E. representative is often provided on scene at some domestic violence calls. Meanwhile, all domestic violence incidents are forwarded to R.I.S.E. to focus additional resources and services to victims.

In November, the MPPD and R.I.S.E. took their partnership one-step further by entering into a one-year pilot agreement to provide networking services to people who suffer from mental health and temporary crisis issues, as well as substance abuse including drug overdoses. A new contracted position will provide further guidance to officers when dealing with these types of incidents, as well as connecting individuals to additional resources for specialized help. This is an innovative concept for a department of MPPD's size. Funding for the one-year pilot program was provided by savings from temporarily vacant positions within the police department.

Shopping, Dining, & Entertainment Options

Ladies Day Out – New Name, Same Fun



After 17 years, a few alterations were made to Ladies' Night Out. This popular event transitioned from taking place in the evening to an all-day shopping experience, prompting the name change. Participants had the opportunity to win \$250, \$500 or \$1,000 in downtown gift certificates by simply registering at the Downtown Development kiosk at Main and Broadway Street.

Christmas Celebration Provides Festive Atmosphere



From a new Winter Market to a fireworks finale, the Christmas Celebration offered residents a variety of activities. In Town Center, the Winter Market featured specialty crafts and food vendors. Candy Cane Lane hosted multiple children's games. Hayrides, Community Sing-Along and

Tree Lighting Ceremony got attendees in the holiday spirit.

The joy continued with the Jingle All-The-Way Kids Fun Run, as well as 5K and 5 Mile Runs. Next up was a pancake breakfast, cookie decorating, lighted Christmas Parade honoring frontline/essential workers, and the fireworks grand finale which lit up the sky after the parade.

This two-day event has been a Christmas tradition for almost three decades. The 2022 celebration, hosted by the Mt. Pleasant Parks and Recreation Department, is slated for December 2-3.



Farmers' Market Expands Season

The Mt. Pleasant Farmers' Market expanded its 2021 season by adding a Spring Market which began in May at Island Park. Then from June – October, residents were once again able to attend two Farmers' Markets per week: the Thursday market at Island Park, and Saturday Market in downtown Mt. Pleasant.

In addition, during the 2021 season, the Farmers' Market partnered with the Central Michigan District Health Department by providing space for a Pop-Up COVID-19 vaccine clinic.

Reliable & Sustainable Infrastructure

Cross Connection Inspections Conducted

Michigan's Safe Drinking Water Act protects drinking water and prevents cross connections that may pose a hazard to the potable water supply. Most residential cross connections are found at a home's outside hose connection, or with a residential irrigation system.

In the past, the Water Department has focused its efforts on addressing cross connections at commercial and industrial properties due to their greater risk for potential contaminants. While these inspections will continue, the Michigan Department of Environment, Great Lakes and Energy (EGLE) is also requiring inspections of potential cross connections with residential properties. Hydrocorp, the entity conducting the inspections, performed 90 commercial inspections and 1,158 residential inspections in 2021. Residential inspections will be completed in phases over the next several years.

UV Light Technology Used in Water Disinfection Process

In 2021, the Water Resource Recovery Facility took yet another step to protect our natural resources and rivers by upgrading to an ultraviolet (UV) light disinfection process. This environmentally-safe practice utilizes intense levels of light to kill bacteria and viruses, eliminating the previous process of disinfecting by-products being sent to the river.

Construction Projects

Street Asphalt Overlays

- Chippewa Street; University to Lansing
- Eastpointe Drive; Sweeney to Somerset
- Franklin Street; Cherry to Maple
- Gover Parkway; Broomfield to dead end
- Lansing Street; Pickard to Mosher
- Larry Place and Larry Court; Wisconsin to Brown



- Palmer Street; Franklin to Arnold
- University Street; Lincoln to Chippewa

Detention Pond Expansion

The detention pond in the South Industrial Park was expanded, providing more storm water storage capacity for future land developments. Funding was provided from an 80% federal Economic Development Administration (EDA) grant, with the required 20% match contributed by the city and private industrial park property owners.

Street Projects

Gaylord Street between Mission and Fancher Streets was reconstructed. The project included the removal and replacement of asphalt, road base, and a portion of the curb and sidewalk. Handicap access ramps were replaced in some areas and storm sewers installed.

Downtown Parking Lot Reconstruction Projects

- Parking lot 6, on Illinois Street between Main and University.
- Parking lot 8, a permit lot on Lansing Street between Broadway and Michigan.

Both lots received new pavement, curbs, drive approaches, sidewalk, and new storm sewer including an underwater detention system.

In addition, parking lot 8 was provided with upgraded amenities such as: decorative LED lighting, masonry walls, fencing, benches, bike racks, new trees and a dumpster enclosure.

Storm Sewer Extensions

This project involved extending six-inch storm sewer pipes for sump pump connections at the following locations:

- Briarwood Drive; York to Fairfield
- Lynwood Drive; York to Fairfield
- York Drive; Lynwood to Briarwood

Commitment to Recognizing, Accepting & Encouraging Diversity

Mt. Pleasant Police Department Dedicated to Local Human Rights and Diversity Group Engagement



*Public Safety Director
Paul C. Lauria*

As in years past, Mt. Pleasant Division of Public Safety Director Paul Lauria continued to meet regularly with the Isabella County Human Rights Committee (ICHRC) and Mt. Pleasant

Area Diversity Group (MPADG). Discussion topics revolved around policy development, citizens' concerns, de-escalation, use of force, domestic violence, and mental health training for officers.

As Director Lauria reflected, "During 2020, global pandemic and national social justice issues took center stage and were the topic of wide-spread conversation. Throughout that year the Mt. Pleasant Division of Public Safety concentrated on these national concerns as we conducted our continuous operational reviews, making adjustments as needed. In 2021," Lauria continued, "our focus was shifted to local needs. Even though the COVID-19 virus consumed 2021 and created a pandemic-weary society, the year was nevertheless filled with engaging and informative discussions, training, newly established partnerships, and long-standing collaborations which have solidified and expanded." As Lauria concluded, "The mutual commitment and dedication from all parties to continue valuable two-way dialogue will prove beneficial during the challenges we, as a community may face in the future."

City and CMU Commemorate Juneteenth



Mayor Will Joseph and CMU's Chief Diversity Officer, Shawna Patterson-Stephens.

Juneteenth commemorates the day of freedom in 1863 for all slaves living in the Confederate states. So, on Friday, June 18th at Central Michigan University's Warriner Mall, university leaders shared reflections on the history and relevance of Juneteenth. City staff and commissioners were present for the reading of our city's Juneteenth proclamation by Mayor Will Joseph.

Mt. Pleasant Police Department Co-Sponsors 'Let Peace Reign' Event



'Let Peace Reign' event, September 18, 2021.

For the third year, the Mt. Pleasant Police Department co-sponsored and featured officer participation in the Isabella County Human Rights Commission's annual, 'Let Peace Reign' event

held at Island Park. This observance was designed to promote and advocate both community and nationwide peace. A walk took place followed by a program, and candlelight vigil remembering those we lost to COVID-19 and acts of violence.

Officer Theisen Selected to Carry Flame of Hope Prior to Special Olympics USA Games



Mt. Pleasant Police Officer Joshua Theisen has been involved with Special Olympics of Michigan for more than seven years, and is a member of the Law Enforcement Torch Run (LETR) Executive Committee. In 2021, Officer Theisen was selected to represent the State of Michigan and carry the Flame of Hope, along

with other LETR volunteers from around the world, to signal the June 2022 USA Games in Orlando, Florida.

More than 5,500 athletes and coaches from the United States and Caribbean will participate in the June 2022 games which attract more than 125,000 spectators.

Nancy Ridley Retires;

Desentz Hired as City Manager



In April 2021, City Manager Nancy Ridley announced her retirement effective October 2021. During her 24-year tenure with the city, Nancy served as the Finance Director until she was appointed City Manager in 2014.

The City Commission hired Walsh Municipal Services to facilitate the City Manager recruitment process. An ad hoc committee comprised of Mayor Will Joseph, Commissioners Mary Alsager and Petro Tolas, and Human Resource Director Susanne Gandy worked with Recruiter Frank Walsh on this task.

On September 13, 2021, the City Commission unanimously approved the hiring of Aaron Desentz. After a two-week transition period with Nancy, Aaron officially assumed the role of City Manager on October 30, 2021.

Aaron has previously worked in local government for a variety of Michigan communities. Most recently he served as Eaton Rapids City Manager.

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Mt. Pleasant, MI 48858

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AIRPORT JOINT OPERATIONS AND MANAGEMENT BOARD

Meeting Minutes

Thursday, January 20, 2022

3:30-5:00 p.m.

Airport Terminal Building Lobby

I. Call to Order

Vice Chairman Nanney called the meeting to order at 3:31 p.m.

II. Roll Call

Member	Present
Aaron Desentz	Yes
Nicole Frost	Yes
James McBryde	Yes
Rodney Nanney	Yes
Gayle Ruhl	Yes

Staff: Bill Brickner, Jason Moore

III. Election of Chairperson and Vice Chairperson

Motion by McBryde, support by Frost, to elect Nanney for chairperson

Motion passed unanimously

Motion by McBryde, support by Frost, to elect Desentz for vice chairperson

Motion passed unanimously

IV. Set Recurring Meeting Schedule

Motion by McBryde, support by Desentz, to keep meeting schedule the same

Motion passed unanimously

V. Additions/Deletions to Agenda

Motion by McBryde, support by Desentz, to approve the agenda as presented

Motion passed unanimously

VI. Public Input on Agenda Items

None

- VII. Approval of Meeting Minutes – December 16, 2021
Motion by Desentz, support by McBryde, to approve the minutes as presented
Motion passed unanimously
- VIII. Airport Manager's Report
- IX. Old Business
None
- X. New Business
 - a. Recommend approval of tree abatement contracts
Motion by McBryde, support by Frost, to recommend approval of the contracts to the City Commission
Motion passed unanimously
 - b. Recommend approval of a contract amendment with Mead and Hunt
Motion by McBryde, support by Ruhl, to recommend approval of the contract amendment to the City Commission.
Motion passed unanimously
- XI. Announcements on Airport Related Issues and Concerns
The 5G rollout and effect on radar perimeters was discussed.
- XII. Public Comment on Non-Agenda items
None
- XIII. Adjournment
Nanney adjourned the meeting at 4:21 p.m.

Minutes of the special meeting of the City Commission held Wednesday, March 9, 2022 at 6:02 p.m. at the Division of Public Safety, 804 E. High St., Mt. Pleasant

Commissioners Present: Mayor Amy Perschbacher and Vice Mayor Olivia Cyman (6:55 pm); Commissioners Brian Assmann, Liz Busch and George Ronan

Commissioners Absent: Mary Alsager and Maureen Eke

Others Present: City Manager Aaron Desentz, City Clerk Heather Bouck; Directors Kornexl, Lauria, Moore and Mrdeza; Human Resources Director Susanne Gandy and Facilitator Lewis Bender

Moved by Commissioner Busch and seconded by Commissioner Ronan to approve the Agenda as presented. Motion unanimously adopted.

Work Session: 2023 Goals and Objectives

Lew Bender led a discussion regarding City Commission's 2023 goals and objectives. A list of strengths, weaknesses, opportunities and challenges was compiled. Points of focus were made.

Discussion will continue on April 18, 2022.

Mayor Perschbacher adjourned the meeting without objection at 8:32 p.m.

Amy Perschbacher, Mayor

Heather Bouck, City Clerk

Minutes of the regular meeting of the City Commission held Monday, March 14, 2022, at 7:00 p.m., in the City Commission Room, 320 W. Broadway St., Mt. Pleasant, Michigan with virtual options.

Mayor Perschbacher called the meeting to order.

The Pledge of Allegiance was recited.

Commissioners Present: Mayor Amy Perschbacher and Vice Mayor Olivia Cyman; Commissioners Mary Alsager, Brian Assmann, Liz Busch, Maureen Eke & George Ronan

Commissioners Absent: None

Others Present: City Manager Aaron Desentz, City Clerk Heather Bouck and City Attorney Michael Homier

Proclamations and Presentations

City Planner Kain and Mayor Perschbacher presented the 2021 Community Improvement Awards to the selected property owners.

<u>Category</u>	<u>Address</u>	<u>Property Owner</u>
Commercial	907 E Broomfield & 1207 N. Mission	Lume Cannabis Co.
Multi-family	410 W Broadway	Michigan Community Capital
Single-family	108 Oak	Joanne Curtiss

Additions/Deletions to Agenda

Items #16: "Recommendation from the Planning Commission to reappoint Corey Friedrich as the representative of the Planning Commission to the Zoning Board of Appeals." was removed from the Consent Calendar.

Receipt of Petitions and Communications

Received the following petitions and communications:

2. City Manager report on pending items;
 - a. Monthly report on police related citizen complaints received.
3. Tax Increment Finance Authority (TIFA) Meeting Minutes. (November)
4. Planning Commission Meeting Minutes. (February)
5. Receipt of Certificate of Achievement for Excellence in Financial Reporting.
6. Communication from City Planner Jacob Kain regarding stacking requirements for drive-through businesses.
7. Communication from LowKey Properties LLC regarding Class B and Class C grower license for Medical and Adult Use Marijuana Establishment.
8. Requested information from City Planner Jacob Kain and City Clerk Heather Bouck regarding Medical and Adult Use Marijuana Ordinances.

Moved by Commissioner Alsager and seconded by Commissioner Eke to approve the following items on the Consent Calendar:

9. Minutes of the regular meeting of the City Commission held February 28, 2022.
10. Corrections to the Michigan Department of Transportation (MDOT) Act 51 map to add Ellis Place, to delete Franklin Street from Michigan to Illinois, to delete Illinois Street stubs at Greenfield Drive and approve resolutions for same. (CC Exh. 1-2022)
11. Award contract for 2022 Alley Reconstruction Project to Malley Construction, Inc. of Mt. Pleasant, Michigan in the amount of \$154,457.00 and budget amendment for same.
12. Transfer of parcels 17-000-00-093-00; 17-000-00-092-00; 17-000-00-091-00 and 17-000-00-439-00 from Central Business District/Tax Increment Finance Authority (CBD/TIFA).
13. Set a public hearing for Monday, March 28, 2022 at 7:00 p.m. to obtain public input on the Michigan Department of Natural Resources Trust Fund Grant application.
14. Budget amendment for preliminary design and cost estimates for Town Center civic space.
15. Amendment to the 2022 CBD TIFA budget and 2022 general fund budget.
16. Item removed from Consent Calendar.
17. Receive recommended text change to amend Article VII of the Mt. Pleasant Zoning Ordinances to update the definition of liquor store and set a public hearing for Monday, April 11, 2022 at 7:00 p.m. on same.
18. Receive recommended text change to amend Sections 154.1203, 154.613 and 154.615 of the Mt. Pleasant Zoning Ordinances regarding the types of improvements and applications requiring site plan review and approval and set a public hearing for Monday, April 11, 2022 at 7:00 p.m. on same.
19. Receive City requests for Saginaw Chippewa Indian Tribe 2% allocations.
20. Warrants dated March 7, 8, 9, & 10, 2022 and Payrolls dated March 2, 2022 all totaling \$948,215.51.

Motion unanimously adopted.

A public hearing was held on recommended text change to Section 154.414 to update band sign standards and delete reference to downtown Mt. Pleasant signage design guidelines. There being no public comments or communications, the Mayor closed the public hearing.

Moved by Commissioner Eke and seconded by Commissioner Busch that Ordinance 1075, an Ordinance to amend Section 154.414 to update band sign standards and delete reference to downtown Mt. Pleasant signage design guidelines having been introduced and read, now be passed, ordained and ordered published.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

A public hearing was held for the purpose of receiving public comments related to Green Tree Cooperative Grocery, Inc.'s performance as required under the CDBG-RLF program. Ray Davies, 1338 S. Crawford, commented what a great asset the Green Tree Cooperative Grocery is to the community with respect to job opportunities, vendors and consumers. There being no additional public comments or communications received the Mayor closed the public hearing.

Moved by Commissioner Busch and seconded by Commissioner Eke to authorize the Mayor to sign the required Action to Affirmatively Further Fair Housing form.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

Moved by Commissioner Alsager and seconded by Commissioner Eke to award the contract for the 2022 Illinois Street Reconstruction Project, Option B to McGuirk Sand and Gravel of Mt. Pleasant, Michigan in the amount of \$846,365 and approve budget amendments of \$51,000 from local streets and \$12,550 from the capital improvements fund. Motion unanimously adopted.

Moved by Commissioner Eke and seconded by Commissioner Busch to approve the Resolution Authorizing the City Manager to sign the Michigan Department of Transportation Grant Agreement (MDOT Contract N. 22-5060) for reimbursement of funds to the City for the 2022 Brown Street Reconstruction Project.

WHEREAS, a Grant Agreement (MDOT Contract No. 22-5060) has been submitted by the Michigan Department of Transportation, which requires the City of Mt. Pleasant to adopt a resolution authorizing the approval of the contract for reimbursement of funds to the City for the 2022 Brown Street Reconstruction Project, including all related work, and

WHEREAS, the reconstruction and improvements made to Brown Street will improve safety for both motoring and pedestrian traffic; and

WHEREAS, the Agreement has been approved by the City Manager as to substance,

NOW, THEREFORE, BE IT RESOLVED, that the City Manager be authorized to execute said Agreement on behalf of the City of Mt. Pleasant.

Motion unanimously adopted.

Announcements on City-Related Issues and New Business

Commissioner Busch announced that the Mt. Pleasant Public School is presenting Sponge Bob The Musical March 17th thru March 20th. Broadway Theater is presenting Little Mermaid Jr. this weekend and next. There is an Awareness March on Saturday, March 26th from 12 to 2 p.m. to show support for Ukraine.

Commissioner Eke announced that March is Women's History Month. This is a time to reflect on women's accomplishments and to raise awareness to end violence and inequities against women.

Commissioner Ronan announced that today is National Pi Day. Hopefully individuals were able to support a local business and celebrate National Pi Day.

Moved by Commissioner Ronan and seconded by Commissioner Alsager to table the recommendation from the Planning Commission to reappoint Corey Friedrich as the representative of the Planning Commission to the Zoning Board of Appeals to the March 28th meeting. Motion unanimously adopted.

The Commission recessed at 7:27 p.m. and returned at 7:41 p.m.

Moved by Commissioner Eke and seconded by Commissioner Busch to conduct a closed session to consult with the city attorney regarding trial or settlement strategy in connection with Taco Boy of Mount Pleasant, Inc., v City of Mt. Pleasant, Circuit Court Case No. 22-27612-AA, the discussion of which in an open meeting would have a detrimental financial effect on the litigation or settlement position of the City and pursuant to MCL 15.268(1)(h) to discuss written confidential legal opinions with the city attorney, which are exempt from disclosure by state or federal statute.

AYES: Commissioners Alsager, Assmann, Busch, Cyman, Eke, Perschbacher & Ronan

NAYS: None

ABSENT: None

Motion unanimously adopted.

The Commission went into a closed session at 7:41 p.m. A separate set of minutes was taken for the closed session. The Commission went back into open session at 9:02 p.m.

Moved by Commissioner Alsager and seconded by Commissioner Ronan to adjourn the meeting at 9:03 p.m. Motion unanimously adopted.

Amy Perschbacher, Mayor

Heather Bouck, City Clerk

Memorandum



TO: Aaron Desentz, City Manager
FROM: Jason Moore, DPW Director
DATE: March 8, 2022
SUBJECT: Approved Advanced Commitment of Road Salt

Request:

The City Commission is requested to approve an advanced commitment of 800 tons of road salt through the MiDeal Program.

Reason:

The City purchases road salt through the State of Michigan's MiDeal Extended Purchasing Program. To obtain the best pricing, the State requires MiDeal participants to place an advanced reservation for road salt early in the year for the next winter season. The 2022-2023 pricing will be determined after the State receives the bids in August and awards the contract.

The deadline to place the reservation is April 6, 2022. We are seeking approval to reserve 300 tons for early delivery this fall and 500 tons as a seasonal backup quantity for 2023. Funds for these purchase will be included in the 2022 amended and 2023 operating budget.

Recommendation:

I recommend the City Commission approve the advanced commitment of 800 tons of road salt through the State of Michigan's MiDeal Extended Purchasing Program.

Memorandum



TO: Aaron Desentz, City Manager
FROM: Jason Moore, DPW Director
DATE: March 15, 2022
SUBJECT: Approve Resolution and Authorize Execution of Contract
Amendment for MDOT Contract 2022-0445

Request

The City Commission is requested to approve a resolution and authorize the city manager to digitally sign a contract amendment with MDOT for Phase II of the Runway 9 Approach Slope Clearing Project at the Mt. Pleasant Municipal Airport.

Reason

At the meeting held January 24, 2022, the City Commission approved a resolution and contract with MDOT to release Block Grant Funds for the costs associated with the tree pruning and clearing, grubbing and restoration of three parcels along East Airport Road and the US-127 right-of-way, and the construction administration costs for services provided by Mead and Hunt. In processing the first pay request, MDOT discovered they had transposed the dollar amount for the City's share in the original contract. The attached contract amendment corrects that error. The total project cost remains the same.

MDOT requires approval of a resolution and the contract amendment digitally signed by the city manager before they can release the funds to process future pay requests.

The revised project cost participation is shown below. The actual MDOT, FAA and City shares of the project cost will be determined at the time of financial closure of the FAA grant.

Federal Share.....	\$568,510.00
Maximum MDOT Share ...	\$14,551.00
Sponsor (City) Share.....	<u>\$14,551.00</u>
<i>Estimated</i> Project Cost.	\$597,612.00

Recommendation:

I recommend the City Commission approve the resolution and authorize the city manager to digitally sign the amendment for MDOT contract 2022-0445.

MICHIGAN DEPARTMENT OF TRANSPORTATION

CITY OF MT. PLEASANT

AMENDMENT

This Amendatory Contract is made and entered into between the Michigan Department of Transportation (MDOT) and the City of Mt. Pleasant (SPONSOR) for the purpose of amending Contract No. 2022-0445, dated February 9, 2022 (CONTRACT).

Recitals:

The CONTRACT provides for the undertaking of the following project at the Mt. Pleasant Municipal Airport in Mt. Pleasant, Michigan: Obstruction Removal Rwy 9 (Parcels E19-E21 & MDOT ROW US-127) - Construction; and

The parties desire to increase the CONTRACT amount to correct the original contract amount and to align the budget with the budget set forth in the supplemental transfer memorandum dated March 8, 2022.

The parties agree that the CONTRACT be and that the same is amended as follows:

1. In order to set forth the revised amounts, Exhibit 1 of the CONTRACT, dated February 2, 2022, is replaced with Revised Exhibit 1, dated March 10, 2022, attached hereto and made a part hereof, and all references in the CONTRACT to Exhibit 1 will be construed to mean Revised Exhibit 1, dated March 10, 2022.
2. In order to increase the CONTRACT amount by Eighteen Thousand Dollars (\$18,000.00), for a revised total CONTRACT amount of Five Hundred Ninety-Seven Thousand Six Hundred Twelve Dollars (\$597,612.00), Section 11 of the CONTRACT is amended to read as follows:
 - “11. The PROJECT COST participation is estimated to be as shown below and as shown in Revised Exhibit 1. The PROJECT COST participation shown in Revised Exhibit 1 is to be considered an estimate. The actual MDOT, FAA, and SPONSOR shares of the PROJECT COST will be determined at the time of financial closure of the FAA grant.

Federal Share	\$568,510.00
Maximum MDOT Share	\$ 14,551.00
SPONSOR Share	<u>\$ 14,551.00</u>
<i>Estimated</i> PROJECT COST	\$597,612.00”

3. All other provisions of the CONTRACT, except as herein amended, remain in full force and effect as originally set forth.
4. The SPONSOR agrees that the compensation noted above represents payment in full for all services requested by MDOT and waives any and all claims it has or may have against MDOT that arise out of the need to amend the CONTRACT.
5. This Amendatory Contract will become binding on the parties and of full force and effect upon signing by the duly authorized representatives of the SPONSOR and MDOT and upon adoption of a resolution approving said Amendatory Contract and authorizing the signature(s) thereto of the respective representatives(s) of the SPONSOR, a certified copy of which resolution will be returned to MDOT with this Amendatory Contract, as applicable.

CITY OF MT. PLEASANT

By: _____
Authorized Signer

MICHIGAN DEPARTMENT OF TRANSPORTATION

By: _____
Authorized Signer

Approved as to Legal Form
3-11-22 J.S.

REVISED EXHIBIT 1

MT. PLEASANT MUNICIPAL AIRPORT
MT. PLEASANT, MICHIGAN

Project No. B-26-0069-2621
Job No. 129406CON

March 10, 2022

	Federal	State	Local	Total
LAND	\$0	\$0	\$0	\$0
DESIGN	\$0	\$0	\$0	\$0
CONSTRUCTION	\$568,510	\$14,551	\$14,551	\$597,612
Obstruction Removal Rwy 9 (Parcels E19-E21 & MDOT ROW US-127) - 90% Fed	\$245,709	\$13,651	\$13,651	\$273,011
AMENDMENT Obstruction Removal Rwy 9 (Parcels E19-E21 & MDOT ROW US-127) - 90% Fed	\$16,200	\$900	\$900	\$18,000
Obstruction Removal Rwy 9 (Parcels E19-E21 & MDOT ROW US-127) - 100% Fed	\$260,845	\$0	\$0	\$260,845
CONSULTANT contract fee - 100% Fed	\$45,756	\$0	\$0	\$45,756
ORIGINAL PROJECT BUDGET	\$552,310	\$13,651	\$13,651	\$579,612
INCREASE TO BUDGET	\$16,200	\$900	\$900	\$18,000
TOTAL PROJECT BUDGET	\$568,510	\$14,551	\$14,551	\$597,612
	95.13%	2.43%	2.44%	

Federal Billing Breakdown:

Bill #1	\$4,379	SBGP 10318	Grant Award Date: 7/30/18
Bill #2 (Increased for AMD)	\$257,530	SBGP 10719	Grant Award Date: 9/24/19
Bill #3	\$139,934	SBGP 11220	Grant Award Date: 5/20/20
Bill #4	\$166,667	SBGP 12321	Grant Award Date: 8/9/21

Bid Date & Type: 12/02/21 Local

Performance End Date: 02/01/23

MAC Approval: 01/20/22
Supplemental MAC: 03/08/22

RESOLUTION

At a regular meeting of the City of Mt. Pleasant, Michigan, held at the City Hall Building at 320 W. Broadway Street:

The following resolution was offered by member _____, and supported by member _____.

WHEREAS, the Michigan Department of Transportation has submitted an amendment for the purpose of amending Contract No. 2022-0445, dated February 9, 2022; and

WHEREAS, the contract provides for the undertaking of Phase II of the Runway 9 Approach Slope Clearing Project; and

WHEREAS, the parties desire to increase the contract amount to correct the original contract amount and to align the budget with the budget set forth for the project;

NOW, THEREFORE, BE IT RESOLVED, that the city manager is authorized to digitally sign said contact ameandment on behalf of the City of Mt. Pleasant.

Resolution duly adopted.

Amy Perschbacher, Mayor

Certified to be a true copy, _____
(Date)

Heather Bouck, City Clerk

Memorandum



TO: Aaron Desentz, City Manager

FROM: Michelle Sponseller, Downtown Development Director

CC: William Mrdeza, Community Services & Economic Development Director

DATE: March 18, 2022

SUBJECT: 2022 Revitalization and Placemaking Grant Application – Town Center Civic Space

The Downtown Development Department is intending to apply for a Michigan Economic Development Corporation (MEDC) “Revitalization and Placemaking” (RAP) grant for the proposed Town Center Civic Space Project. The state requires applicants to hold a public hearing on their application and pass a resolution as part of the completed grant package.

The pursuit of grants continues to be a resource to help provide additional funds for capital projects. Staff looks at upcoming projects and analyzes the best funding opportunities for our proposed projects.

The RAP grant carries an application deadline yet-to-be finalized in May. Although this deadline has not been finalized staff recommends being proactive in setting the public hearing consistent with the MEDC Public Gathering Spaces grant. Applicants selected for recommendation will be notified in early summer 2022.

The application proposes to use the \$500,000 allocated from the capital improvement fund for the project along with additional matching grant funds.

At this time all that is needed is for the City Commission to set a public hearing for their next regular meeting to meet the application requirements.

REQUESTED ACTION:

Staff requests that the City Commission set a public hearing for their April 11 regular meeting to gather public input on the Revitalization and Placemaking grant proposal as required by the MEDC.

Memorandum



TO: Aaron Desentz, City Manager

FROM: Michelle Sponseller, Downtown Development Director

CC: William Mrdeza, Community Services & Economic Development Director

DATE: March 18, 2022

SUBJECT: 2022 Public Gathering Spaces Grant Application – Town Center Civic Space

The Downtown Development Department is intending to apply for a Michigan Economic Development Corporation (MEDC) “Public Gathering Spaces” grant for the proposed Town Center Civic Space Project. The state requires applicants to hold a public hearing on their application and pass a resolution as part of the completed grant package.

The pursuit of grants continues to be a resource to help provide additional funds for capital projects. Staff looks at upcoming projects and analyzes the best funding opportunities for our proposed projects.

The Public Gathering Spaces grant carries an April 15 application deadline and awards are announced in July of 2022.

The application proposes to use the \$500,000 allocated from the capital improvement fund for the project along with additional matching grant funds.

At this time all that is needed is for the City Commission to set a public hearing for their next regular meeting to meet the application requirements.

REQUESTED ACTION:

Staff requests that the City Commission set a public hearing for their April 11 regular meeting to gather public input on the Public Gathering Spaces grant proposal as required by the MEDC.

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 3/22/2022-3/22/2022

Check Date	Vendor Name	Description	Amount
Bank COMM	COMMON CASH		
03/22/2022	21ST CENTURY MEDIA - MICHIGAN	CONTRACT SVCS	\$635.00
03/22/2022	AIRGAS USA, LLC	CONTRACT SVCS	46.93
03/22/2022	ATI GROUP	CONTRACT SVCS	4,330.00
03/22/2022	BIO-CARE, INC	CONTRACT SVCS	5,630.00
03/22/2022	PHILLIP BISCORNER	REIMBURSEMENT	212.56
03/22/2022	BOUND TREE MEDICAL, LLC	SUPPLIES	79.26
03/22/2022	CHT TIMING	CONTRACT SVCS	700.00
03/22/2022	CARMEUSE AMERICAS	CHEMICALS	6,697.55
03/22/2022	CAR WASH PARTNERS, INC.	SUPPLIES/VEHICLE MAINT	355.00
03/22/2022	CDW GOVERNMENT, INC	SUPPLIES	2,203.44
03/22/2022	CENTURYLINK	COMMUNICATIONS	10.93
03/22/2022	CLARK HILL P.L.C.	CONTRACT SVCS	1,848.00
03/22/2022	CONSUMERS ENERGY	UTILITIES	29,059.76
03/22/2022	COYNE OIL CORPORATION	FUEL	4,429.84
03/22/2022	AARON DESENTZ	REIMBURSEMENT	167.03
03/22/2022	ETNA SUPPLY	SUPPLIES	71.50
03/22/2022	FIDELITY SECURITY LIFE INSURANCE CO	OPTICAL INSURANCE	1,141.20
03/22/2022	FOSTER, SWIFT, COLLINS & SMITH, P.C	CONTRACT SVCS	20,471.78
03/22/2022	FREDRICKSON SUPPLY, LLC	SUPPLIES	15,768.35
03/22/2022	GILBOE'S LOCK & SAFE LLC	CONTRACT SVCS	1,600.00
03/22/2022	GREAT LAKES CONCRETE RESTORATION	CONTRACT SVCS	4,550.00
03/22/2022	GRANGER	CONTRACT SVCS	68.96
03/22/2022	HACH COMPANY	SUPPLIES	1,535.73
03/22/2022	HAVILAND PRODUCTS COMPANY	CHEMICALS	6,115.00
03/22/2022	HOLESHOT HARLEY-DAVIDSON, INC.	CONTRACT SVCS	4,800.00
03/22/2022	HUBSCHER & SON, INC.	SUPPLIES	369.23
03/22/2022	HYDROCORP, INC.	INSPECTION/REPORTING	4,829.50
03/22/2022	JOHNSON DOOR & CENTRAL VAC INC.	CONTRACT SVCS	125.00
03/22/2022	ANDY KEEHBAUCH	REIMBURSEMENT	100.00
03/22/2022	KRAPOHL FORD LINCOLN MERC	CONTRACT SVCS	50.40
03/22/2022	ROBERT W LAMSON, PHD	CONTRACT SVCS	465.00
03/22/2022	MANNIK SMITH GROUP	CONTRACT SVCS	1,359.00
03/22/2022	MHOK, PLLC	CONTRACT SVCS	7,633.31
03/22/2022	MCLAREN CORPORATE SERVICES	CONTRACT SVCS	226.00
03/22/2022	TIM LANNEN	REIMBURSEMENT	8.19
03/22/2022	STATE OF MICHIGAN	CONTRACT SVCS	198.00
03/22/2022	STATE OF MICHIGAN	CONTRACT SVCS	1,782.26
03/22/2022	MID MICHIGAN AREA CABLE	CONTRACT SVCS	450.00
03/22/2022	MID-MICHIGAN INDUSTRIES	CONTRACT SVCS	7,790.25
03/22/2022	MOBILE MEDICAL RESPONSE	TRAINING	100.00
03/22/2022	MT. PLEASANT FENCE SASH & DOOR	CONTRACT SVCS	212.56

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 3/22/2022-3/22/2022

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
03/22/2022	MPPS FOOD & NUTRITION SERV	SUPPLIES	1,254.00
03/22/2022	ALMA TIRE SERVICE INC	SUPPLIES/VEHICLE MAINT	940.46
03/22/2022	WILLIAM MRDEZA	REIMBURSEMENT	17.55
03/22/2022	MICHIGAN STATE FIREMEN'S ASSOC	TRAINING	100.71
03/22/2022	R & T MURPHY TRUCKING, LLC	CONTRACT SVCS	708.00
03/22/2022	NELSON TANK ENGINEERING &	CAPITAL ACQUISITIONS	550.00
03/22/2022	NYE UNIFORM COMPANY	SUPPLIES	154.49
03/22/2022	OEO ENERGY SOLUTIONS	SUPPLIES	2,251.00
03/22/2022	OFFICE DEPOT	SUPPLIES	198.06
03/22/2022	ORKIN	CONTRACT SVCS	98.00
03/22/2022	OTIS ELEVATOR COMPANY	CONTRACT SVCS	3,180.00
03/22/2022	PREIN & NEWHOF	CONTRACT SVCS	245.00
03/22/2022	PRO COMM, INC	SUPPLIES/VEHICLE MAINT	2,269.00
03/22/2022	PVS TECHNOLOGIES, INC	CHEMICALS	6,484.36
03/22/2022	TERRI RAMON	SIGNAGE GRANT	500.00
03/22/2022	MATT HAMMOND	REFUND	11.50
03/22/2022	MALESSA WING	REFUND	11.50
03/22/2022	ROMANOW BUILDING SERVICES	CONTRACT SVCS	6,210.84
03/22/2022	SHRED-IT USA LLC	CONTRACT SVCS	240.66
03/22/2022	MICHELLE SPONSELLER	REIMBURSEMENT	91.73
03/22/2022	SUMMIT FIRE PROTECTION	CONTRACT SVCS	660.00
03/22/2022	SUNRISE ASSESSING SERVICES, LLC	CONTRACT SVCS	7,725.00
03/22/2022	JOLENE SWEET	REIMBURSEMENT	32.76
03/22/2022	TRACE ANALYTICAL LABORATORIES, INC.	CONTRACT SVCS	230.00
03/22/2022	MAX & EMILY'S CLASSIC CHEESECAKE	UB REFUND	43.25
03/22/2022	MT. PLEASANT ABSTRACT	UB REFUND	43.64
03/22/2022	TUCKER, CASSANDRA	UB REFUND	35.86
03/22/2022	POHLMAN, JILL	UB REFUND	50.69
03/22/2022	GARDNER, ALICE E	UB REFUND	79.15
03/22/2022	CARSON, THEODORE & SARAH	UB REFUND	45.75
03/22/2022	SCARBROUGH, DUSTY	UB REFUND	19.58
03/22/2022	CROSSROADS TITLE AGENCY	UB REFUND	55.12
03/22/2022	BRAD BARLOG	CONTRACT SVCS	52.00
03/22/2022	UNIFIRST CORPORATION	CONTRACT SVCS	49.72
03/22/2022	USABUEBOOK	CHEMICALS	100.44
03/22/2022	VERIZON CONNECT NWF, INC.	CONTRACT SVCS	210.47
03/22/2022	WM CORPORATE SERVICES, INC.	CONTRACT SVCS	276.38
03/22/2022	LUCAS WIEGHART	REIMBURSEMENT	293.64
03/22/2022	WOLVERINE SIGN WORKS	CONTRACT SVCS	8,520.00
03/22/2022	WOLVERINE SIGN WORKS	CONTRACT SVCS	7,830.00

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 3/22/2022-3/22/2022

Check Date	Vendor Name	Description	Amount
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Bank COMM COMMON CASH

COMM TOTALS:		
Total of 81 Checks:		\$190,096.83
Less 1 Void Checks:		8,520.00
Total of 80 Disbursements:		<u>\$181,576.83</u>

Memorandum



TO: Aaron Desentz
City Manager

CC: William R. Mrdeza
Director of Community Services and Economic Development

Jacob Kain
Assistant Director of Community Services and Economic Development

FROM: Phil Biscorner
Director of Parks and Public Spaces

DATE: March 16, 2022

SUBJECT: 2022 MDNR Trust Fund Grant Application –
2023 Mid-Michigan/GKB Pathway North Connection Project

The Parks Department is preparing an application for a Michigan Department of Natural Resources (MDNR) “Michigan Natural Resources Trust Fund (MNRTF) Grant” for the proposed 2023 Mid-Michigan/GKB Pathway North Connection Project. The state requires applicants to hold a public hearing on their application and pass a resolution as part of the completed grant package.

The pursuit of grants continues to be a resource to help provide additional funds for park projects. Parks staff looks at upcoming projects and analyzes the best funding opportunities for our proposed projects.

All MDNR Grants carry an April 1 application deadline and awards are announced early the following year. Due to this year long grant cycle staff must select applicable projects planned for the 2023 construction season and apply now to be part of the approved applicant pool.

A major priority for the Trust Fund Grant program is trails. Extra points are given for trail projects which connect existing trail loops, multiple parks and regional connections, all of which apply to the project. The application proposes to use the City’s \$525,000 budget with \$375,000 from Union Township as match for the \$300,000 MNRTF Grant request for a total project cost of \$1,200,000.

At this time all that is needed is for the City Commission to adopt a resolution to apply for grant funding for the Mid-Michigan/GKB Pathway North Connection Project.

REQUESTED ACTION

The City Commission adopt the attached resolution.

City of Mt. Pleasant
Michigan Department of Natural Resources
2022 Michigan Natural Resources Trust Fund Grant Application
Resolution of Adoption

Whereas, the City of Mt. Pleasant, in cooperation with the Isabella County Friends of the Mid-Michigan Community Pathways and the Charter Township of Union, wishes to construct a trail connecting the GKB Riverwalk Trail to Mission Creek Park and to establish a northerly connection point for the Mid-Michigan Regional Pathway System, and

Whereas, the proposed project is consistent with the Greater Mt. Pleasant Non-Motorized Plan and provides a vital connection for City and Township residents to access the City's park system and existing 4 miles of paved, non-motorized pathways, and

Whereas, the proposed project is specifically outlined in and consistent with the goals and objectives of the City's current 2021–2026 Parks and Recreation Master Plan, and

Whereas, the proposed project is listed in the City's adopted 2022–2027 Capital Improvement Plan, and

Whereas, the proposed project and grant application were discussed at a public meeting of the Mt. Pleasant City Commission held March 28, 2022 at 7:00 p.m. at Mt. Pleasant City Hall to provide an opportunity for additional public comment on the proposed project, and

Whereas, the City of Mt. Pleasant has committed to providing \$525,000 or 43% of the total \$1,200,000 project cost from City matching funds along with \$375,000 or 31% of the total \$1,200,000 project cost from Township matching funds;

Be it therefore resolved that the Mt. Pleasant City Commission hereby approves submittal of a 2022 Michigan Department of Natural Resources Trust Fund Grant application for the Mid-Michigan/GKB Trail Project.

Yeas:

Nays:

Absent:

I, _____ City Clerk, do hereby certify that the foregoing is a true and original copy of a resolution adopted by the City of Mt. Pleasant at a Regular Meeting thereof held the 28th day of March, 2022.

Signature

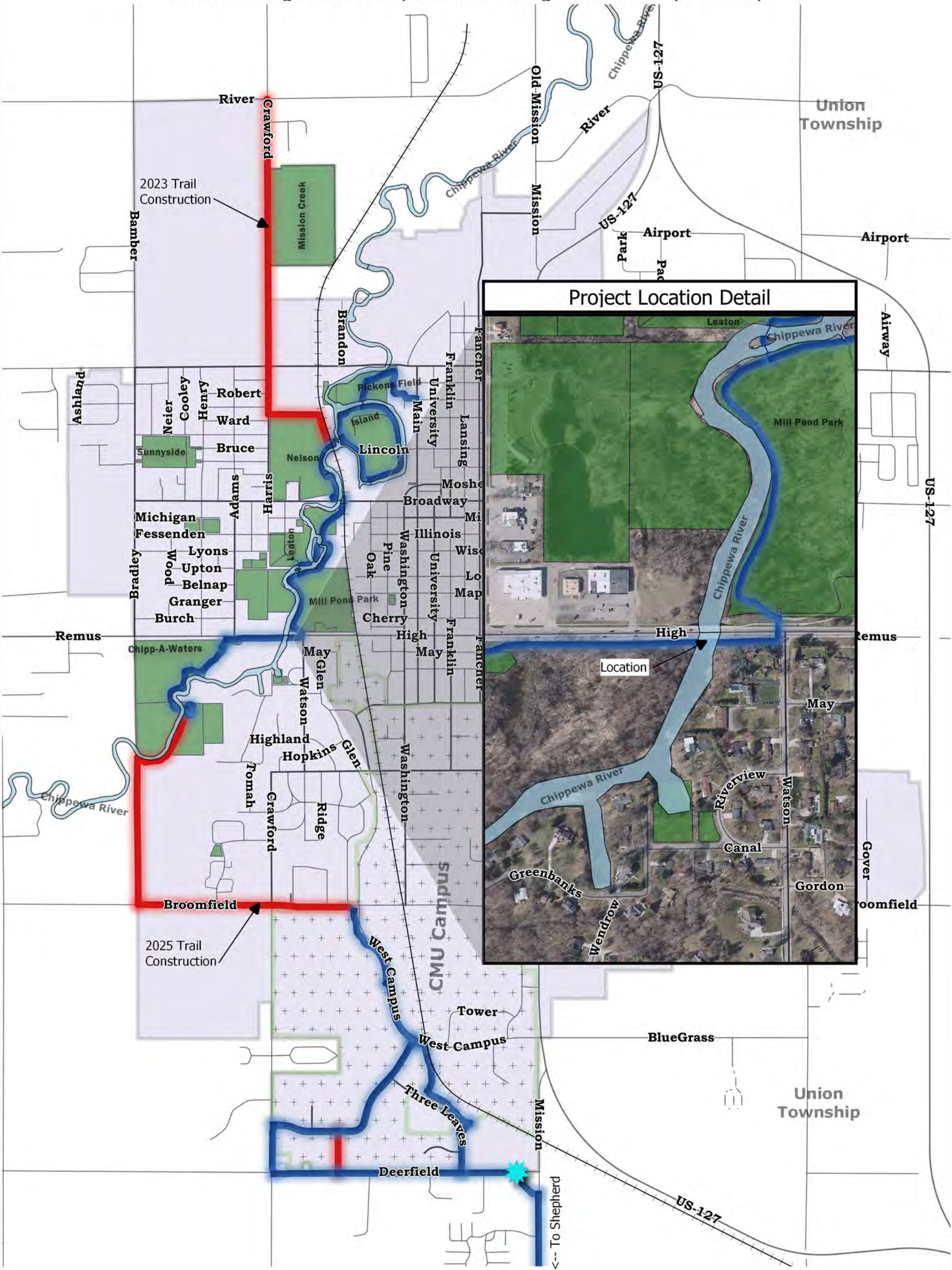
Clerk's name

City Clerk

CITY SEAL HERE

2023 High Street Pedestrian Bridge Replacement Map

Isabella County, Saginaw Chippewa Indian Tribe, City of Mt. Pleasant, Union Township,
Central Michigan University and Mid Michigan Community Pathways



City of Mt. Pleasant
DIVISION OF PUBLIC WORKS
-ENGINEERING DEPARTMENT-

0 0.5 1 Miles



Legend

- Existing Trails
- Proposed Trails
- City Limits

- CMU Campus Bndry
- City Parks
- MMPC Connection

Published: Mar-2-2022

Memorandum



TO: Aaron Desentz, City Manager
FROM: Jason Moore, DPW Director
DATE: March 18, 2022
SUBJECT: 2022 Budget Amendment – Water Treatment Plant

Request

The City Commission is requested to approve a budget amendment of \$60,000 to cover the addition of a Water Plant Operator for the remainder of 2022.

Reason for Purchase

Since 2018, the Water Department has been in the process of reorganizing its staffing and division of responsibilities. Before 2018, the Department operated with a pool of seven Water System Operators (WSO) that would rotate in and out of the plant to cover plant operation and maintenance, lab responsibilities, and distribution system operations. This had worked relatively well since the mid-1990s when the plant was constructed.

However, as the distribution system aged it became evident that additional focus was needed on the distribution infrastructure. In 2018, it was decided that plant and distribution operations would separate in order to have dedicated staff in both functions. That transition has developed over time and has been strongly supported by management and staff.

In 2018, a vacant Assistant Water Superintendent position was changed to a Lead Water Distribution Operator (LWDO) to lead the team focused on the distribution system.

In 2019, after the retirement of a Water System Operator, their position was converted to a Water Distribution Operator (WDO). Through 2020, distribution operations were handled mostly by the LWDO and WDO positions. Water System Operators were redesignated as Water Plant Operators (WPO).

In 2021, with the promotion of an existing staff member to Water Superintendent, another WPO position was transitioned to a WDO. Also in 2021, the 2022 operating budget was developed with funds for another WDO position. In accordance with the original staffing plan developed in 2018, this brought total staff dedicated to distribution to one LWDO and three WDOs.

Since the conversion of this last WPO to a WDO, plant operations have been sparsely staffed. The plan at that time called for plant operations to continue with five WPOs until we could budget for an added position in

2023. However, with covid absences, accumulated comp time, and staff shortages due to the reorganization, operating the plant has been more challenging than anticipated with the Water Superintendent having to work a number of operator shifts and the WPOs working significant overtime.

In addition to these existing conditions, the Michigan Department of Environment Great Lakes and Energy (EGLE) has updated regulatory guidance regarding their lead and copper rule since the conversion of the last WPO. We now have more detail about the requirements and labor necessary for verifications regarding service line materials. Although the recently awarded Drinking Water Asset Management grant of \$492,231 will fund much of this work, it will also exacerbate staffing issues by requiring a significant investment of department staff time this summer.

More recently, another challenge has arisen regarding plant staffing. In February, a current WPO resigned to take on an Assistant Water Superintendent position elsewhere. As we recruit for the replacement of this operator, staff will be challenged to cover plant operations and maintain the level of service currently expected. While this cannot be avoided with approval of this budget amendment, it will allow us to recruit for two WPOs in the same hiring process which will consolidate and streamline hiring and training activities.

These factors, along with the potential for another retirement within the WPO classification yet this year, have caused us to re-evaluate the Department's reorganization plan. In order to keep up with plant maintenance and allow for time off to avoid staff burnout, we now believe it is necessary to move up the schedule for adding a WPO to the Water Department.

Recommendation

I recommend the City Commission approve a budget amendment of \$60,000 to cover the addition of a Water Plant Operator for the remainder of 2022.

Memorandum



TO: Aaron Desentz, City Manager

CC: William R. Mrdeza, Director of Community Services and Economic Development

FROM: Michelle Sponseller, Downtown Development Director

DATE: March 16, 2022

SUBJECT: Broadway Central Review and Budget Amendment

For the past two years, downtown Mt. Pleasant has hosted an enjoyable gathering space for our community members and visitors via Broadway Central. Started in 2020 as part of Covid-19 social distancing measures, it has grown into a space to hold both City-sponsored and community organization events and activities, fostering a sense of community and place not found elsewhere in the city. City Commission requested that a review be brought to them in March of 2022 to determine proposed budget allocation.

Although six comments were received from business owners regarding on the concern of activity during evening hours and dislike of the road closure at the August downtown listening session, far more community members have indicated they would like Broadway Central to continue. Staff believes the lack of use during evening hours was a combination of two primary factors, 1.) a labor shortage resulting in reduced hours of operations for businesses, and 2.) a lack of coordinated activities during evening hours. With labor shortages improving, staff believes that enhancements to the physical space which includes lighting, tables, etc., combined with more planned activities, Broadway Central can offer a sense of place in the evening as well as daytime. Staff requests direction regarding the City Commission's willingness to again close the one block Broadway Central area (Main to University Streets) and the desire to hold more activities within the Broadway Central area. If more activities are desired, staff can bring a proposal forward at a future meeting.

Additionally, staff has been made aware of the City Commission's wish to implement a social district downtown and will begin efforts for implementation for summer.

New physical elements recommended for 2022 include the following:

- Hanging lights;
 - Backordered from 2021, now in stock.
- Planters
 - Replacement of the wrought iron fencing from last year due to deterioration. Offers an additional means of softening the visuals through flowers and trees.
 - Please note the trees recommended would be removed at the end of the season and replanted as part of the street tree program.

A breakdown costs for 2022 appears on the following page.

Memorandum

Mt. Pleasant
[meet here]

Signage <ul style="list-style-type: none">• Creating signage for the space and entrance.	\$1,000
Market Umbrellas <ul style="list-style-type: none">• Replace as needed due to weather.	\$7,000
Street Murals <ul style="list-style-type: none">• Four murals along Broadway.	\$3,000
Edison Lights <ul style="list-style-type: none">• String lights across street using guide wire between light poles.• Lights are in stock.	\$15,000 includes installation
Paint/Stain/Sanding <ul style="list-style-type: none">• Refresh peeling paint on picnic tables and bumper blocks.	\$1,200
Planters <ul style="list-style-type: none">• Replace center wrought iron fencing with moveable planter boxes.• Build boxes for six trees.	\$1,500
Trees <ul style="list-style-type: none">• Six maple trees 3" dia.• Trees will be transplanted at the end of the season.	\$1,800
Total	\$30,500
Continued in 2022: <ul style="list-style-type: none">• Picnic tables and umbrellas;• Concrete bumper blocks for safety;• Trash can liners for daily trash removal;• Petunia tree;• Placement of ADA space along Broadway;• Loading and unloading area in front of 139 East Broadway.	

Recommendation

Consider approval of Broadway Central for the May 2 – October 11, 2022 season, budget amendment of \$30,500 from the fund balance for economic initiatives and provide direction to staff on desired events and activities.

Memorandum



TO: Aaron Desentz, City Manager

FROM: Michelle Sponseller, Downtown Development Director

CC: William Mrdeza, Community Services & Economic Development Director

DATE: March 14, 2022

SUBJECT: Special Event Review

Staff received a special event application from Richli, Inc. to hold an electronic dance music (EDM) concert for 2,000 attendees on Saturday, September 17, 2022 from 8:00pm to 12:00am midnight. Although special events are typically reviewed at the staff level, this event poses the particular challenge of balancing the desire of the applicant to hold an EDM concert vs. residential noise concerns likely to arise. Our existing noise ordinance does not provide a method to be waived for special events, and lacking a special event ordinance, staff sought legal counsel's assistance on a way to provide the applicant the timeliest review possible while staff develops a special event ordinance and possible amendments to the existing noise ordinance, which will take some time to get before the City Commission for consideration.

Staff discussed these challenges with legal counsel and it was their recommendation that the City Commission review this application as a request for street closure over which the City Commission has jurisdiction. Because the City Commission has jurisdiction over the city rights of way, it may also impose conditions related to the closure for this event. Those conditions will be recommended by staff, but will minimally include hours the event will take place, number of attendees, security, notification of the public and disposal of trash.

Related City Ordinances Staff Reviewed

- Noises Prohibited – section 96.03
 - Silent on a specific time when music or other noises should end, only referencing a time period specifically in regards to construction noise;
 - 96.03(B)(10) references *devices to attract attention*. The use of any drum, loud speaker, amplifier, or other instrument or device for the purpose of attracting attention of any purpose without first obtaining permission from the City Manager or his designee.
 - This section still does not provide an express method for the city manager to waive section 96.03(A), but it is implied if the City Manager or his designee provides his or her permission.
- Nuisance Gathering Section 96.04 (j)
 - The generation of noise or violations that are audible at a distance beyond 50 feet from the property line of the premises or from inside a neighboring building, structure or dwelling unit.

Please note legal counsel recommends the City update our noise ordinance and adopt a special event ordinance to prevent issues from arising in the future.

Memorandum



Previous Events

Over the past 15 years, only a few events have ended as late as 11:00pm, with no events past that timeframe. Those events were:

- Downtown Blues Festival in 2009 and 2010;
- Downtown For A Pint in 2010-2014;
 - Noise and language complaints in 2013 and 2014.
- Oktoberfest by Mountain Town Station in 2012, 2013 and 2014;
 - Due to noise complaints in 2014 the owner of Mountain Town Station made the decision to cancel all future Oktoberfest events.

Additionally, City Commissioners have asked the following questions on the event.

When and where will the event take place?

- Saturday, September 17 from 8:00pm – Sunday, September 18, 12:00am;
 - Set-up will begin on Friday, Sept. 16 after 5:00pm;
- Streets/parking lots reopened on Sunday, Sept. 18 at 6:00am;
 - Parking lots/streets in question: Lot #2 (Jockey Alley), Lot #9 (Mosher & Court) and Court Street between Mosher and Broadway.

What will it all involve?

- Concert featuring nationally touring DJs located on Court Street between Mosher and Broadway Streets. Some use of adjacent parking lots will be utilized as well;
- Estimated attendance of 2,000;
- Applicant indicated they will have staff and management ensuring needs of public safety are ensured. Perimeter will be fenced with secured evacuation exits. Weather will be evaluated and if deemed unsafe the outdoor event will be postponed/delayed or cancelled;
- Temporary liquor license application for Richli (Encore) is attached. All alcohol service will be made by TAM certified venue staff;
- Trash will be removed using Blue Gator/Encore and Midori dumpsters;
- Map with layout is attached.

Can we get feedback from the residents in the area using letters, calls, emails, etc?

- We've never asked for feedback from the community on a proposed event;
- This is challenging...if desired the only method of reaching area residents would be via letter;
- The email addresses we have for the e-newsletter aren't tied to specific neighborhoods and we don't have phone numbers;
- Staff is unsure how far or in what direction the sound will travel to know what residents to ask.

This is a relatively small space, how is the number of attendees in the space calculated?

- Using the 2015 Michigan Building Code for maximum floor area allowances per occupant (table 1004.1.2 on page 257), the calculation is sq. ft. of event space divided by 5 (as attendees will be standing);

Memorandum



- Based on drawing submitted by applicant the maximum in the space would be 3,544 people. Calculation is as follows:
 - Street and parking lot use as indicated is 20,359 sq. ft.
 - Calculate the amount of space being used by tents, stage and portable toilets, approximately 2,636 sq. ft. as indicated by the applicants map.
 - Remaining 17,723 sq. ft. $\div 5 = 3,544$ max people.
- Applicant has indicated 2,000 attendees, which is lower than the max allowable.

How many portable toilets are required?

- Using the 2015 Michigan Plumbing Code (table 403.1 on page 27) for number of lavatories for an assembly the calculation is number of attendees divided by 150 (*female lavatories);
 - * Using male lavatories, the calculation would be 1 portable toilet per 200 so we factored in max number necessary.
- Applicant has indicated 2,000 attendees, which would be 13.3 portable toilets. Additionally, applicant may also make lavatories in their establishment available for use.

Are there places to sit and/or relax?

- Applicant knows this areas has no grass to sit on but, proximity to their establishment was key;
- With concert starting at 8:00 staff doesn't anticipate heat being a factor however, Lt. Bliss has indicated fire/medic will be onsite.

What possible benefits and issues will this bring to the city?

Although difficult to determine on a new event, staff has laid out potential benefits and issues that could occur.

- **Potential Benefits:**
 - Welcome back concert for CMU students and those interested in EDM music for the central/middle (Lansing) Michigan area;
 - Provides an open/welcome feel from CMU students;
 - Increase in sales/name recognition for Encore;
 - Increase in sales/name recognition for downtown businesses and Mt. Pleasant.
 - Furthers a "business friendly" environment while balancing the interests of residents
- **Potential Issues:**
 - Noise complaints from area residents and event going until midnight in comparison to outdoor events held at Soaring Eagle Casino ending at 11:00pm.;
 - Balancing residential complaints and desire of applicant to hold the special event. Concern by staff on noise complaints – currently, one complaint for loud house party can result in DPS requesting music be turned down, how are staff to handle complaints if they come in? Is there a number of complaints reached that would result in concert being shut down?
 - Alcohol/vandalism/etc. related incidents;
 - Diminished sales/name recognition for Encore if potential crowd keeps people away and/or something goes wrong before/during/after the event;
 - Diminished sales/name recognition for downtown and Mt. Pleasant if potential crowd keeps people away and/or something goes wrong before/during/after the event;

Memorandum



- Business utilizing public space with for-profit special event whereas events typically held in public spaces are either open to the public (ex. Max and Emily's Summer Concert Series) or used by non-profits to raise funds for the community by sales (ex. Jaycee's Craft Beer Festival).

Will the event be reaching out to the downtown area restaurants?

- Applicant did not specify however, City Commission can make this a condition of the approval.

Will the city's public safety be involved?

- Applicant indicated private security was going to be present for the event;
- Lt. Bliss indicated in addition to regular road patrol, 1-2 additional police officers and 1 fire/medic will be assigned to the downtown area during the event.

REQUESTED ACTION:

Consider approval of the street closure for Richli, Inc. to hold an EDM concert on Saturday, September 17, 2022 on Court Street with the following conditions:

- Time of concert: from 8:00pm to 12:00am (midnight);
- Notification of the public, including downtown restaurants, a minimum of three times via social media and press release;
- Maximum of 2,000 people;
- Trash is removed and disposed of within 12 hours of ending.



Lot 2 / Court Street

- PORTABLE BATHROOMS
- 6'TALL STEEL FENCING
- 10X10 POP UP TENT
- CROWD BARRIER



Map Publication:
02/01/2022 10:35 AM



powered by
FetchGIS



Disclaimer: This map does not represent a survey or legal document and is provided on an "as is" basis. Isabella County expresses no warranty for the information displayed on this map document.

From: [Rich Swindlehurst](#)
To: [Sponseller, Michelle](#)
Subject: Re: Special Event Application (downtown locations) - Rich Swindlehurst
Date: Monday, February 28, 2022 1:46:22 AM

EXTERNAL Message Warning

This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



Special Event Application (downtown locations)

Type of Event (choose all that apply)	Concert
Official Name/Title of Event Proposed?	Encore, The Nightclub Welcome Back Concert
Organization Applying for Special Event	Richli, Inc
Is your organization non-profit?	No
Non-Profit Tax ID #	n/a
Name of Main Contact Organizing Event	Rich Swindlehurst
Email for Event Main Contact	richswindlehurst@aol.com
Phone Number for Event Main Contact	(989) 621-6076
Organization Address	Street Address: 106 Court Street City: Mount Pleasant State: MI Postal / Zip Code: 48858 Country: United States
Organization Email	richswindlehurst@aol.com
Name	Rich Swindlehurst
Email	richswindlehurst@aol.com
Cell Number	(989) 621-6076

Affiliation with Event Organizer?	Owner
Event Start Day and Time	09-17-2022 8:00 PM
Event End Day and Time	09-18-2022 12:00 AM
Describe your event.	<p>Concert featuring nationally touring DJs located in Court Street between Mosher and Broadway Streets. Some use of adjacent parking lots will be utilized as well. Set up to begin on Friday, September 16 with some rental equipment delivery. Street and portions of parking lots to close at 12 am on September 17 (Friday night). Streets to reopen by 6 am on Sunday, September 18. All equipment will be removed by Monday, September 19. Trash will be removed using Blue Gator/Encore and Midori dumpsters.</p>
Location of Event?	Court Street
Will a City park shelter, sport court and/or field be requested as part of this application?	No
What park(s) and specific facilities are being requested?	n/a
Please Upload Map of Event Location and/or Route	concert layout (1).pdf
Estimated Attendance and Basis for Estimate:	2000 based on budget and ticket sales
Describe how risks will be addressed during the proposed event.	Will have staff and management ensuring needs of public safety are ensured. Perimeter will be fenced with secured evacuation exits. Weather will be evaluated and if deemed unsafe the outdoor event will be postponed/delayed or cancelled. All alcohol service will be made by TAM certified venue staff.
Will this event require street or parking lot closures?	Yes - If yes, please explain below which streets and/or parking lots you are requesting be closed.
Please describe which streets and/or parking lots you	Court Street, portion of Jockey Alley, and portion of lot North of Mt. Pleasant Abstract.

wish to use.

Does this event involve the sale or use of alcoholic beverages?

Yes - please see additional licensing requirements below and be sure to explain in your event description above. Ex. craft beer tasting or beverage tent.

Please upload liquor license application if applicable.

[Temporary Authorization Application LCC-206_510542_7.pdf](#)

Does this event involve the sale of any food?

No

Does this event involve the sale of anything besides food?

No

Will there be musical entertainment?

Yes - If yes, please be sure to explain in your event description above. Ex. live music or DJ, number of stages, will music be amplified or acoustic.

Will there be any tents and/or canopies be used?

Yes - If yes, please be sure to explain in your event description above and included on map. Ex. size and placement of tents. Please note tents larger than 10' x 10' are required to have a separate tent permit. A link to the tent permit can be found below.

Is electrical service needed for this event?

Yes - If yes, please note that the electrical systems are limited. Please follow-up with Ryan Longoria (contact at top of page) for specific requirements.

Will generators be used at this event?

No

Special events are responsible for the removal of trash and recycling created from their respective event(s). How will this be addressed?

Staff will remove all trash and clean area at the end of the event.

Upload Insurance Certificate Here

[2022 RICHLI, Incorporated Acord Form 25 Certificate of General Liability Insurance.pdf](#)
[RICHLIINC.-1 copy.pdf](#)

Signature



You can [edit this submission](#) and [view all your submissions](#) easily.

Attachments: Because the total size is more than 5MB the uploads are not attached.



SEMI-ANNUAL TWO PERCENT ALLOCATION
CITY OF MT. PLEASANT REQUESTS
SPRING 2022

<u>DEPARTMENT/PROJECT NAME</u>	<u>AMOUNT</u>	<u>PRIORITY</u>
<i>Community Services</i>		
Indian Pines Park Master Plan	\$ 13,000.00	M
M-20 Pedestrian Bridge Replacment	\$ 275,000.00	C
<i>Finance</i>		
Website Redesign-Economic Development, ADA Accessible	\$ 50,000.00	H
<i>Public Safety</i>		
Police Department Interview Room Recording Equipment	\$ 35,426.00	C
<i>Public Works</i>		
1303 N Franklin Remedial Action Plan	\$ 14,500.00	M
Airport Operational Funding	\$ 80,000.00	C
Boiler Replacement	\$ 78,000.00	M
City ROW Tree Inventory	\$ 30,000.00	H
Close Sidewalk Gaps	\$ 89,000.00	H
Grit System Upgrade	\$ 250,000.00	C
Meter Reading Equipment Update	\$ 50,000.00	H
New GPS Unit	\$ 14,000.00	H
Outdoor Lighting Upgrade	\$ 7,500.00	M
Plant Operation Controls Upgrade-SCADA	\$ 75,000.00	H
Storm Sewer Extension	\$ 120,250.00	H
Storm Sewer Improvements	\$ 267,780.00	H
Well Rehab	\$ 54,000.00	M
Total Requested	\$ 1,503,456	

Memorandum



MEMO TO: Aaron Desentz, City Manager

FROM: Chris Saladine, Information Technology Director/Assistant Finance Director

DATE: March 28, 2022

SUBJECT: Purchasing Policy Revisions

Reason

The City's purchasing policy received its last major overhaul in 2001. There have been updates since then to allow for purchasing cards, in state preference and increasing the dollar thresholds for sealed bids. The proposed changes to the policy more accurately reflect how the City currently conducts business as well as allows for more efficiencies in the purchasing process while increasing purchasing controls. Below is a summary of the key proposed changes to the policy.

- Forbids serial purchasing which is breaking up a purchase into smaller pieces to avoid the bid process
- Increases dollar threshold for sealed bids from \$20,000 to \$25,000. As a reminder, purchases over \$5,000 but below \$10,000 are approved at the department level and must have three written quotes. Purchases over \$10,000 but less than the sealed bid amount require three written quotes, if possible, and division director approval
- Increases the petty cash transaction maximums from \$50 to \$100 when purchasing cards cannot be used
- Changes the requirement that all bids must be published in the newspaper. Bids can still be published in the newspaper if it makes sense for a specific purchase, but it is no longer required. All bids are required to be published on the City's website. The City currently uses bidnetdirect.com to advertise bids to vendors
- Allows equipment to be disposed of via sale to another governmental agency with City Manager and Finance Director approval
- Updates record retention for bid documents to meet State of Michigan requirements
- Increases local and in state preferences from a maximum of \$1,500 to \$2,500

Recommended Action

I recommend the City Commission approve the revised purchasing policy to enhance and streamline the purchasing process.

CITY OF MT. PLEASANT

Administrative Memo 2-76

Last Revised: April 22, 2019

CURRENT REVISION: MARCH 28, 2022

Approved by City Commission: March 28, 2022



PURCHASING MANUAL INTRODUCTION

Procurement of supplies, equipment and services is a function important to the City's ability to ~~do business~~ **serve our residents**. To obtain the greatest value for every dollar spent, it is necessary to follow a set of procedures when purchases are made. These procedures apply to all purchases, regardless of the funding source for the purchase. It should be noted that some grants may require additional steps in the purchasing process, and those guidelines must be followed. The processes outlined in this manual are the minimum requirements for any City of Mt. Pleasant purchase.

The purpose of this manual is to describe the objectives of the City of Mt. Pleasant, outline the principles governing the purchasing function, and to establish departmental guidelines.

City Charter Article VII Section 17, requires the City Commission to "prescribe by resolution a general framework of necessary procedures governing financial and contractual dealings with the City". This manual serves to meet this purpose.

In addition, State Law proscribes purchasing parameters as well. Public Acts 167 & 168 of 1993 require a city which receives state revenue sharing funds from state income tax ~~and single business tax~~ revenues to require sealed competitive bidding for most contracts of ~~\$25,000~~ **\$20,000** or more. Failure to do so will jeopardize the distribution from the state. This manual demonstrates compliance with these Public Acts.

Public Act 266 requires the City to have specific procedures in place for the use of credit cards. This manual demonstrates compliance with Public Act 266.

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OBJECTIVES OF THE PURCHASING FUNCTION

1. To conduct business in such an open manner that potential vendors will be impressed by the fairness of the system and thus be encouraged to furnish competition, which will help ensure that the City will secure the best product and/or service at the lowest possible price at all times.
2. To encourage joint purchasing amongst City Departments and along with the State of Michigan.
3. To encourage competitive purchasing.
4. To develop and maintain an adequate inventory of supplies and equipment as required.
5. To give due consideration to ethical and quality standards and also to real value rather than price alone.
6. To establish and build good relations with suppliers.
7. To discourage, as far much as possible, any procedure other than that of competitive purchasing.
8. To purchase the most acceptable quality supplies, equipment and contractual services at the lowest price.
9. To provide a mechanism for professional services contracts which are based primarily on quality and then price.

PURCHASING PRINCIPLES

I. GENERAL PRINCIPLES

1. Supplies, equipment and contractual services shall be purchased only when monies for their cost have been appropriated and included in the Annual Operating Budget.
2. The financing for projects greater than \$500,000 \$100,000 must be arranged with the Finance Director prior to soliciting bids.
3. If City issued purchasing cards cannot be used, minor purchases which cost less than \$100.00 \$50.00 may be obtained by the department directly from the vendor. Payment of these items can be reimbursed by Petty Cash.
4. Purchases of less than \$10,000 may be made by the Department Head.
5. Purchases of \$10,000 or greater but less than \$20,000 \$25,000 must be approved by the Division Head.
6. Purchases of \$20,000 \$25,000 or greater must be approved by the City Commission.
7. To the extent possible, purchases of routine supplies should be coordinated with other City departments.

8. All purchases should be made for the most acceptable quality at the lowest price.
9. Professional services contracts will be based on quality of service and then price.

II. PETTY CASH PURCHASES

Minor purchases where City purchasing cards cannot be used which cost less than ~~\$50.00~~ \$100.00 may be obtained by the department directly from the vendor. The cost will be reimbursed from Petty Cash upon presentation of the paid invoice to the respective department. Petty Cash must be reconciled at least once monthly by the appropriate department staff and submitted to Accounts Payable for reimbursement. If the Petty Cash purchase is related to travel expenses, the appropriate travel voucher must also be submitted and a travel advance must not have been obtained for the trip. The travel voucher must be supported with appropriate documentation.

III. CREDIT PURCHASES

The City shall maintain open credit with various vendors that are utilized on a frequent basis. Only employees authorized by the Department Head or supervisory staff may utilize the vendor's credit. Credit purchases may not exceed the amount authorized for Department Head approval. Receipts for open credit purchases must be approved by the Department Head and submitted to Accounts Payable.

IV. CREDIT CARD PURCHASES

The City maintains a purchasing card program for full-time employees to assist with purchases. The Finance Director, or appointed designee, is responsible for the City's purchasing card issuance, accounting, monitoring, retrieval and for general oversight of compliance with purchasing card use.

City purchasing cards may be used only by those authorized by the appropriate Division Head and only for the purchase of goods or services and training or travel expense for the official business of the City. The card users shall submit all credit card receipts detailing the goods or services purchased, the cost of the goods or services, and the date of the purchase to Accounts Payable with the appropriate transaction summary.

Employees issued City purchasing cards shall return the credit card immediately upon termination of employment with the City. Authorized employees issued a credit card are responsible for its protection and custody and shall **immediately** notify the Finance Director if the credit card is lost or stolen.

The Finance Division will follow established Accounts Payable internal control procedures for approval, documentation and payment of credit card charges. All balances

due will be paid for within not more than 30 days of the initial statement date.

Unauthorized use of a City purchasing card may result in disciplinary measures.

V. PURCHASES LESS THAN \$10,000

All departments must plan in advance their regular budgeted purchases so that the most competitive price may be obtained. Purchases of supplies, equipment and contractual services of less than \$10,000 are to be made by the Department Head or designated other supervisory staff. Departments should obtain quotes from competing vendors for purchases less than \$5,000 and purchases \$5,000 or greater require quotes. Purchasing standards of conduct must be utilized in the purchasing decision of the department.

VI. PURCHASES \$10,000 OR GREATER BUT LESS THAN \$20,000 \$25,000

Purchases of supplies, equipment and contractual services of greater than \$10,000 but less than \$20,000 \$25,000 are to be approved by the Division Head. It is required that departments obtain written quotations from competing vendors for purchases greater than \$10,000. The Department making the purchase will submit a form to Accounts Payable as detailed in Quotation Procedures part II. Purchasing standards of conduct must be utilized in the purchasing decision of the department.

VII. PURCHASES \$20,000 \$25,000 OR GREATER

Purchases of supplies, equipment and contractual services greater than \$20,000 \$25,000 will be made from sealed bids/proposals submitted to the City Commission for approval. Any approved contract for construction or reconstruction will have an assumed approved contingency of 10%. This 10% contingency can only be invoked if the department receives a written change order from the contractor and approves said change. The contingency only applies to unforeseen circumstances, not project expansion. If the cumulative amount of change orders would exceed 10% of the original contract, approval of the increased amount must be obtained from the city commission prior to the work being performed.

VIII. SERVICES PROVIDED ON A PER HOUR BASIS

Any services quoted or bid on a per hour basis will include a not to exceed dollar amount in writing and require advance notice from the vendor if it looks as if the not to exceed amount might be exceeded due to unforeseen circumstances. The appropriate approval will be obtained before the extra services are rendered.

IX. SERIAL PURCHASING

Serial Purchasing is intentionally breaking an order to an external vendor into two or more purchases/payments to avoid the required bid process. Serial purchasing is prohibited and may result in disciplinary measures.

X. PROFESSIONAL SERVICES CONTRACTS

Contracts for services often cannot be based only on price but are based primarily on quality of service. In situations where professional services are being purchased, the quotation and bidding process need not be followed. The Department Head must utilize professional standards of conduct to obtain a contract specifically outlining the scope of the work and the terms of the services to be provided, and the City Attorney shall approve the form of the contract. If the contract exceeds ~~\$20,000~~ \$25,000, a memo outlining the terms of the contract must be provided by the Department Head to the City Manager. The City Manager will place the item on the next scheduled City Commission agenda for approval.

XI. SINGLE SOURCE PURCHASES

Purchases of supplies, equipment and contractual services which are supplied by only one source or other extenuating circumstances, and are of a dollar amount requiring sealed bids/proposals, must be explained in a memo to the City Manager. This memo will be forwarded to the City Commission at the next scheduled meeting if the purchase is of an amount requiring City Commission approval.

XII. PURCHASE ORDERS

The City does not require the use of purchase orders.

The Finance Director will issue a blanket purchase order each year for purchases that year. If the vendor requires a purchase order number, this number can be used. If a vendor requires that a purchase order be issued, the department making the purchase must prepare a purchase order and submit it to the Finance Director for approval.

XIII. EMERGENCY PURCHASES

In the event an emergency purchase is required for materials, tools or needed repairs to equipment that must be kept operational, the following procedure needs to be followed:

1. If the emergency event occurs during the normal working hours and the purchase typically requires quotations, sealed bids or City Commission

approval, the City Manager and the Finance Director must be notified immediately. The City Manager has the authority to grant exceptions to the quotation and bid process.

2. If the emergency occurs at night, on weekends or on Holidays, the purchase shall be made at the discretion of the Department Head involved. The City Manager and the Finance Director must be notified as soon as possible of the purchase.

If the purchase is ~~\$20,000~~ \$25,000 or greater, which normally requires City Commission approval, the documentation of the purchase must be provided to the City Manager who will place the item on the next regularly scheduled City Commission agenda so that the Commission may be informed of the purchase.

Emergency purchases should be carefully considered. Emergency purchases often do not result in the most competitive purchases and should be avoided to the greatest extent possible.

XIV. WARRANTIES

The City purchases many items which have a warranty or guarantee for a certain length of time such as tires, batteries, computers and other equipment. Before these items are repaired or replaced, the custodian of the warranty on the project should be consulted to see if the item is covered by such warranty or guarantee.

Each department should maintain an active up-to-date file on such warranties or guarantees.

QUOTATION PROCEDURES

Quotations are recommended for purchases of less than \$5,000 and required for purchases greater than \$5,000.

I. OBTAINING QUOTATIONS

Quotations must be obtained from a minimum of three vendors (if possible). The department making the purchase may select the vendors to contact. The quotations may be obtained in any of the following manners:

1. In person: by going to the vendor, or by the vendor demonstrating the item at the point of usage and providing a written quote
2. By phone: when the item is a staple product and must be followed up with a written quote
3. Written quotation: written quotes must be obtained for purchases over \$5,000 but less than ~~\$20,000~~ \$25,000.

II. QUOTATION EVALUATION/SELECTION

The quotation selected should be the one that provides the highest acceptable quality at the lowest price. Purchasing standards of conduct must be utilized in the purchasing decision. For purchases of supplies, equipment and contractual services greater than \$10,000, the department making the purchase shall prepare a quotation form and submit it to Accounts Payable with the invoice for payment. The form must include a summary of quotations received, the budgeted amount for the purchase and Division Head approval. Notes on quotations received must be retained for one year by the department making the purchase.

SEALED BIDS/PROPOSALS PROCEDURE

Purchases of supplies, equipment and contractual services of ~~\$20,000~~ \$25,000 or greater must be from sealed bids/proposals which are subsequently approved by the City Commission. Bids are requested for specific supplies, equipment, and contractual services. Proposals are requested for services for which the desired outcome is specified but the means to achieve it are to be proposed by the vendor. For purposes of the rest of this section, bids and proposals require the same procedures and the term bid is interchangeable with proposals.

I. BID SPECIFICATIONS

Bid specifications shall be prepared by the department making the purchase. Bid specifications should be set up so that maximum competition can be secured. Bid specification must include at least the following:

1. Description of the supplies, equipment or contractual service to be bid. For bids, the description of the item and its characteristics should be so definite and precise as to eliminate the possibility of misunderstanding on the part of the purchaser, the seller, the tester, or the consumer. Specifications which are considered "closed" (drawn on a piece of equipment) must not be prepared. Trade or brand names can be used to establish a generally acceptable standard, and all other brands of the same general quality will be requested to submit bids.
2. Form for submitting pricing.
3. Bid evaluation criteria.
4. Bid security/performance bond requirements, if any.
5. Insurance requirements, if any.
6. Time and location of bid submission.
7. Pre-bid conference requirements, if any.
8. The following ADA compliance language: All interested persons may attend and participate. Persons with disabilities needing assistance to participate may call the Human Resources Office at (989)779-5314). Persons with hearing impairments may call the Michigan Relay System. A 48-hour advance notice is necessary for

- accommodation.
9. Anticipated award date.
 10. Notice that the City of Mt. Pleasant reserves the right to reject any and all bids submitted.
 11. If federal funds are to be used for construction projects, that Davis Bacon prevailing wages must be paid.
 12. Requirement that the bid specifically indicates the bid name and the date on the outside of the envelope.

Bid specifications must be approved by the Division Head of that Department. A copy of the bid specifications must be submitted to the Finance Division for ~~publication of a summary in the local newspaper and~~ placement on the City website.

If during the bid process it becomes apparent that the bid specifications need clarification or changes, an addendum to the bid specifications will be prepared.

II. DISTRIBUTION OF BID SPECIFICATIONS/ADVERTISING

1. Bidders List

The department preparing the bid specification prepares the bidders list. The bidders list shall consist of known vendors of the supplies, equipment or contractual services, and any vendor requesting to be placed on the bidders list for this item. The bidders list should be as comprehensive as possible to ensure the most competitive pricing.

~~Departments must maintain bidders lists for routine purchases that contain last year's bidders and any vendor requesting to be placed on the bidders list. Any vendor who fails to bid for two consecutive requests may be deleted from the bidders list.~~

2. Bid Specification Distribution

The bid specifications will be ~~sent mailed~~ to all vendors on the bidders list. If the bid specifications or plans are lengthy and costly to produce, the City may charge the vendor for the bid specifications. However, in this case all vendors on the bidders list will be ~~sent mailed~~ notification of the availability of bid specifications. ~~Bid specifications will be available on the City's website.~~

3. Advertising

~~The availability of bid specifications must be advertised in at least one newspaper of general circulation.~~ The Finance Division will procure advertising upon the receipt from the department of the bid specifications. In some cases, the Department Head and Finance Director may decide not to advertise the bid if the item is of such a specialized nature that it is expected that advertising would not

produce any additional bids. The Finance Division will always place a summary of the bid on the City's website. The department making the purchase may choose to advertise in other newspapers or trade journals.

4. Bid Addendum

If addenda to the original bid specifications are made, they will be sent mailed to all vendors receiving the original bid specifications and placed on the City's website.

III. BID OPENING

1. Location of Bid Submission/Opening

All bid openings will be conducted by the Finance staff Director's office and a representative of the department making the purchase. Bid opening dates must be checked with the Finance Director's office before finalizing bid specifications. Bid openings will be on Tuesdays at 1:30 p.m., unless specifically requested otherwise by the department making the purchase.

Bids will be accepted in the Clerk's Finance Director's office up to the time of the bid opening. Any bids received by the department making the purchase must be submitted to the Clerk's Finance Director's office prior to the time of the bid opening.

Although not preferred, bids will be accepted by fax or e-mail. The vendor bidding by fax or e-mail must notify the Clerk's Finance Director's office of the fax or e-mail prior to submission. The fax or e-mail will be received by an employee of the Clerk's Finance Director's office and placed in an envelope for opening at the bid opening. The employee receiving the fax or e-mail will not make the bid price known to anyone.

2. Bid Opening Procedure

Each department is responsible for preparing a bid tabulation form. A member of the department making the purchase must be present for the bid opening. A minute or so before the bid opening, those in attendance will be asked if all bids have been submitted. At precisely 1:30 p.m., the Finance Director staff shall begin the bid opening. The bid is opened, checked and read aloud by the Finance Director staff. The two bid openers must record their initials on the bid form of the bid submitted. The bid is recorded on the tabulation sheet.

The bid opening is open to the public. The staff present should refrain from answering any questions with regard to award, disqualification, preference on equipment, specifications being met, etc. Further, no comments of any type should be made on any bid or vendor. Those in attendance may be informed as to when the review will take place and when the award will be made.

3. Change/Withdrawal of Bid

A bidder may withdraw or change a bid if notice of the withdrawal or change is received, in writing, by the Finance Director before the latest time specified for submission of bids. After bids have been opened submitted, they will not be allowed to be withdrawn, except as authorized by the Finance Director. Withdrawal of bids after the bid opening will be allowed only in those cases in which it is found from clearly demonstrable evidence that the bidder has made a bona-fide error in preparation of the bid and that such error will result in a substantial loss to the bidder.

4. Late Bids

No bids received after the time specified in the invitation to bid will be considered. The late bids will be retained unopened until after award. They will then be returned to the bidder with a letter detailing why the bid is being returned. The City does not prescribe the method by which bids are to be transmitted; therefore, it cannot be held responsible for any delay, regardless of the reason, in the transmission of bids.

5. Bids Opened in Error

Bid specifications must specifically indicate to bidders to write the bid name and date clearly on the outside of the bid. If any envelope does not indicate a bid is inside or is inadvertently opened prior to the bid opening time, the bid should be resealed and a note attached to it indicating why it was opened and the person's name who opened it and resealed it. The bid should then be processed as usual. If a bid amount is inadvertently seen, the bid price shall not be made known to anyone.

6. Disseminating Bid Information

The bid tabulation shall be left with the staff of the department making the purchase. The staff can mail the bid tabulation if requested.

The actual bid documents submitted are public property and are available to review. During the public review, the bid document must remain in the view of a City employee.

IV. SECURITY DEPOSIT AND PERFORMANCE BONDS

Generally a bid security deposit is to be required at the discretion of the Department Head of the department making the purchase. The amount of the security deposit shall be expressed in terms of percentage of the bid submitted.

The Department Head of the department making the purchase shall fix the amount of the performance bond, and in the case of construction contracts, the amount of labor and material bond to be required of the successful bidders.

In most cases, the requirement of a bid security deposit and/or a performance bond is expensive and needless. They should only be required for construction contracts, purchases involving large sums of money, or purchases in which failure to perform would result in loss to the City.

If the bid specifies the bidder must provide a bid security deposit, the bidder must file a bid bond, a certified check, cashier's check or bank draft in the amount of and in the form specified in the bid specification or the bid will not be considered.

The bid bond presented must be from a surety company authorized to do business in the State of Michigan. The State of Michigan Department of Licensing maintains a list of companies authorized in the State of Michigan (517-373-0240). The bid shall be conditioned on full performance of all obligations imposed on the bidder under this regulation by submission of a bid, including the obligation to keep the price firm for as long a period as specified in the bid and to file a performance bond when required, if awarded a contract. The bid bond shall provide that upon failure to perform any of such obligations, the City of Mt. Pleasant may recover from the bidder and the surety, or either, any and all damages suffered because of such failure.

If a bidder expects to submit bids from time to time and wants to file a continuing bid bond good for all bids made during a certain period of time up to a stated amount, the bidder may do so.

If the bidder elects to deposit a certified check, cashier's check, or bank draft, it shall be security for full performance of all obligations referred to above. The deposit will be held by the City Treasurer. If the bidder fails to perform any one or more of such obligations, the City Treasurer may endorse the check and retain as much of the proceeds as is necessary to compensate the City of Mt. Pleasant for any and all damages suffered because of such failure.

If a bidder is not the successful bidder, the certified check, cashier's check, or bank draft will be returned to that bidder as soon as possible after the award is made. The successful bidder's check will be returned as soon as possible after the contract is awarded or as soon as such bidder has filed a performance bond, if one is required. It is the responsibility of the department making the purchase to notify the Treasurer of the award.

V. BID EVALUATION

1. General Principle

The award will be made to the bidder whose bid (1) meets the bid specifications and (2) is the most qualified bid with the lowest price, considering quality, reference, responsibility of bidder, price, and all other relevant factors.

Because the purchase of supplies, equipment and contractual services of the City of Mt. Pleasant are funded mainly by property taxes, in order for a bidder to be considered all amounts due to the City from the bidder must be paid. These include personal and current real property taxes, utility bills, and all accounts receivable. Any contract for payment from the bidder to the City must be of current status.

2. Bid Review

Each bid shall be carefully reviewed. As each bid is reviewed, it is important to retain notes and comments and scrutinize accordingly:

- a) Double check bid tabulation sheet.
- b) Check and note if a discount is offered for early payment.
- c) Check if bid is signed.
- d) Thoroughly review what bidder is bidding against bid specifications.
- e) Make note of any specification deviations.
- f) Note any bid qualifications such as:
 - 1. Escalation clause and amount.
 - 2. "All or none" clause (in such case, total of "all or none" bid price has to be compared to sum of other low bid prices).
 - 3. Freight charges, if any.
 - 4. Combined delivery restrictions, if any.
 - 5. Change in bid acceptance period.
 - 6. Any alternate items which may be bid.
 - 7. Contract period exceptions.
- g) Bid bond - Is it signed from company authorized in State of Michigan?
- h) Addendum (if required) - Does it contain any changes to bid?
- i) Samples (if required) - If samples are not submitted, bid is considered non-responsive and bid is normally rejected.
- j) Reducing bid prices to common units: When bids are received in different units of measure, they must be reduced to a common denominator in order to be properly evaluated.
- k) Certificate of Insurance (if required) - Are dollar amounts correct; is coverage included, check dates, etc.
- l) Obvious mistake - If any obvious mistake is discovered, bring it to the attention of the Finance Director and confirm the mistake with the vendor. The vendor will not be allowed to change the bid amount. Example: Five bidders quote \$10.00 per foot; one bidder quotes 10 cents per foot. In the case of a mistake in the extension of a price, the unit price shall govern.

3. Rejecting Bids

If it appears there are reasonable grounds to believe that there is an agreement among certain of the bidders, or between them and certain prospective bidders, to restrain the competitive bidding by establishing a fixed price or by any other means, the

bids of all such bidders will be rejected, and the bidders and prospective bidders will be barred from further bidding for a period of time not less than one year.

If it appears to be in the best interest of the City of Mt. Pleasant, all bids may be rejected and the bid process begun again. Bid specifications may be the same as the original bid or rewritten. In any such case, the department making the purchase will notify the bidders of the reason why all bids were rejected.

4. Bid Evaluation

After reviewing all bids and noting any and all considerations, evaluation of the low bidders should be made until the best qualified bid at the lowest price is found. Items to consider in recommending the awarding of a bid include:

- a) Past performance of the bidder.
- b) Availability of bidder to complete the project on the City's schedule.
- c) References.
- d) Price.
- e) The bidder's use of recycled or recyclable goods when applicable.
- f) Match with specifications. Like kind changes or equivalents can be allowed if they do not affect the results.
- g) Other items deemed applicable by using departments.

5. Department Recommendation/Bid Award

The department making the purchase shall prepare a memo to the City Manager indicating the recommendation for contract award. The memo must also include the number of bid specifications distributed, bidders tabulation, and budgeted amount for the project. The City Manager will place the item on the next scheduled City Commission agenda for approval.

After a bid is awarded, a contract will be executed with the successful bidder. A performance bond and certificate of liability and worker's compensation insurance must be obtained, if required. A copy of the worker's compensation certificate ~~must~~ ~~should~~ be forwarded to the Finance Division.

After a bid is awarded, all firms submitting bids shall be notified ~~in writing~~ of the successful bidder ~~and furnished a copy of the bid tabulation~~. Bids shall be retained in the department making the purchase for ~~six~~ ~~one~~ years.

VI. EXCEPTION TO COMPETITIVE BIDDING

In any case where competitive bidding clearly is not practical or it is clearly to the City's advantage to contract without competitive bidding, the City Commission, upon the

recommendation of the City Manager, may authorize the execution of a purchase without competitive bidding. In such cases, the proposed contract shall be approved by the City Attorney as to the form and content and submitted to the City Commission.

EXEMPT PURCHASES

It is recognized that some purchases may exceed the ~~\$20,000~~ \$25,000 amount requiring City Commission approval, but obtaining approval through traditional processes would delay the purchase, to the detriment of the City. These instances are very limited and include only the following:

1. Purchase of fuel for ~~internal~~ resale at ~~the motor pool and purchase of fuel for~~ ~~resale at~~ the airport
2. Payment for utility bills for properties owned by the City of Mt. Pleasant

VII. CONTRACT AWARD

Upon approval of the City Commission, a contract shall be executed between the City of Mt. Pleasant and the successful bidder. Once the contract has been executed no changes (such as a substitution or a price adjustment) may be made in its terms and conditions, if such changes would result in an impairment of any of the rights of the City of Mt. Pleasant under the contract.

Any changes to the contract must be provided in writing and approved by both the City and the successful bidder. Any change in project scope and/or changes which exceed the approved contingency must have appropriate City Commission approval prior to the work being done unless an emergency situation exists or in a situation whereby a delay could result in a much larger cost to the City.

Because the responsibility of the individual bidder is an essential element of the contract with the City of Mt. Pleasant, a person to whom such a contract has been awarded may not assign their interest in the contract without the written consent of the City of Mt. Pleasant.

In any of the following cases, the City of Mt. Pleasant shall have the right to cancel any signed contract.

1. In the event the successful bidder fails to furnish a satisfactory performance bond within the time specified.
2. In the event the vendor fails to make delivery within the time specified in the contract or order.
3. In the event any supplies, materials or equipment delivered under the contract are rejected (because they do not meet specifications, do not conform to sample, or are not in good condition when delivered) and are not promptly replaced by the

vendor. If there are repeated rejections of the vendor's supplies or equipment, this shall be grounds for cancellation, even though the vendor offers to replace the items promptly.

4. In the event of any other breach of contract by the vendor.
5. Failure to provide appropriate insurance documents.

VIII. BID MONITORING

After the bid is awarded, the using department will set up a monitoring system.

For supplies and equipment, this system shall include:

1. Performance of goods.
2. Timeliness of delivery.
3. Service promptness and courtesy of service personnel.
4. Company's sensitivity to the department's needs and concerns.
5. Use of recycled/recyclable materials when applicable.

For services, this system shall include:

1. Timeliness of work.
2. Sensitivity of contractor as to public needs and concerns.
3. Quality of work - to be checked during work and after completion of project.
4. Use of recycled/recyclable materials when applicable.

These lists are not all-inclusive, and additional checks should be developed by the using department as to specific products or services. Sources of gathering monitoring information are citizen comments, physical inspections, employee comments, and compliments or complaints about goods/services by users.

If any one of these items is deemed insufficient, a memo shall be prepared noting in detail the instance. Based on the evaluation of the vendor, the Division Head may remove a vendor from the bidder's list for a specified period of time. The memos will be filed in the next bidders list.

IX. SUPPLEMENTAL CONTRACT EXTENSIONS

When the City awards a bid for the purchase of particular supplies, equipment, or contractual services after following the competitive bidding procedure, it may at any time thereafter increase the quantity of the supplies or equipment or extend the length of service with the vendor, at the same price and on the same conditions, if the market price of the supplies, materials or services has not gone down since the first purchase.

The department requesting the supplemental contract extension shall request same in writing to the City Manager. The City Manager will place the item on the next

City Commission meeting agenda for approval.

PURCHASING STANDARDS OF CONDUCT

It is the City of Mt. Pleasant's policy that the employees involved in the purchase of supplies, equipment and contractual services for the City carry out their duties impartially, so as to assure fair, competitive access to governmental procurement by responsible vendors, contractors, etc. They should conduct themselves in such a manner as to foster public confidence in the integrity of the City's purchasing procedures. Employees responsible for making purchases must meet the standards set forth below:

I. CONFLICT OF INTEREST

1. City Employees

No employee will participate directly or indirectly in a procurement when a conflict of interest exists. A conflict of interest occurs when:

- a) The employee or any member of the employee's immediate family has a financial interest pertaining to the procurement;
- b) A business or organization in which the employee, or any member of the employee's immediate family, has a financial interest pertaining to the procurement; or
- c) Any other person, business or organization with whom the employee or any member of the employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement.

Upon discovery of an actual or potential conflict of interest, an employee shall promptly file a written statement of disqualification and shall withdraw from further participation in the transaction involved. The employee may, at the same time, apply to the Finance Director for an advisory opinion as to what further participation, if any, the employee may have in the transaction.

2. City Commissioners

The City of Mt. Pleasant can enter into a contract with a vendor with which a Commissioner has a conflict of interest. Conflict is defined for Commissioners in the same manner as defined above for employees. In entering into a contract with this vendor, the City Commissioner with the conflict must not vote on the contract and must disclose any pecuniary interest. Two-thirds of the full City Commission

must approve the contract.

II. GRATUITIES

It shall be a breach of ethical standards for any person or business involved in a City of Mt. Pleasant procurement to offer, give or agree to give any employee any gratuity other than de minimus gratuities. Any employee who fails to report any offer or receipt of such a gratuity to his/her supervisor may be subject to disciplinary action. De minimus gratuities may be accepted.

III. USE OF CONFIDENTIAL INFORMATION

It shall be a breach of ethical standards for any employee or former employee to knowingly use confidential information for actual or anticipated personal gain or for the actual or anticipated personal gain of any other person.

IV. BUDGETED PURCHASES

In accordance with Public Act 621 of 1978, no purchases will be made in excess of the amount appropriated based on the level of control exercised over the adopted budget. Budgets are adopted on a fund basis except for the General Fund, which is adopted at the Division level.

V. LEGAL PURCHASES

All purchases of the City of Mt. Pleasant will be made for a public purpose and in accordance with the State Constitution and Statutes, the City Charter, and the purchasing policy.

SALE/DISPOSAL OF EQUIPMENT

Sale of abandoned property will be made in accordance with state statutes and coordinated by the Police Department. All other equipment shall be sold/disposed of as follows:

I. TRADE-IN VALUE FROM VENDOR

Equipment and vehicles which are no longer needed can be disposed of by the Department Head with the approval of the City Manager in the following manner:

1. Trade-in negotiated with the purchase of replacement equipment.
2. Sale to other interested party at the trade-in value identified above, as long as the cost of the new equipment is not affected by the lack of trade-in.

II. NO TRADE-IN VALUE AVAILABLE

If a trade-in value cannot be obtained, disposal can take place in the following manner:

SEALED BIDS

1. The complete detailed listing will be placed on the City website for review, and a date for bids will be provided. A printed copy of the listing will be available at the City Clerk's office. All items will be sold "as is" with no warranties.
2. An advertisement will be placed in the local newspaper informing the public of the availability of the items on the website and at the City Clerk's office.
3. The bid amounts for purchase of each item will be submitted in a sealed envelope to the City Clerk's office by a specified time and date. Bids will also be accepted via a form submitted on the City's website. The bids will be publicly read and awarded to the highest bidder. The City reserves the right to state the minimum bid amount or to reject all bids not in the best interest of the City. If the highest bidder does not pick up the equipment by the stated date, the next bidders will be contacted for the award.
4. The City may sell equipment to other governmental agencies with approval from the City Manager and Finance Director.
5. At least once each year the City Clerk will request a listing of items available for auction from all departments.

AUCTION

City staff may choose to utilize an on-line auction service to dispose of available items. If this option is chosen, a link will be provided on the City's website and an advertisement will be placed in the local newspaper of said auction. Staff may also choose to place surplus items in Central Michigan University's surplus equipment auction.

Any equipment for which a bid is not received will be donated to charity, scrapped or re-bid at the next auction.

MISCELLANEOUS

I. JOINT PURCHASING

Wherever possible, the City shall encourage joint purchasing amongst departments. Departments with similar needs which may benefit from joint acquisition of materials should do so whenever possible.

II. STATE PURCHASES

The City of Mt. Pleasant participates in the State of Michigan Extended Purchasing Program. This program allows the City to purchase items through the contracts negotiated by the state. Savings are achieved due to the quantities purchased by the state as well as the elimination of the administrative cost for obtaining quotes or bids. The Department Head may choose to review the contracts obtained by the state through the Extended Purchasing Program and recommend purchase of supplies or equipment under the state contract instead of utilizing the quote or bid process. For purchases greater than \$20,000 \$25,000, a memo recommending the purchase through the state contract must be provided to the City Manager. The City Manager will place the item on the next scheduled City Commission agenda for approval.

III. STATE SURPLUS

The City of Mt. Pleasant also participates in the State of Michigan surplus property program. The purchases are coordinated by the Parks and Public Spaces Director Director of Parks, Building and Grounds. Items purchased at the state outlets must be restricted to local government use, must be accounted for, and may not be disposed of until the expected use of the items has been reasonably achieved by the City. State surplus purchases of greater than \$50.00 that are being disposed of in less than a year from the date of purchase may only be made with the approval of the Parks and Public Spaces Director Director of Parks, Building and Grounds.

IV. LOCAL PREFERENCE

The City of Mt. Pleasant grants preference to businesses located within the Mt. Pleasant City Limits for quotations (purchases exceeding \$5,000) and bids (purchases exceeding \$20,000 \$25,000). The preference given is a differential over the low bid if the low bid is not from a City of Mt. Pleasant bidder.

The differential allowed is as follows:

<u>Amount of Low Bid</u>	<u>% Differential Allowed</u>
\$5,000 -\$9,999	3%
\$10,000 and up	2%

But in no instance shall the differential allowed exceed \$2,500 \$1,500 for the purchase.

STATE PREFERENCE

The City of Mt. Pleasant also grants preference to businesses located within the State of Michigan for quotations and bids. The preference given is a differential over the low bid if the low bid is not from a State of Michigan bidder.

The differential allowed is as follows:

<u>Amount of Low Bid</u>	<u>% Differential Allowed</u>
\$5,000 - \$9,999	2%
\$10,000 and up	1%

But in no instance shall the differential allowed exceed \$2,500 \$1,500 for the purchase.

Memorandum



TO: Aaron Desentz
City Manager

CC: Mary Ann Kornexl
Finance Director

William R. Mrdeza
Director of Community Services and Economic Development

FROM: Heather Bouck
City Clerk

Jacob Kain
City Planner

DATE: March 28, 2022

SUBJECT: Medical and Adult-Use Marijuana Ordinances

At their February 14, 2022 work session, the City Commission provided general direction on amendments to the medical and adult-use marijuana ordinances. The attached draft ordinances include the following proposed amendments:

- Eliminate the 30-day deadline for MRA facility- or establishment-specific application to reflect a change in MRA processes
- Adjust the deadline dates for special use permit application and special use permit authorization from 30 days and 6 months to 90 days and 12 months
- For recreational establishments, mirror the medical marijuana facility transfer processes for consistency
- Under *Newly available authorizations*, adjust the language in part 3 so that the application window is 30 days rather than one day
- Adjust the deadline date for license renewal fees to a date certain
- Remove the sections related to policy review
- Provide for reciprocity between “equivalent” medical and adult-use license types
- Delete the redundant facility and establishment caps from the zoning ordinance (will be introduced to the City Commission following 4/7/22 Planning Commission public hearing)

The City Attorney recommended not amending the spelling of marihuana throughout all ordinances as this spelling is consistent with state law and so that amendment is not included.

REQUESTED ACTION:

The City Commission consider setting a public hearing on the proposed amendments to Chapters 112 and 115 at their April 11, 2022 regular meeting.

Attachments:

1. Draft ordinance – Medical Marihuana Facilities
2. Draft ordinance – Adult-Use Marihuana Establishments

Memorandum

Mt. Pleasant
[meet here]

3. Chapter 112 underline/strikethrough
4. Chapter 115 underline/strikethrough

**CITY COMMISSION
CITY OF MOUNT PLEASANT**

Isabella County, Michigan

Commissioner _____, supported by Commissioner _____, moved adoption of the following ordinance:

ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER 112 OF THE MOUNT PLEASANT CODE OF ORDINANCES TO UPDATE STANDARDS FOR MEDICAL MARIHUANA FACILITIES.

It is Hereby Ordained by the People of the City of Mount Pleasant:

Section 1. Addition. Subsection 112.02(D) is added to read as follows:

Reciprocity. An adult-use marihuana establishment with final authorization from the city issued in accordance with the limits established under § 115.02 is eligible to apply for the equivalent medical marihuana facility type for the same location authorized under part (A) above. Such facilities shall not count toward the number of facilities eligible for authorization under 112.02(A). For the purpose of this section, the following license types are considered to be equivalent:

Adult-Use Marihuana Facility Type	Medical Marihuana Facility Equivalent
Class A Grower	Class A Grower
Class B Grower	Class B Grower
Class C Grower	Class C Grower
Retailer	Provisioning Center
Processor	Processor
Secure Transporter	Secure Transporter
Safety Compliance Facility	Safety Compliance Establishment

Section 2. Deletion. Subsection 112.03(E)(1) is deleted in its entirety.

Section 3. Renumbering. The subsection currently labeled 112.03(E)(2) and all subsequent subsections within subsection 112.03(E) are renumbered (1 through 3) to accommodate the deletion.

Section 4. Amendment. The renumbered subsection 112.03(E)(1) is amended to read as follows:

Submits an application for special use authorization pursuant to § 154.410(B)(4)(p) of the zoning ordinance within 90 days of receiving conditional authorization;

Section 5. Amendment. The renumbered subsection 112.03(E)(2) is amended to read as follows:

Obtains special use authorization within 12 months of receiving conditional authorization; and

Section 6. Amendment. Subsection 112.03(H)(2) is amended to read as follows:

When an authorization becomes available as described in division (H)(1), the city clerk will establish a 30-day application period to begin within the next 60 days during which the city will accept applications from interested persons, and will publish notice of the selected application period in a newspaper of general circulation at least seven business days before the beginning of that period.

Section 7. Amendment. Subsection 112.03(H)(3) is amended to read as follows:

During the selected application period, the Clerk will accept applications using the same process described in divisions (C) and (D) above. If multiple applications are received during the application period, a drawing will be conducted as outlined in § 112.03(D) above.

Section 8. Amendment. Subsection 112.05(D) is amended to read as follows:

Annual fee. A licensee must pay a fee of \$5,000, for each license used within the city in order to help defray administrative and enforcement costs. The holder of a stacked grower license must pay a separate fee in the amount of \$5,000 for each license. The initial annual fee(s) must be paid to the City Clerk when the application for city approval is submitted. In each subsequent year, fees are due no later than January 31.

Section 9. Deletion. Section 112.07 is deleted in its entirety.

Section 10. Publication and Effective Date. The City Clerk shall cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance shall take effect 30 days after its adoption.

YEAS: Commissioner(s) _____
NAYS: Commissioner(s) _____
ABSTAIN: Commissioner(s) _____
ABSENT: Commissioner(s) _____

CERTIFICATION

As the City Clerk of the City of Mount Pleasant, Isabella County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Mount Pleasant City Commission at a regular meeting held on _____, 2022.

Amy Perschbacher, Mayor

Heather Bouck, City Clerk

Introduced: _____, 2022
Adopted: _____, 2022
Published: _____, 2022
Effective: _____, 2022

**CITY COMMISSION
CITY OF MOUNT PLEASANT**

Isabella County, Michigan

Commissioner _____, supported by Commissioner _____, moved adoption of the following ordinance:

ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER 115 OF THE MOUNT PLEASANT CODE OF ORDINANCES TO UPDATE STANDARDS FOR ADULT-USE MARIHUANA ESTABLISHMENTS.

It is Hereby Ordained by the People of the City of Mount Pleasant:

Section 1. Addition. Subsection 115.02(D) is added to read as follows:

Reciprocity. A medical marihuana facility with final authorization from the city issued in accordance with the limits established under § 112.03 is eligible to apply for the equivalent adult-use marihuana establishment type for the same location authorized under part (B) above. Such establishments shall not count toward the number of establishments eligible for authorization under 115.02(B). For the purpose of this section, the following license types are considered to be equivalent:

Medical Marihuana Facility Type	Adult-Use Marihuana Establishment Equivalent
Class A Grower	Class A Grower
Class B Grower	Class B Grower
Class C Grower	Class C Grower
Provisioning Center	Retailer
Processor	Processor
Secure Transporter	Secure Transporter
Safety Compliance Facility	Safety Compliance Establishment

Section 2. Deletion. Subsection 115.03(F)(1) is deleted in its entirety.

Section 3. Renumbering. The subsection currently labeled 115.03(F)(2) and all subsequent subsections within subsection 112.03(E) are renumbered (1 through 4) to accommodate the deletion.

Section 4. Amendment. The renumbered subsection 115.03(F)(1) is amended to read as follows:

Submits an application for special use authorization pursuant to § 154.410(B)(4)(p) of the zoning ordinance within 90 days of receiving conditional authorization;

Section 5. Amendment. The renumbered subsection 115.03(F)(2) is amended to read as follows:

Obtains special use authorization within 12 months of receiving conditional authorization; and

Section 6. Amendment. Subsection 115.03(I)(2) is amended to read as follows:

When an authorization becomes available as described in division (I)(1), the city clerk will establish a 30-day application period to begin within the next 60 days during which the city will accept applications from interested persons, and will publish notice of the selected application period in a newspaper of general circulation at least seven business days before the beginning of that period.

Section 7. Amendment. Subsection 115.03(I)(3) is amended to read as follows:

During the selected application period, the Clerk will accept applications using the same process described in divisions (C) and (D) above. If multiple applications are received during the application period, the Selection Committee will request supplemental information and conduct a competitive selection process as outlined in § 115.03(E) above.

Section 8. Amendment. Subsection 115.04(A) is amended to read as follows:

An existing establishment may be moved to a new location in the city, subject to applicable zoning regulations and approval by LARA.

Section 9. Amendment. Subsection 115.04(B) is amended to read as follows:

A license for an existing establishment may be transferred to a new licensee that intends to continue operating at the same location, subject to approval by LARA.

Section 10. Amendment. Subsection 115.05(D) is amended to read as follows:

Annual fee. A licensee must pay a fee of \$5,000, for each license used within the city in order to help defray administrative and enforcement costs. The holder of a stacked grower license must pay a separate fee in the amount of \$5,000 for each license. The initial annual fee(s) must be paid to the City Clerk when the application for city approval is submitted. In each subsequent year, fees are due no later than January 31.

Section 11. Deletion. Section 115.08 is deleted in its entirety.

Section 12. Publication and Effective Date. The City Clerk shall cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance shall take effect 30 days after its adoption.

YEAS: Commissioner(s) _____
NAYS: Commissioner(s) _____
ABSTAIN: Commissioner(s) _____
ABSENT: Commissioner(s) _____

CERTIFICATION

As the City Clerk of the City of Mount Pleasant, Isabella County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Mount Pleasant City Commission at a regular meeting held on _____, 2022.

Amy Perschbacher, Mayor

Heather Bouck, City Clerk

Introduced: _____, 2022
Adopted: _____, 2022
Published: _____, 2022
Effective: _____, 2022

CHAPTER 112: MEDICAL MARIHUANA FACILITIES

Section

- 112.01 Definitions
- 112.02 Authorized facilities
- 112.03 Application for authorization
- 112.04 Relocation of facilities, transfers of licenses, and expansion of grow operations
- 112.05 General regulations
- 112.06 Violations
- 112.07 Policy review in 2019

§ 112.01 DEFINITIONS.

The following words and phrases have the meanings ascribed to them when used in this chapter:

(A) Co-location or co-located means the siting and operation of a combination of multiple facilities or facility types at a single location.

(B) Facility means a location at which a license holder is licensed to operate under the MMMFLA.

(C) Facility plan means the plans required to be submitted to LARA in accordance with the MMMFLA rules that includes among other things diagrams, floor plans, construction details, etc.

(D) Facility-specific step means the portion of the application for a state operating license that follows the prequalification step and pertains to the details of the proposed facility.

(E) Grower means a licensee that is a commercial entity located in this state that cultivates, dries, trims, or cures and packages marihuana for sale to a processor or provisioning center.

(F) LARA means the department of licensing and regulatory affairs and any successor agency to the department.

(G) Licensee means a person holding a state operating license.

(H) Licensing board means the medical marihuana licensing board created by the MMMFLA.

(I) Marihuana means all parts of the plant *Cannabis sativa* L., growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. Marihuana does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination. Marihuana does not include industrial hemp grown or cultivated, or both, for research purposes under the industrial hemp research act.

(J) MMMA means the Michigan medical marihuana act, 2008 IL 1, as amended MCL 333.26424 et seq.

(K) MMMFLA means the Michigan medical marihuana facilities licensing act, 2016 PA 281, as amended, MCL 333.27102 et seq.

(L) MMMFLA rules means rules, including emergency rules, promulgated by LARA to implement the MMMFLA.

(M) Pre-qualification step means the portion of the application for a state operating license pertaining to the applicant's financial background and the criminal history of the applicant and other associated persons.

(N) Processor means a licensee that is a commercial entity located in this state that purchases marihuana from a grower and that extracts resin from the marihuana or creates a marihuana-infused product for sale and transfer in packaged form to a provisioning center.

(O) Provisioning center means a licensee that is a commercial entity located in this state that purchases marihuana from a grower or processor and sells, supplies, or provides marihuana to registered qualifying patients, directly or through the patients' registered primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail to registered qualifying patients or registered primary caregivers. A noncommercial location used by a primary caregiver to assist a qualifying patient connected to the caregiver through LARA's marihuana registration process in accordance with the MMMA is not a provisioning center for purposes of this chapter.

(P) Safety compliance facility means a licensee that is a commercial entity that receives marihuana from a facility or registered primary caregiver, tests it for contaminants and for tetrahydrocannabinol and other cannabinoids, returns the test results, and may return the marihuana to the facility.

(Q) Secure transporter means a licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

(R) Stacked grower license means more than 1 state operating license issued to a single licensee to operate as a grower of class C-1,500 marihuana plants as specified in each license at a facility.

(S) State operating license or, unless the context requires a different meaning, "license" means a license that is issued under the MMMFLA that allows the licensee to operate as a grower, processor, secure transporter, provisioning center, or a safety compliance facility.

§ 112.02 AUTHORIZED FACILITIES.

(A) Facilities eligible for authorization. The following medical marihuana facilities may be authorized to operate in the city:

- (1) Not more than five growers operating under Class A licenses;
- (2) Not more than three growers operating under Class B or Class C licenses;
- (3) Not more than three provisioning centers;
- (4) Processors;
- (5) Secure transporters; and
- (6) Safety compliance facilities.

(B) Co-location and stacked licenses. Co-location and stacked grower licenses (with up to three grower licenses per zoning lot) are permitted in the city. For purposes of the limitations provided in division (A):

- (1) A facility with a stacked grower license counts as a single grower; and
- (2) On a site with co-location, each license (other than stacked grower licenses) authorized to operate within a single location counts as a separate facility.

(C) Final authorization from city required. The authorization process described in § 112.03 determines the locations in the city at which facilities may operate. A proposed facility is not eligible for a state operating license until the clerk grants final authorization pursuant to § 112.03(D).

(D) Reciprocity. An adult-use marihuana establishment with final authorization from the city issued in accordance with the limits established under § 115.02 is eligible to apply for the equivalent medical marihuana facility type for the same location authorized under part (A) above. Such facilities shall not count toward the number of facilities eligible for authorization under 112.02(A). For the purpose of this section, the following license types are considered to be equivalent:

<u>Adult-Use Marihuana Facility Type</u>	<u>Medical Marihuana Facility Equivalent</u>
<u>Class A Grower</u>	<u>Class A Grower</u>
<u>Class B Grower</u>	<u>Class B Grower</u>
<u>Class C Grower</u>	<u>Class C Grower</u>
<u>Retailer</u>	<u>Provisioning Center</u>
<u>Processor</u>	<u>Processor</u>
<u>Secure Transporter</u>	<u>Secure Transporter</u>
<u>Safety Compliance Facility</u>	<u>Safety Compliance Establishment</u>

§ 112.03 APPLICATION FOR AUTHORIZATION.

(A) Submission. Beginning on October 1, 2018, a person may apply for authorization to operate a facility within the city by submitting the following items to the City Clerk. These items may be submitted to the Clerk before applying for requisite zoning approvals. An application is not considered complete until the City Clerk receives all of the following:

- (1) A non-refundable application fee in an amount established by resolution of the City Commission.
- (2) An advance of the annual administrative fee established in § 112.05(D).
- (3) A photocopy of a valid, unexpired driver's license or state-issued identification card for all owners, directors, and officers of the proposed facility.
- (4) A signed application (available in the Clerk's office), which must include all of the following information and documents:
 - (a) If the applicant is an individual, the applicant's name; date of birth; social security number; physical address, including residential and any business address; copy of

government-issued photo identification; email address; one or more phone numbers, including emergency contact information;

(b) If the applicant is not an individual, the names; dates of birth; physical addresses, including residential and any business address; copy of government-issued photo identifications; email address; and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking representative as an emergency contact person; contact information for the emergency contact person; articles of incorporation or organization; assumed name registration; Internal Revenue Service EIN confirmation letter; copy of the operating agreement of the applicant, if a limited liability company; copy of the partnership agreement, if a partnership; names and addresses of the beneficiaries, if a trust, or a copy of the bylaws or shareholder agreement, if a corporation;

(c) The name, address, tax identification number, and current zoning designations of the proposed medical marihuana facility;

(d) The name and address of the current property owner of record;

(e) If the current property owner is different than the applicant (e.g. where the applicant has a lease, option, land contract, or other future interest in the property), the property owner's signature is required in addition to the applicant's.

1. An applicant may submit applications for multiple properties.
2. However, only one application shall be submitted per property, unless the applications are for proposed co-located facilities.

(f) The proposed facility type;

(g) If the proposed facility type involves stacked growing licenses, the number of licenses sought;

(h) A complete list of all marihuana permits and licenses held by the applicant;

(i) Written consent for the city to inspect the facility at any time during normal business hours to ensure compliance with applicable laws and regulations;

(j) A location area map of the marihuana facility and surrounding area that identifies the relative locations and the distances (closest property line to the subject marihuana facility's building) to the closest real property comprising a public or private elementary, vocational, or secondary school;

(k) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MMFLA (including documents submitted for prequalification);

(l) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MRTMA, if applicable;

(m) A copy of all documents issued by LARA indicating that the applicant has been prequalified for a state operating license under the MMFLA; and

(n) Any other information reasonably requested by the city relevant to the processing or consideration of the application.

(B) Initial receipt period set by resolution. For any facility type subject to numerical limitations under § 112.02, the city shall establish an initial receipt period that will commence on October 1, 2018, and will end on a date to be set by resolution of the City Commission. The City Commission shall adopt such resolution on or before October 1,

giving consideration to the number of applicants that have completed the pre-qualification step of the state licensing process by that time.

(C) Clerk action upon receipt. The Clerk will accept and receive any application that includes the required items listed above, unless the city has already received an application for the same property (other than an application for a proposed co-located facility) from another applicant. Upon receiving a complete application, the clerk will time- and date-stamp the application and inform the applicant of the following:

(1) The number of existing facilities of the proposed facility type currently operating within the city;

(2) The number of pending applications for the desired facility type

(3) The date, time, and location of any drawing that may be conducted pursuant to division (D).

(D) Conditional authorization. The City Clerk will conditionally authorize facilities as follows:

(1) If, after close of business on the end date of the initial receipt period, the city has received more applications for a given facility type than would be permitted under § 112.02, the Clerk will conduct a drawing to randomly select applicants for conditional authorization and to establish a waiting list for future conditional authorizations for that facility type. The drawing will be noticed and conducted as a public meeting.

(2) For any facility type not subject to numerical limits under § 112.02, or otherwise not subject to the drawing process described in division (D)(1), the Clerk will conditionally authorize facilities in the order in which applications are received.

(3) Once the Clerk has issued conditional authorizations for all of the facilities of a given facility type that would be permitted under § 112.02, the Clerk will place subsequent applications at the end of the waiting list for that facility type.

(E) Final authorization. The City Clerk will grant final authorization for the facility if the applicant:

~~(1) Submits the paperwork for the facility-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 § 154.410(B)(4)(p) of the zoning ordinance within ~~30-90~~ days of receiving conditional authorization;

~~(3)~~ Obtains special use authorization within ~~six-12~~ months of receiving conditional authorization; and

~~(4)~~ Obtains a state operating license within 18 months of receiving conditional authorization.

(F) Expiration of conditional authorization. If the applicant for a conditionally authorized facility fails to satisfy any of the deadlines established above, the conditional authorization will expire. The City Commission may extend any of the deadlines upon a showing of good cause.

(G) Waiting list and refund of administrative fee. The Clerk will keep and maintain the waiting lists established pursuant to division (D) until the maximum number of facilities of the type to which the list pertains are operating in the city (at which time the Clerk will

discard the waiting list). If a conditional authorization for a proposed facility of that facility type expires, the clerk will conditionally authorize the next application on the waiting list. Upon discarding the waiting list, the Clerk will refund the advance of the annual administrative fee established in § 112.05(D) to all applicants remaining on the waiting list.

(H) Newly available authorizations.

(1) For facility types for which the maximum number of facilities specified in § 112.02 are operating in the city, an authorization will become available when:

(a) The state operating license for a facility with final authorization expires or is revoked by LARA; or

(b) This chapter is amended to authorize additional facilities of that facility type.

(2) When an authorization becomes available as described in division (H)(1), the city clerk will ~~select a date~~establish a 30-day application period to begin within the next 60 days ~~on during~~ which the city will ~~begin~~accepting applications from interested persons, and will publish notice of the selected ~~date~~application period in a newspaper of general circulation at least seven business days before the beginning of that period.

(3) ~~On the selected date~~During the selected application period, the Clerk will ~~begin~~accepting applications using the same process described in divisions (C) and (D) above. If multiple applications are received during the application period, a drawing will be conducted as outlined in § 112.03(D) above, and will conduct a drawing to randomly select an application if multiple applications are received on that date.

§ 112.04 RELOCATION OF FACILITIES, TRANSFERS OF LICENSES, AND EXPANSION OF GROW OPERATIONS.

(A) An existing facility may be moved to a new location in the city, subject to applicable zoning regulations and approval by the Licensing Board.

(B) A license for an existing facility may be transferred to a new licensee that intends to continue operating at the same location, subject to approval by the Licensing Board.

(C) No further city approvals are required for the relocations and license transfers described in this section.

(D) A licensee may expand growing operations by upgrading the class of the license (e.g., from class A to class B, or from class B to Class C), or by obtaining a stacked license, subject to all the limitations established in § 112.02. To do so, the licensee must submit a new application to the city satisfying the requirements in § 112.03(A), which shall include payment of the application fee and an advance of any additional annual administrative fee that will be owed due to the addition of stacked licenses. The application shall be conditionally approved upon receipt of all required materials.

§ 112.05 GENERAL REGULATIONS.

(A) Submission of supplementary information to the city. Applicants for city authorization and persons operating existing facilities in the city must provide the City Clerk with copies of all documents submitted to LARA in connection with the initial license application, subsequent renewal applications, or investigations conducted by LARA. The documents must be provided to the Clerk within seven days of submission to LARA, and may be submitted by electronic media unless otherwise requested by the Clerk.

(B) Compliance with applicable laws and regulations. Medical marihuana facilities must be operated in compliance with the MMMFLA, MMMFLA rules, all conditions of the facility's state operating licenses, and all applicable city ordinances. Compliance with the foregoing does not create immunity from prosecution by federal authorities or other authorities of competent jurisdiction.

(C) No consumption on premises. No smoking, inhalation, or other consumption of marihuana shall take place on or within the premises of any facility. It shall be a violation of this chapter to engage in such behavior, or for a person to knowingly allow such behavior to occur. Evidence of all of the following gives rise to a rebuttable presumption that a person allowed the consumption of marihuana on or within a premises in violation of this section:

(1) The person had control over the premises or the portion of the premises where the marihuana was consumed;

(2) The person knew or reasonably should have known that the marihuana was consumed; and

(3) The person failed to take corrective action.

(D) Annual fee. A licensee must pay a fee of \$5,000, for each license used within the city in order to help defray administrative and enforcement costs. The holder of a stacked grower license must pay a separate fee in the amount of \$5,000 for each license. The initial annual fee(s) must be paid to the City Clerk when the application for city approval is submitted. In each subsequent year, fees are due no later than January 31 on the date on which the licensee submits an application to LARA for renewal of the state operating license.

§ 112.06 VIOLATIONS.

(A) Request for revocation of state operating license. If at any time an authorized facility violates this chapter or any other applicable city ordinance, the City Commission may request that LARA revoke or refrain from renewing the facility's state operating license.

(B) Civil infraction. It is unlawful to disobey, neglect, or refuse to comply with any provision of this chapter. A violation of this chapter is a municipal civil infraction. Each day the violation continues shall be a separate offense. Notwithstanding any other provision of this ordinance to the contrary, violators shall be subject to the following fines:

(1) First violation: \$500;

(2) Second offense: \$2,500; and

(3) Each subsequent offense: \$5,000.

(C) Other remedies. The foregoing sanctions are in addition to the city's right to seek other appropriate and proper remedies, including actions in law or equity.

~~§ 112.07 POLICY REVIEW IN 2019.~~

~~—On or before December 31, 2019, city staff shall submit a report to the City Commission regarding the administration of this chapter and the provisions of the zoning ordinance pertaining to medical marihuana, and regarding any other pertinent information relating to the operation of medical marihuana facilities in the city. The report may include proposed ordinance amendments or other proposed policy changes.~~

CHAPTER 115: RECREATIONAL MARIHUANA ESTABLISHMENTS

Section

115.01 Definitions

115.02 Authorized establishments

115.03 Application for authorization

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§ 115.01 DEFINITIONS.

The following words and phrases have the meanings ascribed to them when used in this chapter:

CO-LOCATION or CO-LOCATED. the siting and operation of a combination of multiple establishments or establishment types at a single location.

DESIGNATED CONSUMPTION ESTABLISHMENT. A commercial space that is licensed by LARA and authorized to permit adults 21 years of age and older to consume marihuana products at the location indicated on the state license.

EDIBLE MARIHUANA PRODUCT. Any marihuana-infused product containing marihuana that is intended for human consumption in a manner other than smoke inhalation.

EMERGENCY RULES. The emergency rules for adult-use marihuana establishments issued by LARA on or about July 3, 2019.

EXCESS MARIHUANA GROWER. A license issued by LARA to a person holding five class C marihuana grower licenses and licensed to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

LARA. The Department of Licensing and Regulatory Affairs and any successor department or agency within the department, including the Marihuana Regulatory Agency.

LICENSEE. A person holding a state operating license for a marihuana establishment.

MARIHUANA. All parts of the plant genus cannabis, growing or not; the seeds of that plant; the resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds or resin. MARIHUANA does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of the mature stalks, except the resin extracted from those stalks, fiber, oil, or cake, or any sterilized seed of the plant that is incapable of germination. MARIHUANA does not include industrial hemp.

MARIHUANA ESTABLISHMENT. A marihuana grower, marihuana safety compliance establishment, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by LARA.

MARIHUANA EVENT ORGANIZER. A person licensed to apply for a temporary marihuana event license under the Emergency Rules.

MARIHUANA GROWER. A person licensed by LARA to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

MARIHUANA-INFUSED PRODUCT. A topical formulation, tincture, beverage, edible substance, or similar product containing marihuana and other ingredients and that is intended for human consumption.

MARIHUANA MICROBUSINESS. A person licensed by LARA to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance establishment, but not to other marihuana establishments.

MARIHUANA PROCESSOR. A person licensed by LARA to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

MARIHUANA RETAILER. A person licensed by LARA to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

MARIHUANA SAFETY COMPLIANCE ESTABLISHMENT. A person licensed by LARA to test marihuana, including certification for potency and the presence of contaminants.

MARIHUANA SECURE TRANSPORTER. A person licensed by LARA to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

MMMA. The Michigan Medical Marihuana Act, Initiated Law 1 of 2008, as amended, M.C.L.A. §§ 333.26424 et seq.

MMMFLA. The Michigan Medical Marihuana Facilities Licensing Act, 2016 PA 281, as amended, M.C.L.A. §§ 333.27102 et seq.

MRTMA. The Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, M.C.L.A. §§ 333.27951 et seq.

MRTMA RULES. Rules, including emergency rules, promulgated by LARA to implement the MRTMA.

PREQUALIFICATION STEP or PREQUALIFIED. The portion of the application for a state operating license pertaining to the applicant's financial background and the criminal history of the applicant and other associated persons, as provided by Emergency Rule 6.

STACKED GROWER LICENSE. More than one state operating license issued to a single licensee to operate as a grower of class C-2,000 marihuana plants as specified in each license at an establishment.

STATE OPERATING LICENSE or, unless the context requires a different meaning, LICENSE. A license that is issued by LARA under the MRTMA that allows the licensee to operate a marihuana establishment.

§ 115.02 AUTHORIZED ESTABLISHMENTS.

(A) Authorization and special use permit required. No person shall operate a marihuana establishment in the city without an authorization issued by the city pursuant to the

provisions of this chapter and a special use permit pursuant to this chapter and the city zoning ordinance. No person shall operate a temporary marihuana event in this city without an authorization issued by the city pursuant to the provisions of this chapter.

(B) Number of establishments eligible for authorization. The following numbers of marihuana establishments may be authorized to operate in the city, subject to this chapter:

- (1) Not more than five growers operating under Class A licenses;
- (2) Not more than three growers operating under Class B or Class C licenses;
- (3) Not more than three retailers;
- (4) Processors (unlimited);
- (5) Secure transporters (unlimited);
- (6) Safety compliance establishments (unlimited);
- (7) Not more than two microbusinesses;
- (8) Zero designated consumption establishments;
- (9) Zero excess marihuana growers.

(C) Co-location and stacked licenses. Co-location and stacked grower licenses (with up to three grower licenses per zoning lot) are permitted in the City. For purposes of the limitations provided in division (A) of this section:

- (1) An establishment with a stacked grower license counts as a single grower;
- (2) On a site with co-location, each license (other than stacked grower licenses) authorized to operate within a single location counts as a separate establishment.

(D) Final authorization from city required. The authorization process described in § 115.03 determines the locations in the city at which establishments may operate. A proposed establishment is not eligible to operate until the clerk grants final authorization pursuant to section § 115.03(F) and until the applicant receives a special use permit under the city zoning ordinance and all required approvals and licenses from LARA.

(D) Reciprocity. A medical marihuana facility with final authorization from the city issued in accordance with the limits established under § 112.03 is eligible to apply for the equivalent adult-use marihuana establishment type for the same location authorized under part (B) above. Such establishments shall not count toward the number of establishments eligible for authorization under 115.02(B). For the purpose of this section, the following license types are considered to be equivalent:

<u>Medical Marihuana Facility Type</u>	<u>Adult-Use Marihuana Establishment Equivalent</u>
<u>Class A Grower</u>	<u>Class A Grower</u>
<u>Class B Grower</u>	<u>Class B Grower</u>
<u>Class C Grower</u>	<u>Class C Grower</u>
<u>Provisioning Center</u>	<u>Retailer</u>
<u>Processor</u>	<u>Processor</u>
<u>Secure Transporter</u>	<u>Secure Transporter</u>
<u>Safety Compliance Facility</u>	<u>Safety Compliance Establishment</u>

§ 115.03 APPLICATION FOR AUTHORIZATION.

(A) Timing of submission. Beginning on January 6, 2020, a person may apply for authorization to operate an establishment within the city by complying with the requirements of this section.

(B) Required application materials. An application is not considered complete until all of the following are received by the City Clerk:

(1) A nonrefundable application fee in an amount established by resolution of the City Commission.

(2) An advance of the annual administrative fee established in § 115.05(D).

(3) A photocopy of a valid, unexpired driver's license or state issued identification card for all owners, directors, and officers of the proposed establishment.

(4) A signed application (available in the clerk's office), which must include all of the following information and documents:

(a) If the applicant is an individual, the applicant's name; date of birth; Social Security number; physical address, including residential and any business address; copy of government-issued photo identification; email address; one or more phone numbers, including emergency contact information;

(b) If the applicant is not an individual, the names; dates of birth; physical addresses, including residential and any business address; copy of government-issued photo identifications; email address; and one or more phone numbers of each stakeholder of the applicant, including designation of the highest ranking representative as an emergency contact person; contact information for the emergency contact person; articles of incorporation or organization; assumed name registration; Internal Revenue Service EIN confirmation letter; copy of the operating agreement of the applicant, if a limited liability company; copy of the partnership agreement, if a partnership; names and addresses of the beneficiaries, if a trust, or a copy of the bylaws or shareholder agreement, if a corporation;

(c) The name, address, tax identification number, and current zoning designations of the proposed marijuana establishment;

(d) The name and address of the current property owner of record;

(e) If the current property owner is different than the applicant (e.g. where the applicant has a lease, option, land contract, or other future interest in the property), the property owner's signature is required in addition to the applicant's.

1. An applicant may submit applications for multiple properties.

2. However, only one application shall be submitted per property, unless the applications are for proposed co-located establishments.

(f) The proposed establishment type;

(g) If the proposed establishment type involves stacked growing licenses, the number of licenses sought;

(h) A complete list of all marijuana permits and licenses held by the applicant;

(i) Written consent for the city to inspect the establishment at any time during normal business hours to ensure compliance with applicable laws and regulations;

(j) A location area map of the marijuana establishment and surrounding area that identifies the relative locations and the distances (closest property line to the subject

marihuana establishment's building) to the closest real property comprising a public or private elementary, vocational or secondary school;

(k) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MRTMA (including documents submitted for prequalification);

(l) A copy of all documents submitted by the applicant to LARA in connection with the application for a state operating license under the MMFLA, if applicable;

(m) A copy of all documents issued by LARA indicating that the applicant has been prequalified for a state operating license under the MRTMA;

(n) Any other information reasonably requested by the City relevant to the processing or consideration of the application.

(C) Initial receipt period. For any establishment type subject to numerical limitations under § 115.02, the initial receipt period shall commence on January 6, 2020, and shall end at the close of business on Friday, February 28, 2020.

(D) Clerk action upon receipt. The clerk will accept and receive any complete application that includes the information and documents required by § 115.03(B), unless the city has already received an application for the same property (other than an application for a proposed co-located establishment) from another applicant. Upon receiving a complete application, the clerk will time- and date-stamp the application and inform the applicant of the following:

- (1) The number of existing establishments of the proposed establishment type currently operating within the city;
- (2) The number of pending applications for the desired establishment type; and
- (3) The process by which an applicant will be selected pursuant to division (E) of this section.

(E) Conditional authorization and competitive process. The clerk will conditionally authorize establishments as follows:

(1) If, after close of business on the end date of the initial receipt period, the city has received more applications for a given establishment type than would be permitted under § 115.02, the city will decide among competing applications by a competitive process intended to select applicants who are best suited to operate in compliance with the MRTMA in the city. The city will provide applicants with 21 calendar days' notice that the applicants must provide supplemental written information and documentation to the city indicating whether the applicant satisfies each of the following criteria:

Scoring category	Available points
Current medical marihuana facility license status in the City and history of compliance with City and state regulations associated with existing medical marihuana facility licenses held in the City.	10 points
Background of the applicant, including past ownership interest in a business or businesses operating in the State of Michigan; past compliance with business licensing requirements, including marihuana business licenses	10 points

issued by LARA; and residency in the City or Isabella County for at least one year.	
Human resources, including the number of full-time equivalent employees.	10 points
Physical investment, including the applicant's proposed tangible capital investment; the current and proposed condition of the proposed location; and the applicant's ownership stake in the physical location of the establishment.	20 points
Area impact, including the proximity of the establishment to properties zoned or used residentially; and plans for litter control, loitering, neighborhood outreach, noise mitigation, odor mitigation, resident safety, and traffic mitigation.	10 points
Business operations, including a business plan; financing plan; marketing and promotion plan, with an emphasis on reducing exposure to minors; and strategic plan.	10 points
Establishment design, including the provision of glazing, landscaping, and screening above City minimum requirements; the use of durable building materials; compliance with the Americans with Disabilities Act; and implementation of Crime Prevention Through Environmental Design (CPTED) principles.	10 points
Energy efficiency, including Energy Star certification; Michigan Energy Code compliance; use of energy from carbon-free sources; and use of WaterSense fixtures.	10 points
Infrastructure impact, including the utilization of green infrastructure or low-impact development design principles to manage stormwater; and the provision of non-motorized transportation infrastructure in excess of City requirements.	10 points

(2) The application and all supplemental information shall be delivered to the city's Adult-Use Marihuana Establishment Selection Committee ("Selection Committee"). The Selection Committee shall be comprised of the City Clerk, the City Planner, and the Director of Public Safety. All meetings of the Selection Committee shall be conducted in accordance with the Open Meetings Act, Act 267 of 1976, M.C.L.A. §§ 15.261 et seq., as amended.

(3) Upon timely receipt of the supplemental information described in division (E)(1) of this section, the Selection Committee shall hold a public meeting and assign points for each criterion that is satisfied and shall, based on the resulting scores, select applicants who are best suited to operate in compliance with the MRTMA in the City. The City Clerk shall notify the selected applicants that they have been granted conditional authorization. In the event of a tied score, the Selection Committee shall conduct a random drawing from among the applicants with tied scores to determine which applicant shall receive conditional authorization. The city's decision to grant conditional authorization is final and is not appealable to the City Commission, City Zoning Board of Appeals, or any other city official or body.

(4) If an applicant does not timely submit the supplemental information described in division (E)(1) of this section, then the application shall be discarded and shall not be considered under division (E)(3) of this section .

(5) For any establishment type not subject to numerical limits under § 115.02, or otherwise not subject to the competitive process described in division (E)(1) of this section, the clerk will conditionally authorize establishments in the order in which applications are received.

(6) Once the clerk has issued conditional authorizations for all of the establishments of a given establishment type that would be permitted under § 115.02, the clerk will place subsequent applications at the end of the waiting list for that establishment type. Applications shall be included on the waiting list in the order designated by the Selection Committee under division (E)(3) of this section.

(F) Final authorization. The clerk will grant final authorization for the establishment 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;~~

(21) Submits an application for special use authorization pursuant to § 154.410.B.4.b of the zoning ordinance within 30-90 days of receiving conditional authorization; and

(32) Obtains special use authorization within 6-12 months of receiving conditional authorization.

(43) Receives all required operating licenses and approvals from LARA within 18 months after conditional authorization is granted.

(54) Enters into a written agreement with the city confirming that the marihuana establishment will operate in accordance with the business plans, building plans, design standards, and all other operational standards described by the applicant in the application and in any supplemental materials submitted under division (E) of this section. The agreement shall further provide that if the establishment breaches the agreement, then the city may revoke authorization of the establishment following notice and a public hearing, and that in such event, the city shall be entitled to injunctive relief barring further operation of the establishment in the city.

(G) Expiration of conditional authorization. If the applicant for a conditionally authorized establishment fails to satisfy any of the deadlines established above, the conditional authorization will expire. The City Commission may extend any of the deadlines upon a showing of good cause.

(H) Waiting list and refund of administrative fee. The clerk will keep and maintain the waiting lists established pursuant to division (E) of this section until the maximum number of establishments of the type to which the list pertains are operating in the city (at which time the clerk will discard the waiting list). If a conditional authorization for a proposed establishment of that establishment type expires, the clerk will conditionally authorize the next application on the waiting list. Upon discarding the waiting list, the clerk will refund the advance of the annual administrative fee established in § 115.05(D) to all applicants remaining on the waiting list.

(I) Newly available authorizations.

(1) For establishment types for which the maximum number of establishments specified in § 115.02 are operating in the city, an authorization will become available when:

(a) The state operating license for an establishment with final authorization expires or is revoked by LARA; or

(b) This chapter is amended to authorize additional establishments of that establishment type.

(2) When an authorization becomes available as described in division (I)(1) of this section, the city clerk will ~~select a date~~establish a 30-day application period to begin within the next 60 days ~~on during~~ which the city will ~~begin~~accepting applications from interested persons, and will publish notice of the selected ~~date~~application period in a newspaper of general circulation at least seven business days before the beginning of that period.

(3) ~~On the selected date~~During the selected application period, the clerk will ~~begin~~accepting applications using the same process described in divisions (C) and (D) above of this section. If multiple applications are received ~~on that date~~during the application period, the Selection Committee will request supplemental information and conduct a competitive selection process as outlined in § 115.03(E) above.

§ 115.04 RELOCATION OF ESTABLISHMENTS, TRANSFERS OF LICENSES, AND EXPANSION OF GROW OPERATIONS.

(A) ~~An existing establishment may be moved to a new location in the city, subject to applicable zoning regulations and approval by LARA. An existing establishment may be moved to a new location in the city, subject to applicable zoning regulations, prior City Commission approval, and approval by LARA. In deciding whether to approve a new location for an existing establishment, the City Commission shall consider the following nonexclusive factors:~~

~~—(1) The impact of the establishment's new location on the community as a whole; and~~

~~—(2) The existing establishment's compliance with city ordinances and with state law and administrative rules.~~

(B)

~~A license for an existing establishment may be transferred to a new licensee that intends to continue operating at the same location, subject to approval by LARA.~~

~~A license for an existing establishment may be transferred to a new licensee that intends to continue operating at the same location, subject to approval by City Commission and LARA.~~

(C) A licensee may expand growing operations by upgrading the class of the license (e.g., from class A to class B, or from class B to Class C), or by obtaining a stacked license, subject to all the limitations established in § 115.02. To do so, the licensee must submit a new application to the city satisfying the requirements in § 115.03(B), which shall include payment of the application fee and an advance of any additional annual administrative fee that will be owed due to the addition of stacked licenses. The application shall be conditionally approved upon receipt of all required materials.

§ 115.05 GENERAL REGULATIONS.

(A) Submission of supplementary information to the city. Applicants for city authorization and persons operating existing establishments in the city must provide the

city clerk with copies of all documents submitted to LARA in connection with the initial license application, subsequent renewal applications, or investigations conducted by LARA. The documents must be provided to the clerk within seven days of submission to LARA, and may be submitted by electronic media unless otherwise requested by the clerk.

(B) Compliance with applicable laws and regulations. Adult-use marihuana establishments must be operated in compliance with the MRTMA, MRTMA rules, all conditions of the establishment's state operating licenses, and all applicable city ordinances. Compliance with the foregoing does not create immunity from prosecution by federal authorities or other authorities of competent jurisdiction.

(C) No consumption on premises. No smoking, inhalation, or other consumption of marihuana shall take place on or within the premises of any establishment. It shall be a violation of this chapter to engage in such behavior, or for a person to knowingly allow such behavior to occur. Evidence of all of the following gives rise to a rebuttable presumption that a person allowed the consumption of marihuana on or within a premises in violation of this section:

(1) The person had control over the premises or the portion of the premises where the marihuana was consumed;

(2) The person knew or reasonably should have known that the marihuana was consumed; and

(3) The person failed to take corrective action.

(D) Annual fee. A licensee must pay a fee of \$5,000, for each license used within the city in order to help defray administrative and enforcement costs. The holder of a stacked grower license must pay a separate fee in the amount of \$5,000 for each license. The initial annual fee(s) must be paid to the city clerk when the application for city approval is submitted. In each subsequent year, fees are due no later than January 31 on the date on which the licensee submits an application to LARA for renewal of the state operating license.

§ 115.06 TEMPORARY MARIHUANA EVENTS.

(A) Authorization. Temporary marihuana events are permitted in the City only as provided in this section.

(B) Prelicensure conditional approval. Pursuant to Emergency Rule 62, temporary marihuana events may only be held at a venue expressly approved by the city for the purpose of holding a temporary marihuana event. Prior to obtaining a temporary marihuana event license from LARA, a licensed marihuana event organizer may apply to the city for prelicensure venue and event approval. The application must include all of the following information:

(1) The name of the applicant. For applicants who are business entities, the applicant shall provide the legal business name of the applicant.

(2) Verification that the marihuana event organizer holds a valid license from LARA.

(3) A non-refundable application fee in an amount established by resolution of the City Commission.

(4) Verification that the applicant has been licensed by LARA as a marihuana event organizer.

- (5) The proposed date(s) and hours of operation of the temporary marihuana event;
- (6) The proposed venue of the temporary marihuana event, including the street address, parcel number, and zoning designation;
- (7) A list of all marihuana retailers and marihuana microbusinesses who are expected to participate in the temporary marihuana event, and verification that each retailer and microbusiness is licensed by LARA and authorized to operate in the City under this chapter;
- (8) A diagram of the physical layout of the temporary marihuana event, which must clearly indicate:

- (a) Where the temporary marihuana event will be taking place on the location grounds.

- (b) All entrances and exits that will be used by participants during the event.

- (c) All marihuana consumption areas.

- (d) All marihuana retail areas where marihuana products will be sold.

- (e) Where marihuana waste will be stored.

- (f) All areas where marihuana products will be stored.

- (g) The specific location of each marihuana retailer or marihuana microbusiness licensee who will be participating in the event.

- (9) A description of all proposed event security and signage.

- (10) An attestation from the applicant that the temporary marihuana event will comply with the requirements of this section, the MRTMA, the Emergency Rules, and any other administrative rules or guidelines promulgated by LARA.

- (11) An acknowledgment from the applicant that only edible marihuana products will be sold or used at the temporary marihuana event.

- (12) Any other information or documentation related to the proposed temporary marihuana event requested by the City.

(C) Upon receipt of a complete application for preliminary approval, the City Commission or its designee may determine whether to approve or disapprove the proposed venue and proposed temporary marihuana event. In making this determination, the city shall consider the following nonexclusive factors:

- (1) Whether the applicant and the application satisfies the requirements of division (B) of this section;

- (2) The proximity of the temporary marihuana event to residential homes, schools, daycare facilities, parks, and locations likely to be occupied by individuals younger than 21 years of age;

- (3) The impact of the temporary marihuana event on surrounding properties and businesses, including but not limited to noise, odor, and traffic impacts;

- (4) The impact of the temporary marihuana event on the community as a whole; and

- (5) The sufficiency of the proposed security measures.

(D) If the proposed venue and event are approved, then the city shall provide a written attestation to the applicant on the form provided by LARA indicating that the applicant is authorized to engage in onsite marihuana sales to, and onsite consumption by, persons 21 years of age or older at the temporary marihuana event at the proposed location, conditioned on the applicant obtaining all required licenses from LARA and complying the

MRTMA, Emergency Rules, and any other administrative rules or guidelines promulgated by LARA.

(E) Requirements. All temporary marihuana events must satisfy the following requirements at the time of the commencement of the event and through the duration of the event:

- (1) The applicant must hold a valid marihuana event organizer license issued by LARA.
- (2) The applicant must hold a temporary marihuana event license from LARA for the temporary marihuana event.
- (3) A temporary marihuana event may be held for a maximum of seven consecutive days.
- (4) A temporary marihuana event may only operate between the hours of 8:00 a.m. and 11:00 p.m.
- (5) The temporary marihuana event, and all sales and consumptions that occur during the temporary marihuana event, must comply with the requirements of the MRTMA, the Emergency Rules, and any other administrative rules or guidelines promulgated by LARA.
- (6) In addition to the sign requirements imposed by LARA, all signs for the temporary marihuana event must comply with the city's zoning requirements for temporary signs.
- (7) Marihuana sale and consumption at temporary marihuana events shall be limited to edible marihuana products.

§ 115.07 VIOLATIONS.

(A) Request for revocation of state operating license. If at any time an authorized establishment violates this chapter or any other applicable city ordinance, the City Commission may request that LARA revoke or refrain from renewing the establishment's state operating license.

(B) Civil infraction. It is unlawful to disobey, neglect, or refuse to comply with any provision of this chapter. A violation of this chapter is a municipal civil infraction. Each day the violation continues shall be a separate offense. Notwithstanding any other provision of this ordinance to the contrary, violators shall be subject to the following fines:

- (1) First violation = \$500
- (2) Second offense = \$2,500
- (3) Each subsequent offense = \$5,000

(C) Other remedies. The foregoing sanctions are in addition to the city's right to seek other appropriate and proper remedies, including actions in law or equity.

~~§ 115.08 POLICY REVIEW IN 2020.~~

~~—On or before December 31, 2020, city staff shall submit a report to the City Commission regarding the administration of this ordinance and the provisions of the zoning ordinance pertaining to adult-use marihuana, and regarding any other pertinent information relating to the operation of adult-use marihuana establishments in the city. The report may include proposed ordinance amendments or other proposed policy changes.~~

To: City Commission

From: Appointments Committee (Alsager, Cyman, Ronan)

Re: Recommended appointments to the Isabella County Material Recovery Facility
Governing Board (MRF)

The Appointments Committee recommends the following appointments to the Isabella County Material Recovery Facility Governing Board:

Jason Moore (DPW Director)

City Representative Seat

Matt Weaver

Partial Term ending: December 31, 2023

Memorandum



TO: Aaron Desentz
City Manager

CC: William R. Mrdeza
Director of Community Services & Economic Development

Brian Kench
Building Official

FROM: Jacob Kain
City Planner

DATE: February 4, 2022

SUBJECT: Zoning Board of Appeals crossover member

At their meeting on February 3, the Planning Commission recommended that Corey Friedrich serve as the crossover member to the Zoning Board of Appeals.

Requested Action:

The City Commission receive the Planning Commission recommendation to appoint Corey Friedrich as the Planning Commission crossover member to the Zoning Board of Appeals.