

Regular Meeting of the Mt. Pleasant City Commission
Monday, May 9, 2022
7:00 p.m.

AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

ADMINISTER OATH OF OFFICE TO COMMISSIONER ASSMANN:

PROCLAMATIONS AND PRESENTATIONS:

1. Presentation by Christopher Germain, Senior RRC Planner, Redevelopment Ready Communities and Stephanie Peña, Redevelopment Ready Communities® Planner on the Winter Strategies Action Plan.
2. Proclamation recognizing National Public Works Week (May 15-May 21, 2022).

ADDITIONS/ DELETIONS TO AGENDA:

PUBLIC INPUT ON AGENDA ITEMS:

RECEIPT OF PETITIONS AND COMMUNICATIONS:

3. City Manager report on pending items.
 - a. Monthly report on police related citizen complaints received.
4. Minutes of the Economic Development Corporation-Brownfield Redevelopment Authority (November).
5. Minutes of the Zoning Board of Appeals (January).
6. Minutes of the Airport Joint Operations and Management Board (March).
7. Resignation of Jennifer Jones from the Parks and Recreation Commission term to expire 12/31/2024.
8. Correspondence received regarding Broadway Central (8).

CONSENT ITEMS:

9. Approval of the minutes from the special meeting held April 18, 2022.
10. Approval of the minutes from the regular meeting held April 25, 2022.
11. Consider award of contract for the 2022 Well #6 Rehabilitation Project to Peerless-Midwest.

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.

City Commission Agenda

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12. Consider award of contract for Building Crack Seal and Masonry Repair to National Restoration and approve budget amendment for the same.
13. Consider resolution extending conditional approval of a Medical Marihuana Class C grow Operation for Absolute Royale Inc.
14. Consider resolution extending conditional approval of an Adult-Use Marihuana Class C grow Operation for Absolute Royale Inc.
15. Consider setting a special meeting for follow-up discussion on goals and objectives for Wednesday, June 15, 2022 at 5:30 p.m.
16. Consider approval of Payrolls and Warrants.

PUBLIC HEARINGS:

17. Public hearing on the Community Development Block Grant Water Related Infrastructure Program application and consider approval of resolution on the same.
18. Public hearing on the Michigan Economic Development Corporation (MEDC) Revitalization and Placemaking Grant proposal and consider resolution on the same.
19. Public hearing on an ordinance to amend Chapter 110 of the Mt. Pleasant Code of Ordinances to allow the operation of pedicabs and consider approval of the same.
20. Public Hearing on an ordinance to amend Chapter 112 of the Mt. Pleasant Code of Ordinances and consider approval of the same.
21. Public Hearing on an ordinance to amend Chapter 115 of the Mt. Pleasant Code of Ordinances and consider approval of the same.

NEW BUSINESS:

22. Consider approval of Broadway Central for the 2022 season and consider budget amendment for the same.
23. Consider budget amendment for MERS contribution and Fire Truck Replacement.
24. Consider resolution to authorize the issuance of \$8.5m of General Obligation Bonds for the Water Resource Recovery Facility (WRRF) upgrades.
25. Consider award of contract for the Phase 1 Water Resource Recovery Facility (WRRF) Upgrades to RCL Construction Co., Inc.

ANNOUNCEMENTS ON CITY-RELATED ISSUES AND NEW BUSINESS:

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.

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PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS:

RECESS:

CLOSED SESSION:

RECESS:

WORK SESSION:

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

MAY 5, 2022

FROM: AARON DESENTZ, CITY MANAGER

SUBJECT: CITY MANAGER REPORT ON AGENDA ITEMS

Receipt of Petitions and Communications:

Consent Items:

11. Consider award of contract for the 2022 Well #6 Rehabilitation Project to Peerless-Midwest.
 - a. The city has five (5) groundwater wells that supply water to the City's water treatment plant. These wells undergo regular rehabilitation that includes a deep cleaning and component rehabilitation to ensure that they properly function. Two (2) companies bid for the rehabilitation of well #6 with Peerless Midwest being the low bidder at \$46,406 which is below the \$54,000 budgeted for this project.
12. Consider award of contract for Building Crack Seal and Masonry Repair to National Restoration and approve budget amendment for the same.
 - a. The City's Public Safety Building has an exterior masonry wall that is in need of repair. The City received four (4) bids for work. While the City initially planned for crack sealing and brick repair, it was agreed that the wall would be replaced using as much material as can be used from the wall. The low bidder, National Restoration, received good references and bid the job at \$114,000. Approval of the contract and a budget amendment of \$14,000 (over initial estimate) will need to be approved.
13. Consider resolution extending conditional approval of a Medical Marihuana Class C grow Operation for Absolute Royale Inc.
 - a. This item as well as item 14 come from applicant Absolute Royale Inc. who was approved for a conditional use permit with the City in November 2020 and February 2021 for a medical grower license and an adult use license respectively. Due to supply and labor shortages they are requesting a 9-month extension on their deadlines. The City's ordinance allows for any number of extensions of the City's deadlines for good cause. The medical license deadline for State approval would then be set for February 2, 2023.
14. Consider resolution extending conditional approval of an Adult-Use Marihuana Class C grow Operation for Absolute Royale Inc.
 - a. Absolute Royale Inc. is requesting a deadline extension regarding their conditional State authorization and final approval of an operating license to March 25, 2023 and May 23, 2023 respectively.

Public Hearings:

17. Public hearing on the Community Development Block Grant Water Related Infrastructure Program application and consider approval of resolution on the same.
 - a. Staff is applying for \$2 million in State grant funding to support costs related to the phase II upgrades of our Water Resource Recovery Facility (WRRF). The City is able to maximize points on the grant application by contributing 25% or more of the cost of the total project. The project will include clarification and filtration upgrades. We estimate the project to cost \$3,090,000 and require a City contribution of \$1,090,000. After the

public hearing, the City Commission is asked to approve the attached Resolution authorizing the grant application and funds for this project.

18. Public hearing on the Michigan Economic Development Corporation (MEDC) Revitalization and Placemaking Grant proposal and consider resolution on the same.
 - a. Staff is applying for State funding for the reconstruction of the Town Center Civic Space through the MEDC Revitalization and Placemaking grant program. The application is for \$1 million with a local match of \$500,000 for the project. Upon conclusion of the public hearing the City Commission is asked to approve the attached memo to authorize the grant application and commit the local matching funds.
19. Public hearing on an ordinance to amend Chapter 110 of the Mt. Pleasant Code of Ordinances to allow the operation of pedicabs and consider approval of the same.
 - a. Following City Commission direction in 2021, staff worked with the City Attorney to draft the attached ordinance to allow for and regulate the operation of pedicabs within the City. The ordinance sets the minimum requirements for operation including the issuance of a license, safety standards, and regulation of operations. These regulations include operation only on City streets and no operation on MDOT, County, or CMU controlled streets unless crossing those streets at a traffic signal. Lastly, hours of operation will not allow pedicabs to operate between 12:00am and 8:00am. Upon conclusion of the public hearing, I recommend that the City Commission approve the proposed ordinance.
20. Public hearing on an ordinance to amend Chapter 112 of the Mt. Pleasant Code of Ordinances and consider approval of the same.
 - a. This narrative covers both items 20 and 21. Staff has prepared the attached ordinances which amend the City's medical and adult-use marijuana ordinances. The ordinances remove the current caps in place for marijuana businesses and instead allows for an unlimited number of businesses to operate within the City boundaries. Potential businesses are still held to the City's standards for obtaining a license including the required State of Michigan application and licensing process and submission of an application which includes a great deal of information on the potential business. The City also has existing buffer zones that will provide separation between marijuana businesses , K-12 schools, and CMU. Following each public hearing, the City Commission can move to approve the proposed ordinances as written.
21. Public hearing on an ordinance to amend Chapter 115 of the Mt. Pleasant Code of Ordinances and consider approval of the same.

New Business

22. Consider approval of Broadway Central for the 2022 season and consider budget amendment for the same.
 - a. In preparing a proposal for operation of Broadway Central for 2022, staff considered a great amount of input from community stakeholders. Supporters of Broadway Central want a space to experience the downtown and use as outdoor dining and meeting space. Opponents of Broadway Central did not want the street closed unless a special event was taking place. Staff now proposes to keep Broadway open while setting up outdoor dining and meeting space in some of the parking area and on the sidewalk. The outdoor space will allow visitors to meet and dine at local restaurants. The street will

stay open for traffic. The proposal maintains most parking by taking an additional eight (8) spaces beyond what is currently occupied in the downtown. The road would be closed for special events. A list of events is included in the memo from staff. A recommendation to approve the Broadway Central plan and budget for 2022 is being requested at this time.

23. Consider budget amendment for MERS contribution and Fire Truck Replacement.
 - a. Staff is happy to report that the City currently maintains a fund balance that represents 35% of annual expenses in the General Fund. Staff has reviewed the financial viability of the City and is proposing that this fund balance be used to stay in accordance with our policy. Staff recommends that the City maintain the current millage rate of 16.25 mills which requires no action from the City Commission. Staff also recommends that the City Commission approve a budget amendment to allocate a \$1,200,000 contribution to the MERS program and assign \$1,000,000 to the Fire Truck Replacement fund balance.
24. Consider resolution to authorize the issuance of \$8.5m of General Obligation Bonds for the WRRF upgrade.
 - a. At the December 13, 2021 City Commission meeting, the Commission approved a resolution declaring the intent to issue up to \$22 million in bonds to upgrade the WRRF. For the completion of phase I of the Water Resource Recovery Facility (WRRF) upgrades, staff has determined the need for a bond issue of \$8.5 million. This will cover all construction, engineering, and contingencies. The City's Financial Advisor, Stephen Hayduk, has recommended to accept the proposal from Isabella Bank for below market interest rate on the bonds (2.77%). The direct financing with Isabella Bank will save approximately \$105,000 of bond issue costs compared to a competitive bid bond sale. Staff is recommending approval of the attached Resolution to approve issuance of the bonds.
25. Consider award of contract for the Phase 1 Water Resource Recovery Facility (WRRF) Upgrades to RCL Construction Co., Inc.
 - a. The City received two (2) bids for the WRRF phase I upgrades. RCL Construction Co. was the low bidder at \$7,748,000. Phase I work includes upgrades to the facilities grit system, digesters, retention basin, and septage receiving systems. The City received positive references from RCL. Staff is recommending approval of the contract for the Phase I upgrades with RCL Construction Co.

Memorandum



TO: Aaron Desentz
City Manager

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

FROM: Jacob Kain
City Planner

DATE: May 9, 2022

SUBJECT: Winter Strategies Action Plan

In 2021, the City of Mt. Pleasant was one of two communities statewide selected by the Michigan Economic Development Corporation (MEDC) to participate in a pilot project to create a Winter Strategies Action Plan. In 2020, the MEDC promulgated a Winter Strategies Guide to help Michigan communities foster vibrant, active downtowns throughout the colder months. The pilot is intended to extend that work into local communities and increase tourism, economic activity and quality of life around the state during the winter months.

The attached plan was created with input and support from staff and stakeholders at the Mt. Pleasant Area Chamber of Commerce, the Mt. Pleasant Area Convention and Visitors Bureau, Central Michigan University, and the Saginaw Chippewa Indian Tribe of Michigan. The plan is intended to serve as an advisory document for the City and other partner organizations to bolster existing winter initiatives and explore new winter opportunities. The plan can be used as a reference in developing future budgets, capital plans, and programming.

Christopher Germain, Senior RRC Planner, Redevelopment Ready Communities, and Stephanie Peña, Redevelopment Ready Communities Planner, will present the plan and answer questions from the City Commission.

RECOMMENDATION:

Receive a presentation on the Winter Strategies Action Plan at the May 9, 2022 meeting.

Attachments:

1. Winter Strategies Action Plan

Winter Strategies: **ACTION PLAN**

**FOR
MT. PLEASANT, MI**



February 5, 2022



This winter strategies work plan was supported by technical assistance funds from the Michigan Economic Development Corporation (MEDC) Community Development division.

Mt. Pleasant was one of two communities selected out of a competitive applicant pool of fifteen communities for the pilot year of this service. To apply, a community must either be a Certified Redevelopment Ready Community (RRC) or a Select/Master level Michigan Main Street (MMS) community. Mt. Pleasant has been RRC Certified since 2019.

To learn more about RRC, visit www.miplace.org/rrc.

prepared by:

NORTH OF 45, LLC



SRP DESIGN STUDIO, LLC



[this document is formatted to encourage 2-sided printing]

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INTRODUCTION

The global COVID-19 pandemic resulted in a surge of interest in being outdoors for socializing, family recreation, biking, camping, hiking, fishing and other outdoor pursuits. The cold and snow of the winter season did not change the demand for outdoor activities and facilities, and communities across Michigan began to look for opportunities to meet these demands for close-to-home outdoor recreation. Some believe this trend is here to stay.

A growing number of communities across the northern tier of the United States and in Canada are embracing the winter season and finding the opportunities it offers: economically, socially and culturally. These cities are transforming themselves with year-round bicycling lanes, snow management innovations, winter festivals, ice skating plazas and all-season town squares, winter markets and other business opportunities. People want to shop, walk, bike and socialize outside year-round, as long as they can do so with relative ease and comfort. It only makes sense to plan and design our city for winter, as much as we do for summer.

In 2020, the MEDC Community Development Technical Assistance Team developed a Winter Strategies Guide to help Michigan communities foster vibrant, active downtowns throughout the



colder months. The Winter Strategies have proven to be popular in communities across the state.

The City of Mt. Pleasant was selected by the MEDC as one of two communities to participate in a pilot program to create action plans implementing new winter enhancements and activities based on those strategies. In its application for a Winter Cities Strategy, Mt. Pleasant made a strong case for its winter activities and efforts to-date, including:

- The City has historically plowed priority sidewalks to facilitate walking and recreation in the winter months, and recently significantly expanded that plowing to include 25 miles of community sidewalks.
- The community holiday celebration is entering its 27th year of bringing folks into Downtown Mt. Pleasant. This event includes a tree lighting, community sing-along, caroling, kids crafts, a pancake breakfast with Santa and his reindeer, a lighted parade, hay rides, and for 2021, a fireworks show. Santa is also available for visiting at his Santa house downtown each December.
- Le Frost Cross, a statewide cyclocross cycling event that brings approximately 100 racers into the community each fall or winter.
- The Man v. Mountain, a 5k outdoor obstacle course race that has averaged 300 participants annually over the past six years.



5K OBSTACLE COURSE RACE

INTRODUCTION

- In response to COVID-19, The City hosted several community competitions during the winter, including a holiday light decorating contest and a snowman building contest.
- The City has encouraged downtown property owners to install light curtains on their buildings to bring light and joy to the dark winter months and has complimented this by installing decorative lighting in the street trees in the downtown right of way to enhance the festive spirit of the winter season.
- “Broadway Central” was created by closing off a block of Broadway between Main and University, as a community gathering place.

The City’s goals for applying for the pilot program include creating additional activity during the winter months such as an ice-skating rink; outdoor fire pits in downtown; a holiday vendor village; and potentially expanding the spring-summer-fall “Broadway Central” activity space into the winter months.



CHRISTMAS IN MT. PLEASANT

The Winter Strategy Action Plan identifies some “low-hanging fruit”; low cost projects and initiatives that can help gauge community interest in using city parks and the downtown during the winter season. These ideas should be considered as test or pilot projects to be tried and modified as the community gains experience creating winter activities and events, as well as major, longer-term initiatives. Some winter activities should be tested as “pop-up” events and facilities, to be implemented when cold and snow is in the forecast.

The table on the follow pages includes the recommended action plan based on The City’s existing conditions and identified needs from stakeholder communications and research.

HIGHLIGHTED RECOMMENDATIONS

Pages 12-15 of this strategy contain a full set of recommended actions to help the city better embrace and plan for winter. Key recommendations include:

- ❑ Hold an annual community workshop each fall to discuss upcoming winter needs
- ❑ Reviving opportunities for ice skating.
- ❑ Install lights at the Mission Creek Park Sledding Hill to encourage evening use.
- ❑ Add additional user amenities to the Mission Creek Park Sledding Hill such as tables, benches, fire pits and/or a warming hut.
- ❑ Collaborate with CMU’s Outdoor Recreation Department and Adventure Explorers to provide instruction and organized winter activities such as cross county skiing or snow shoeing.
- ❑ Continue efforts to design and construct the Town Center at Broadway and Main; incorporate winter design principles into the project.
- ❑ Conduct an assessment of existing recreation facilities which close during the winter to determine opportunities for maintaining access in the winter.
- ❑ Organize volunteers to conduct a sidewalk, pedestrian crossings, and bike lane clearance audit within 24 hours of a recent snowfall to determine other areas which may need to be prioritized.
- ❑ Review the city’s zoning ordinance to incorporate winter design concepts such as wind blocking, sun orientation, and colors.

Many of these recommendations are described in greater detail throughout this strategy.

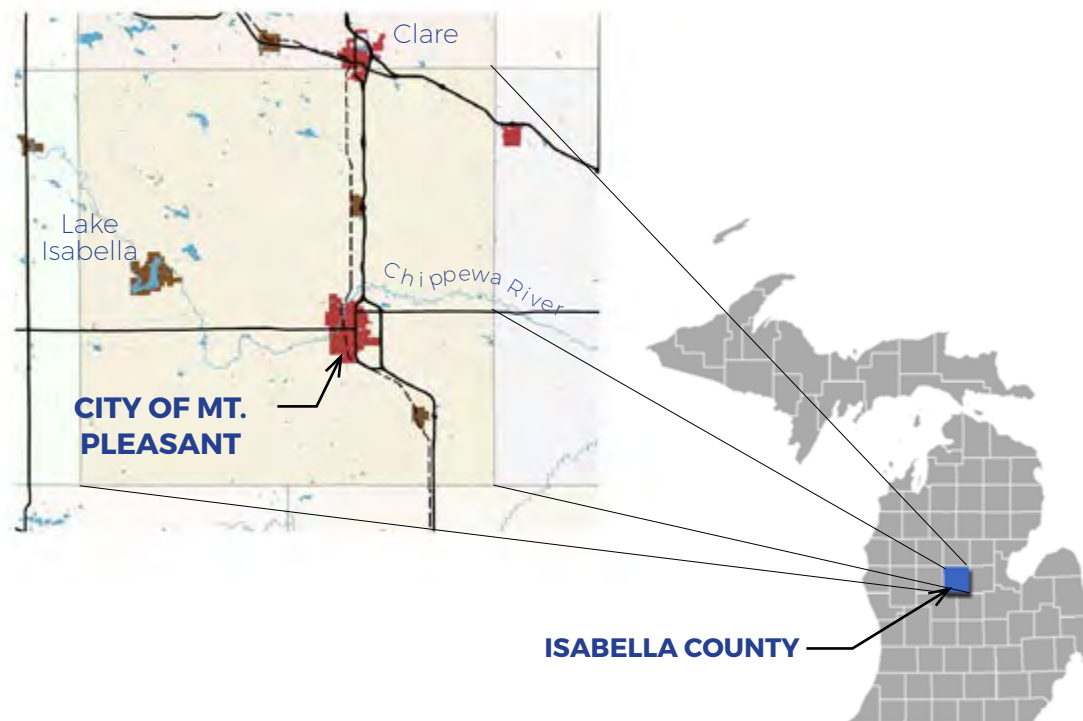
COMMUNITY BACKGROUND



Mt. Pleasant is located in Central Michigan. The City is the county seat of Isabella County. The population was 21,688 persons as reported by the 2020 United States census. Part of The City (with a population of 8,741) is located within the Isabella Indian Reservation, the base of the federally recognized Saginaw Chippewa Tribal Nation. The tribe's Soaring Eagle Casino & Resort in nearby Chippewa Township is also within the reservation boundaries.

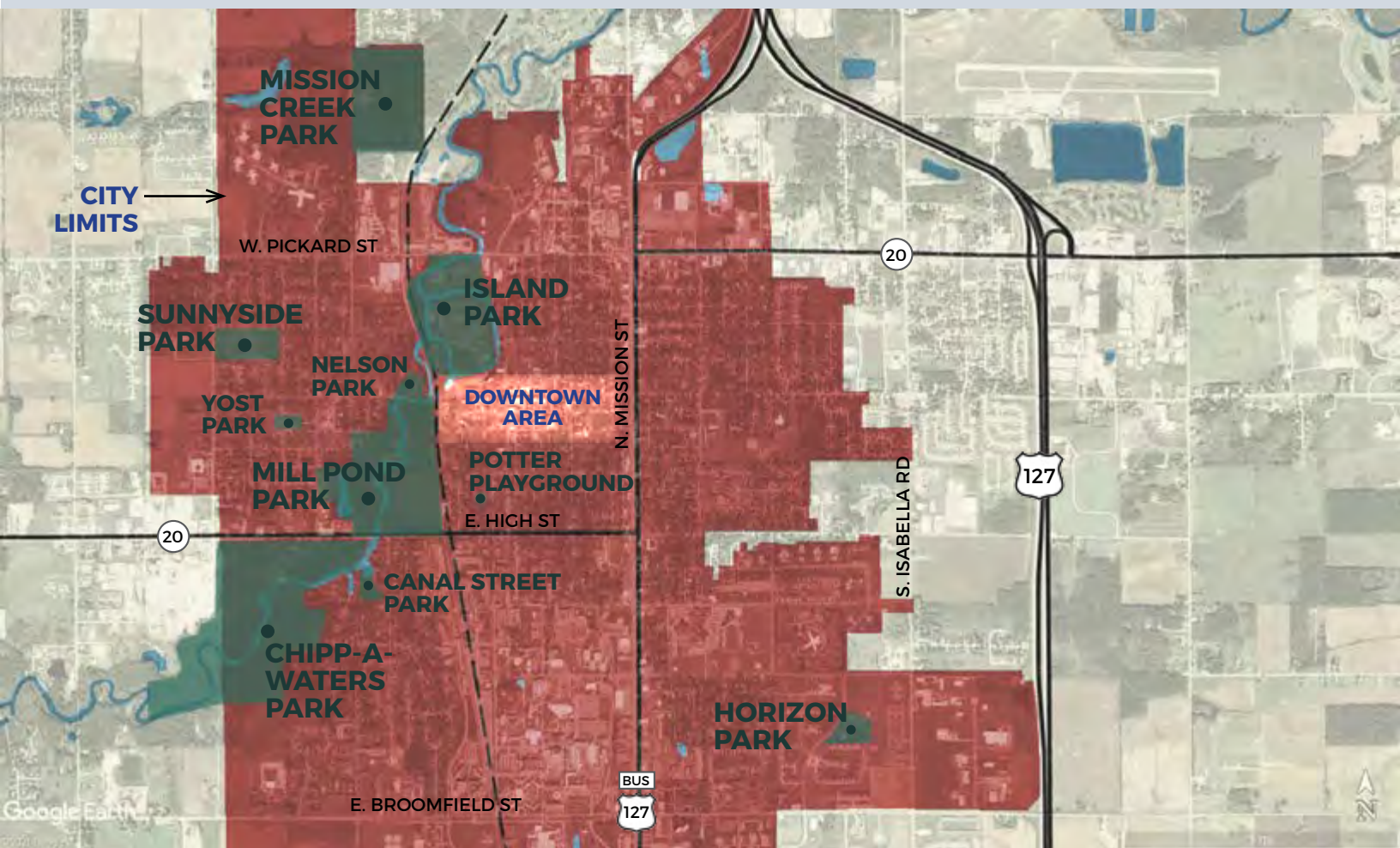
The City is home to the main campuses of Central Michigan University, one of the largest universities in the state, and Mid-Michigan College. The student population makes up approximately one-half of the population of The City.

According to the United States Census Bureau, The City has a total area of 7.83 square miles (20.28 km²), of which 7.74 square miles (20.05 km²) is land and 0.09 square miles (0.23 km²) is water. [8] The Chippewa River runs through the city. Mt. Pleasant is located approximately 61 miles (98 km) north of Lansing, Michigan's state capital, along US 127.



MT. PLEASANT VICINITY MAP

Winter Strategies: **ACTION PLAN** For Mt. Pleasant, MI



MT. PLEASANT CITY MAP

WINTER CLIMATE



Mt. Pleasant is situated at 43.59 degrees north latitude, which is comparable to Toronto, Ontario, Canada. Overall, the climate would be characterized as humid continental, however, all of Michigan is greatly influenced by the Great Lakes, with moderated winter temperatures, cloudy weather, and snow.

Mt. Pleasant receives an annual average of 42" of snowfall. However, snowfall can be sporadic and unreliable. The table below shows average low and high temperatures for the months of December through March.

A search of the City of Mt. Pleasant Master Plan only identified a couple mentions of winter, and those were related to walkability and the existing sledding hill at Mission Creek Park.

Even with moderate winter conditions, it is still possible to plan and implement winter activities and facilities that get people outdoors to enjoy the season. Stakeholder interviews revealed that over the years, Mt. Pleasant moved away from embracing its winter climate, but that citizens are interested in expanding outdoor recreation opportunities to include all seasons.

WINTER IN MT. PLEASANT

Mt. Pleasant AVERAGE WINTER TEMPERATURES

	DECEMBER	JANUARY	FEBRUARY	MARCH
HIGH	33	28	31	42
LOW	20	14	14	22

SUMMARY OF STAKEHOLDER INPUT

A number of persons contributed their thoughts to identifying opportunities to improve the winter season in Mt. Pleasant. This input is summarized below:

- Snow and below freezing temperatures are unreliable and limit what can be done with traditional snow-related activities.
- There is a robust calendar of special events throughout the year with only a few in winter.
- The community should build more events around the existing 5k obstacle course race.
- The Outdoor Recreation Department at Central Michigan University is very interested in partnering to expand interest in winter outdoor activities in city parks, such as providing student help, instruction, and recreation equipment.
- The Mt. Pleasant Center property offers opportunity for outdoor recreation.
- There is not a good way for people to walk to Mission Creek park for winter recreation.
- Potential for adding ski tracks adjacent to the GKB Trail.
- Winter pop-up ideas, events and activities are needed due to unreliable snowfall.



WINTER STRATEGIES ACTION PLAN



The Winter Strategy Action Plan identifies some “low-hanging fruit”; low cost projects and initiatives that can help gauge community interest in using city parks and the downtown during the winter season. These ideas should be considered as test or pilot projects to be tried and modified as the community gains experience creating winter activities and events, as well as major, longer-term initiatives. Some winter activities should be tested as “pop-up” events and facilities, to be implemented when cold and snow is in the forecast.

The following table includes Mt. Pleasant-specific recommendations, organized by each of the winter cities principles. For more information on the principles themselves, see pages 26–35.

WINTER STRATEGIES ACTION PLAN

Task	Description	Lead(s)	Estimated Cost Category ¹	Potential Funding Sources ²
General Recommendations: <i>These recommendations will help the city maintain the winter cities principles over time and work toward a cultural shift back toward embracing the possibilities of winter instead of dreading the season.</i>				
1.1	Hold an annual community workshop each fall to discuss upcoming winter needs	City staff	Low	N/A
1.2	Update this action plan based on workshop outcomes	City staff	Staff time only	N/A
Principle: Provide or enhance opportunities for winter outdoor activity <i>These recommendations will help the city promote community building and activity during winter months.</i>				
2.1	Install lights at the Mission Creek Park Sledding Hill to expand use into the evening	Parks & Recreation	Low	City Funding
2.2	Add additional user amenities to the Mission Creek Park Sledding Hill such as tables, benches, fire pits and/or a warming hut.	Parks & Recreation	Medium	City funding; MEDC Public Spaces, Community Places
2.3	Further study the potential for using the GKB Trail as a ski trail	Parks & Recreation	Low	N/A

Winter Strategies: **ACTION PLAN** For Mt. Pleasant, MI

Task	Description	Lead(s)	Estimated Cost Category ¹	Potential Funding Sources ²
2.3a	If further study finds this to be feasible, purchase supplies to groom the trail, making it a more accessible activity for first time or family skiers.	Parks & Recreation	High	City funds
2.4	Collaborate with CMU's Outdoor Recreation Department and Adventure Explorers to provide instruction and organized winter activities such as cross county skiing or snow shoeing.	Parks & Recreation and CMU	Low	City funds, CMU Dept. funds
2.5	Establish a location to provide covered storage for clean snow which can be used for sculptures and other snow activities such as building a sledding hill.	DPW	Low	GRF
2.6	Continue efforts to design and construct the Town Center at Broadway and Main; incorporate winter design principles into the project.	Community Services	High	City and TBD
2.7	Establish a local resource for renting wintertime equipment such as Parks & Recreation, CMU Outdoor Rec Department or the library.	Parks & Recreation	Medium	TBD
2.8	Expand the outdoor 5k obstacle course race to include pop-up winter activities such as snow sculptures or winter games (see 2.5 for related recommendation)	Parks & Recreation	Low	TBD
2.9	Establish permanent fire pits in the downtown.	Public Safety	Medium	City or MEDC
2.10	Complete efforts to establish an ice rink in Island Park.	Parks & Recreation	Medium	City funds
2.11	Conduct an assessment of existing recreation facilities which close during the winter to determine opportunities for maintaining access in the winter.	Parks & Recreation	Low	N/A or City funds
Principle: Improve winter transportation for pedestrians, cyclists and public transit users				
<i>These recommendations will help the city encourage transportation options year-round and promote a more active lifestyle in the winter.</i>				
3.1	Organize volunteers to conduct a sidewalk, pedestrian crossings, and bike lane clearance audit within 24 hours of a recent snowfall to determine other areas which may need to be prioritized.	Community Development + DPW	Low	N/A
3.1a	Based on results, establish a system (either city or volunteers) to enhance sidewalk clearing in priority areas.	Community Development + DPW	Low	City or partner funding

WINTER STRATEGIES ACTION PLAN



Task	Description	Lead(s)	Estimated Cost Category ¹	Potential Funding Sources ²
Principle: Design for winter safety and comfort <i>These recommendations will help the city factor in changes which can add little comforts to winter time, addressing common concerns around cold and wind.</i>				
4.1	Review the city's zoning ordinance to incorporate winter cities design strategies such as a building's impact on wind and cold; make updates as needed.	Planning Commission	Staff Time Only	N/A
4.2	Provide handrails in any publicly owned paths which are on slopes.	DPW + Parks & Rec	Medium- High	GRF
Principle: Snow management <i>These recommendations will help the city address snow management</i>				
5.1	Establish a proactive communications campaign to help residents and businesses understand the city's snow plowing operations.	DPW or City Manager	Low	GRF
5.1a	Consider investing in snow plow tracker software that enables residents to check when their street might be plowed, as an advance part of the campaign.	DPW	Medium- High	GRF
5.2	Coordinate with DPW on snow piling strategies in the downtown to ensure continued availability of parking and clear pedestrian crossings.	Downtown+ DPW	Staff Time Only	N/A
Principle: Vegetation and landscaping <i>These recommendations will help the city factor in the impact vegetation can have on the ability to block wind and create more welcoming winter spaces.</i>				
6.1	Review the city's zoning ordinance to incorporate winter vegetation principles; make updates as needed.	Planning Commission	Staff Time Only	N/A
Principle: Lighting and color <i>These recommendations will help the city maintain a brighter atmosphere throughout the darkest months of the year.</i>				
7.1	Find replacement lighting project to replace existing "wall of lights" due to cost of annual installation and removal	Downtown	Medium	Downtown
7.2	Coordinate a wintertime outdoor lighting competition in neighborhoods throughout the city, including organized walks for viewing.	Community Services	Low	N/A

Winter Strategies: **ACTION PLAN** For Mt. Pleasant, MI

Task	Description	Lead(s)	Estimated Cost Category ¹	Potential Funding Sources ²
Principle: Make winter a positive asset to attract business, tourism, and new residents <i>These recommendations will help the city continue to encourage downtown activity throughout the winter which can foster economic development and develop a sense of place.</i>				
8.1	Evaluate the initial winter market held at town center in 2022 and determine opportunities for improvement in future years.	Recreation	Medium	City funds
8.2	Offer pop-up events such a hot chocolate nights, winter time scavenger hunts, or yard games in the downtown.	Recreation	Low	City funds
8.3	Expand outdoor gathering options in the downtown.	Recreation	Depends on scale	City funds
8.4	Conduct a storefront activation training for business owners and a corresponding competition.	Downtown + Economic Development	Low	TBA
8.5	Incorporate wintertime activity into the city's social media and traditional communications strategies.	Communications	Staff time only	N/A
Mt. Pleasant Specific: Non-snow Winter Activity Ideas <i>During the engagement phase of this project, concerns around unpredictable snowfall emerged, leading to a desire for more winter time activities which aren't reliant on snow.</i>				
9.1	Work with local organizations or businesses to offer classes or hobby gatherings.	Recreation	Staff time only	N/A
9.2	Host a community-wide or neighborhood-based indoor picnics.	Recreation	Low	City or partner funds
9.3	Host community indoor (board or video games) or outdoor (capture the flag, corn hole, etc.) game nights.	Recreation	Low	City or partner funds
9.4	Host community football, hockey or other sports watch parties.	Recreation	Low	City or partner funds
9.5	Work with local groups to establish outdoor group activities like walking groups or bike rides with winter themes.	Recreation	Low	City or partner funds
NOTES 1 This is a very rough estimate in an attempt to help the city prioritize small vs large projects; no official cost estimates have been conducted. 2 These are possible funding sources and are likely to change as details of each item are finalized. Provided as a starting point only.				

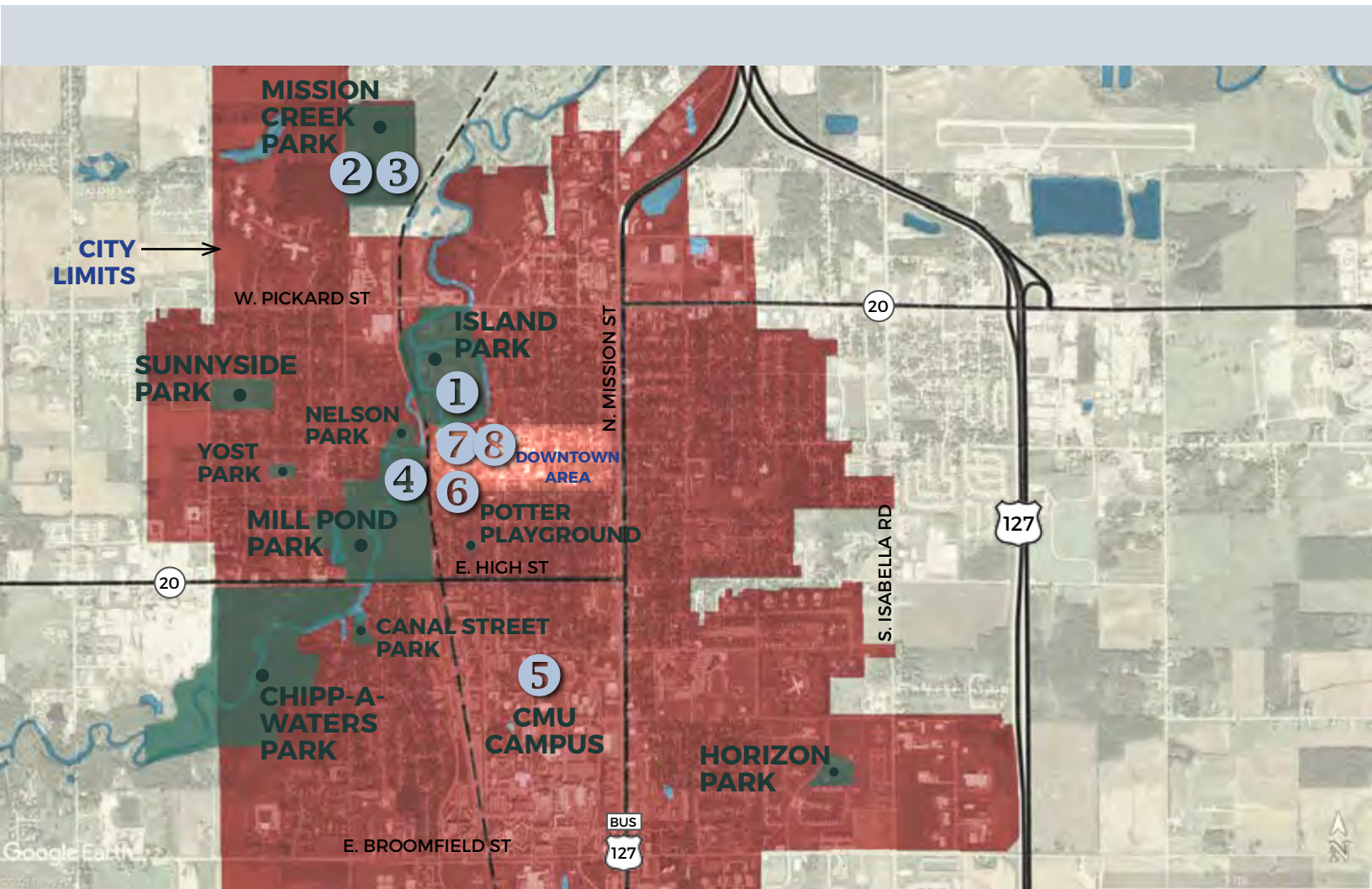
KEY PROJECT DESCRIPTIONS



Due to uncertain winter conditions and sporadic snow and cold temperatures, Mt. Pleasant does not have much of a “winter culture”. However, the pandemic has demonstrated the desire of people for recreation close to home and for facilities to be able to enjoy the outdoors in all seasons.

The previous section identifies a number of opportunities to improve the quality of life in winter for city residents. These principles and ideas should be examined to further consider winter in the City Master Plan, Recreation Plan, downtown planning and redevelopment opportunities.

Walking, running, biking, and hiking are all things people can do regardless of snow cover or below



1 = ACTION PROJECT LOCATIONS

Winter Strategies: **ACTION PLAN** For Mt. Pleasant, MI

freezing temperatures. People play disc golf in cold and even snowy weather in some communities. People enjoy riding mountain bikes in all seasons. If there is snow, people ride fat bikes or mountain bikes with studs.

If ice skating is something desired by citizens, then perhaps it is time to consider an outdoor rink or skating path with refrigeration to extend use. It is understood this represents a major recreation investment, but it is very possible it could create a popular recreation facility.

Nordic skiing does not require a huge investment, it can be done without grooming and let people ski in tracks.

Getting more people involved in all-season outdoor recreation requires signage, marketing and support facilities, such as restrooms and plowed parking.

A good perspective is to consider things long-term, such as how many weeks a year is there snow on the ground or below freezing temperatures? Can you get one month of ski (or ice) conditions 2 or 3 years out of 5?

Are park support facilities...restrooms especially...open in the winter months? Many communities have traditionally shut down restrooms or park buildings for the winter season. Many park buildings are not even designed for any winter use. This is something that can be changed.

Winter recreation needs and desires would be a great topic for a public meeting or community survey next time The City prepares a recreation plan, or with the thought of amending the recreation plan.

This section of the Winter Strategy identifies some "low-hanging fruit"; low cost projects and initiatives that can help gauge community interest in using city parks and the downtown during the winter season. These ideas should be considered as test or pilot projects to be tried and

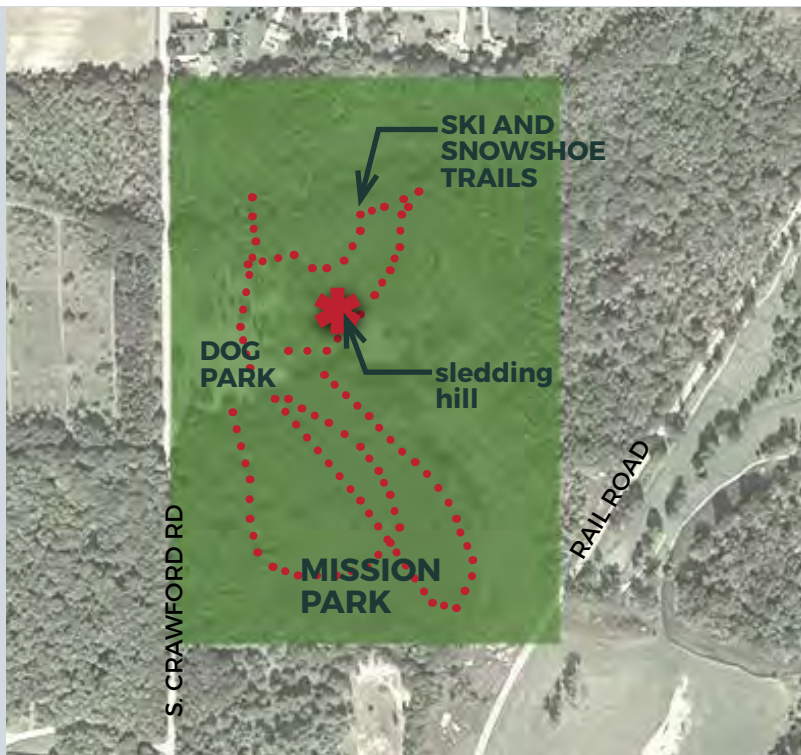
*Ice Skating at **Island Park**, to be located on the outfield of the softball field.*



KEY PROJECT DESCRIPTIONS



modified as the community gains experience creating winter activities and events. Some winter activities should be tested as “pop-up” events and facilities, to be implemented when cold and snow is in the forecast.



*The sledding hill at **Mission Park**, is already used by residents.*

CONDUCT AN ANNUAL WINTER ENHANCEMENT WORKSHOP

To build and maintain momentum towards the goal of becoming a better winter city and improving quality of life in winter, an annual workshop should be held to solicit community input and ideas, and discuss upcoming efforts, lessons learned and new initiatives. The initial project team can lead this effort and expand the team as new stakeholders and interested persons and groups are identified.



*Sledding at **Mission Creek Park**.*

ICE SKATING AT ISLAND PARK 1

The City of Mt. Pleasant is planning to develop an outdoor ice rink for the first time in many years.

The site for the skating rink is on the outfield of a softball field in Island Park. The site was selected because it has fencing for security, parking, has lighting for evening use, and is relatively close to public restrooms.

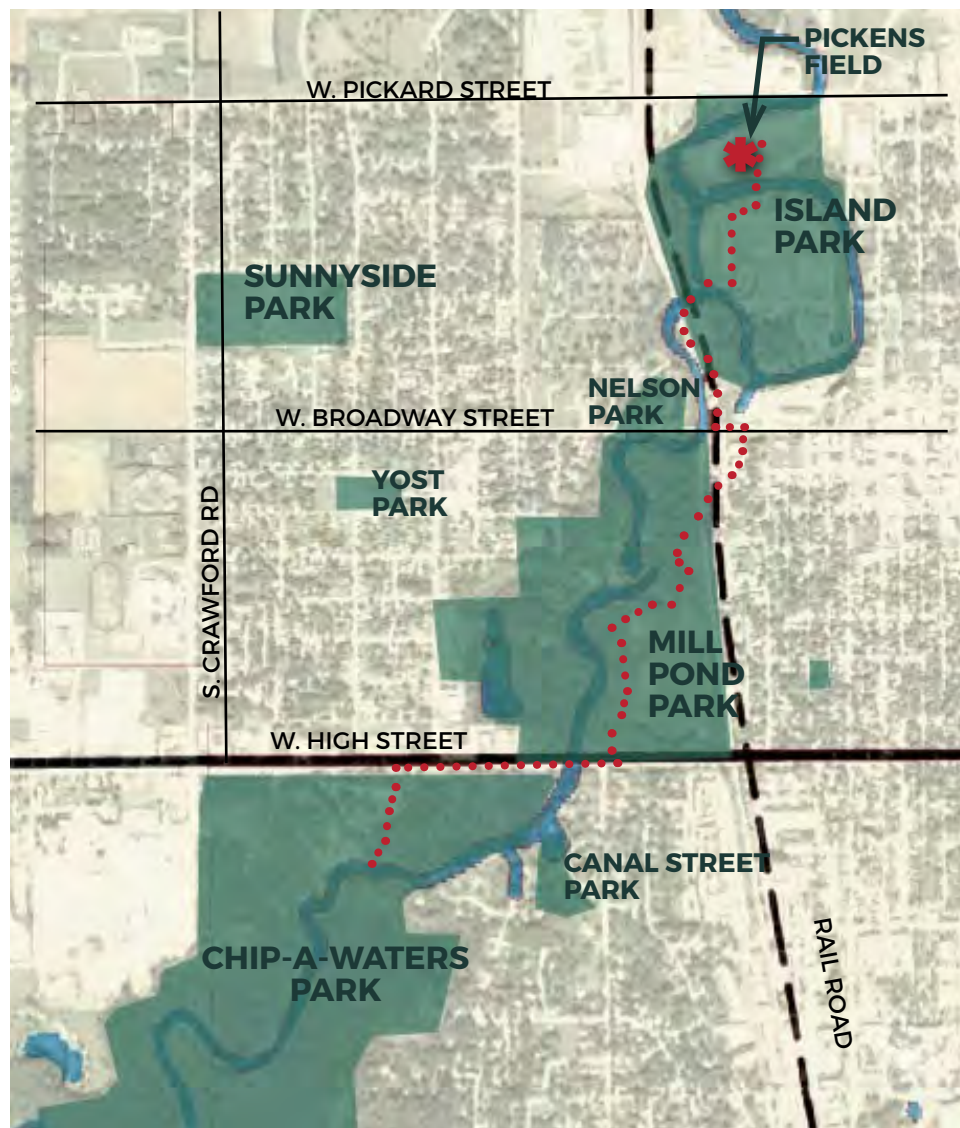
It is our understanding the City Parks Department is purchasing perimeter boards for the ice rink that will, in effect, create a half-sized hockey rink. This could have the effect of encouraging rogue hockey games and discouraging recreational ice skating, as the two activities are not compatible. This will require some enforcement if not desired. Perimeter boards are not absolutely necessary; however, home ice rink builders do purchase DIY kits with liners and perimeter boards that are about 6-12 inches high. These make flooding the rink somewhat easier.

The site should provide benches and picnic tables for resting and for parents keeping an eye on their kids as they skate. A fire pit would be a nice feature for warmth and families who would wish to make s'mores or toast hot dogs.

Depending on how this works out, a future ice rink could be also located in the Town Center in downtown as an attraction and opportunity to animate the gathering space.

SLED HILL AT MISSION CREEK PARK 2

The use of a slope at Mission Creek Park was one of the few mentions of "winter" in the City's Master Plan. We suggest installing lighting at the hill to expand use to evenings, when many families have time and are looking for things to do. Site amenities, such as tables, benches, a fire pit and temporary warming hut will enhance the use.



The **GKB Trail**, runs from Pickens field south to Chip-A-Waters Park

KEY PROJECT DESCRIPTIONS



SKI AND SNOWSHOE TRAILS AT MISSION CREEK PARK 3

The existing hiking trails at Mission Creek Park could be groomed for winter use for skiing, biking, snowshoeing and even for walking. By setting tracks on one side of the trail, the groomed surface can be multi-use, for skate skiing, snowshoes, walking, running, and biking. It is possible that skiers already use these trails and set their own tracks, but skiing can be encouraged with grooming. It is much easier to learn to ski on a groomed trail, making it more family friendly. The City should consider purchasing the proper equipment, which would include a snowmobile or ATV with tracks with sufficient power, and a “Ginzu” groomer implement.

SKI GKB TRAIL 4

To provide another close-to-home winter activity, The City should consider grooming ski tracks alongside the pathway that is currently plowed for winter use. Where sufficient width is not available, perhaps the plowed pathway could be narrowed to allow for multi-use of this popular trail. Another approach is to groom the trail with ski tracks set on the side. Packed snow actually makes an excellent walking and biking surface. Grooming and setting ski tracks is, of course, very dependent on sufficient snow and prolonged cold temperatures. It is recognized that this trail does have a number of street crossings. Skiers can and will take off skis at these locations.

COLLABORATE WITH CMU STUDENTS 5

The Outdoor Recreation Department and Adventure Explorers Program at CMU can provide instruction and even equipment for families who want to learn to ski or snowshoe.



A snowmobile with a **Ginzu Groomer** implement.

POP UP ACTIVITIES FOR THE 5K OBSTACLE COURSE EVENT 6

Even in winter cities located far to the north of Mt. Pleasant, ideal winter conditions for special events can be a roll of the dice. Too cold, too warm, rain, not enough or too much snow are all possibilities. Having contingency plans in place is always a good idea. Identify pop-up events and activities that can be implemented on a short notice when good winter conditions are in the forecast.

It is possible to collect and store clean snow (not from parking lots) in a pile in a shaded area, cover it with a tarp and straw bales, and use it to make snow cubes for carving sculptures, making snowmen, or even snowballs. Plywood boxes can be constructed and filled with snow (a snowblower works well). After 24 hours, the plywood is removed, leaving a perfect cube of compacted snow for carving. Make a few of these and hold a competition. Bring in an expert carver to demonstrate and teach people to carve.

*Running in the snow during the **5K Obstacle Course.***



HERE ARE A COUPLE MORE IDEAS FOR WINTER POP-UP FUN:

Yukigassen is a game between two teams with seven players each. The game is played on a court with certain measurements, and the winner is determined through rules made by the Japan Yukigassen Federation. It is similar to capture the flag; players are eliminated when hit with snowballs. Players wear special yukigassen helmets with face shields, and a set number of snowballs (90) are made in advance.

KEY PROJECT DESCRIPTIONS



Photo Source:
<https://thesporting.blog/blog/yukigassen-explained>

INTRODUCING YUKIGASSEN & CROKICURL

Yukigassen is a snowball competition that originated in Japan. It is played on an outdoor court between two teams of 7 players.

Croki curl is a new outdoor winter game invented in Winnipeg, Manitoba, combining the game of crokinole and curling. It is a life-sized version of crokinole played on ice using smaller, lighter curling rocks made of plastic.

Croki curl is a Canadian winter sport invented by Liz Wreford and Leanne Muir of Public City Architecture and first played in Winnipeg, Canada. The game is a large-scale hybrid of curling and the board game Crokinole. Crokinole is a game in which the players take turn to flick small discs on a circular board, to score highest depending on where the disc lands on the board where the regions are marked with score. The game uses junior curling stones which are 25 lbs instead of 38 - 44 lbs for regular curling stones. The game is played by teams consisting of two players, trying to score points by throwing the stones into the center of the ice where the circles are marked. The highest circle is marked with twenty points. The sport is played all over Canada, but a Croki curl court was created for the first time in the USA last winter in Altoona, Wisconsin, near Eau Claire. In Altoona, people register and are provided with a key for a box containing the equipment.



TOWN CENTER 7

The triangle green space, located at the northwest corner of W. Broadway and Main Street, is currently used for some Christmas events, and will be the site of the Winter Market. A redevelopment concept for this area shows a major expansion of this public space into what is now a parking lot.

This site has great potential to become a major placemaking project with an all-season town square designed especially for winter use. Things to consider include wind, solar exposure, and access. Ice skating and use as a winter festival and public gathering site are possible.

As this area is designed, winter use should be considered, following the Winter City Design Principles in this report.

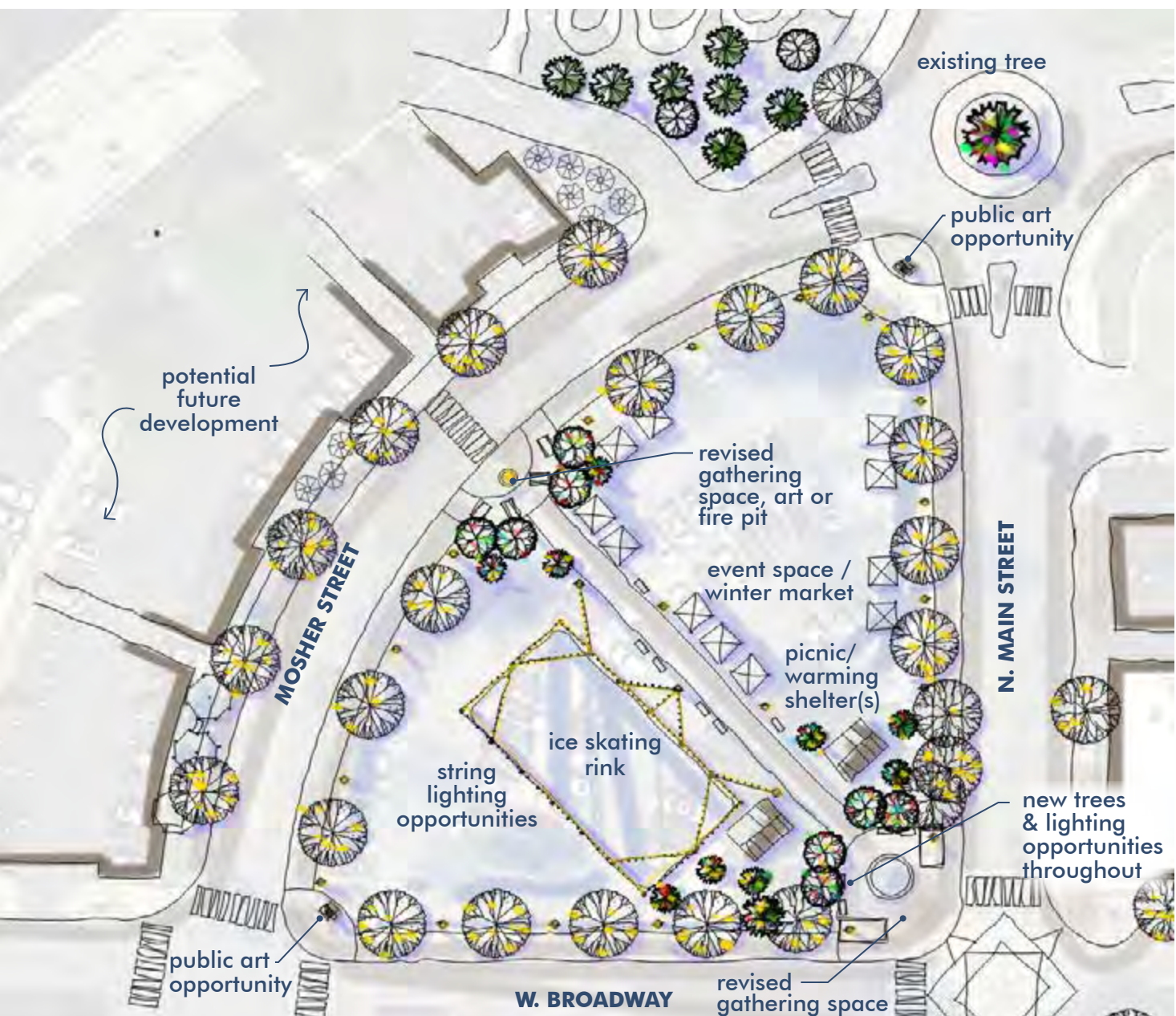
*The redevelopment of this space into a more formalized **Town Center**, will enhance and add vibrancy to the downtown all year round.*



KEY PROJECT DESCRIPTIONS



ALL-SEASON TOWN CENTER



The diagram above is a conceptual plan for a more formalized town center. Shown with potential new development surrounding a town center “green” space. The area could be used as open/event space in the summer and then utilized for an ice skating rink in winter, space for a year-round market, multi-use shelters, public art space, and additional trees for festive winter lighting opportunities.

OUTDOOR WINTER MARKET 8

An outdoor winter market will be held at the Town Center site during the holiday season, with up to 25 vendors set up under canopy booths. If the weather cooperates, this would be a great opportunity to test out pop-up activities, such as snowman building, etc.

EQUIPMENT SHARING

Not everyone can afford to purchase equipment for outdoor recreation. Individuals, and especially families, may want to try skiing or snowshoeing, but are intimidated by the cost for outfitting to try out the sport. This is especially true for low or moderate-income persons and families.

Eau Claire, Wisconsin implemented an equipment sharing program through The City library. It is possible to get donations of used equipment or find the funding to purchase new equipment from a health-related foundation for “lending out” so families can try out skis or snowshoes, or even sleds.

WINTER MARKETS

Extend the season of your farmers market or create opportunities for a pop-up winter market. A winter market can add retail diversity to your downtown. A simple shelter or temporary tent with heaters can provide protection for vendors, such as artists, farmers and craftsmen. Special events can be planned around the winter market.

The City of Edmonton, Alberta, has developed a successful winter market in their downtown district.



PRINCIPLES OF WINTER CITY PLANNING



Improving livability in “winter cities” requires a creative, innovative approach that addresses the problems of snow and cold while enhancing the advantages, opportunities and beauty of the winter season. A positive approach benefits the attitudes of residents, and bolsters the community’s ability to retain and attract new business and residents. The following general winter city planning principles define this approach. While these guidelines are directed towards The City overall, many can be applied to business districts and downtowns.

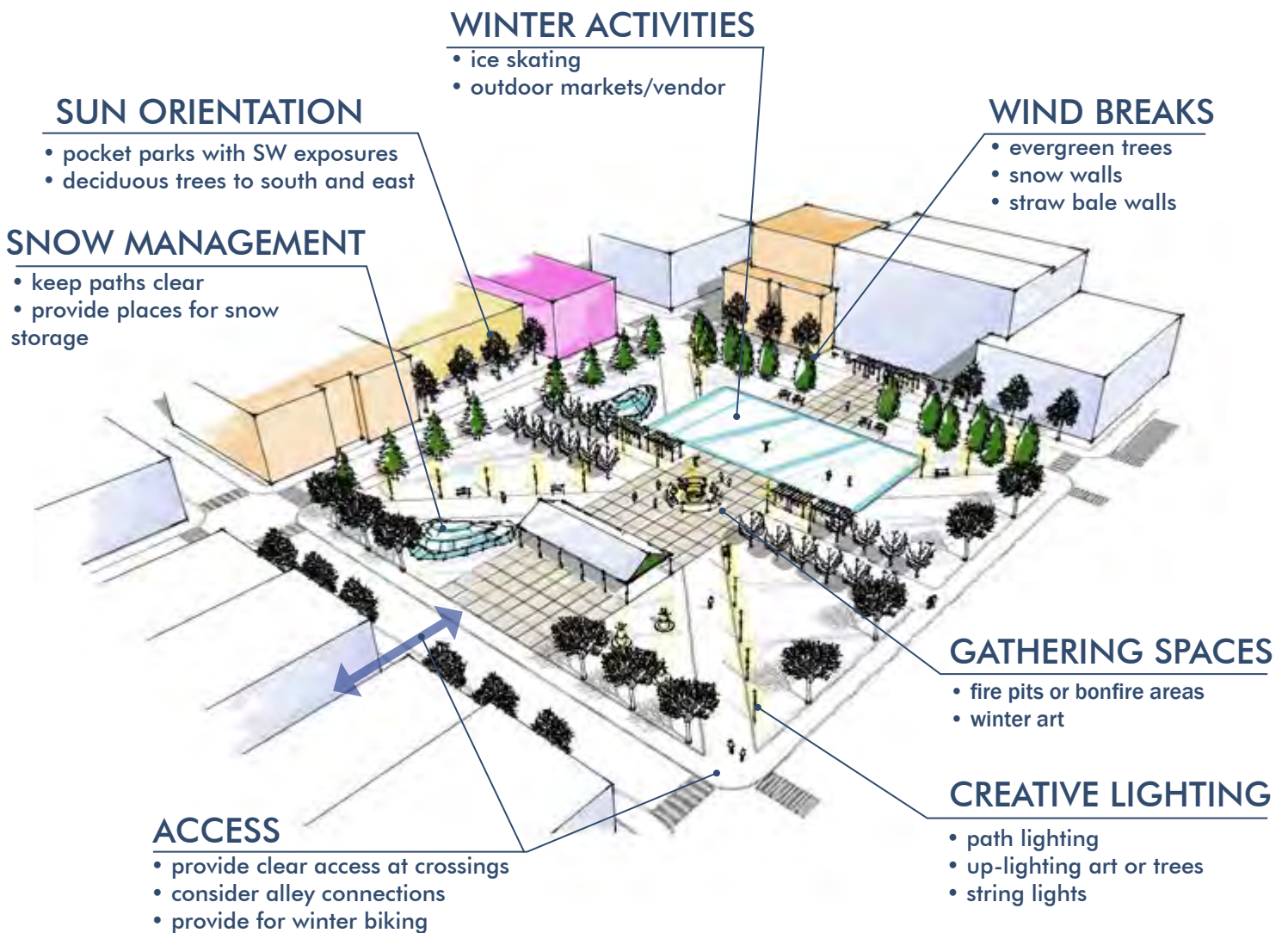
PROVIDE OR ENHANCE OPPORTUNITIES FOR WINTER OUTDOOR ACTIVITY

- Consider ways to use existing city parks and open space for additional winter activities, such as a sledding hill, an ice skating rink or pathway, outdoor gathering area with a fire pit and creative warming hut.
- Create winter trails within the city on old rail grades. Where possible, connect existing trails and walkways.
 - Maintaining/grooming the snow for a multi-purpose skiing, running and walking path is possible where below freezing temperatures are predominate.
 - Communities that experience extended above freezing temperatures may find it better to plow the trail for walking/running/biking.

IMPROVE WINTER TRANSPORTATION FOR PEDESTRIANS, CYCLISTS AND PUBLIC TRANSIT USERS

- Designate critical pedestrian areas that should receive priority when clearing sidewalks and walkways.
- Consider recruiting the assistance of local residents, such as business owners, neighborhood groups, or other organizations to maintain critical areas.
- Ensure that transition areas such as curb-cuts and bus stop platforms are properly plowed to ensure pedestrian safety, as these areas are often a collecting point for large mounds of icy snow due to street plowing.

TOWN SQUARE WINTER DESIGN STRATEGIES



The ideal town square would include some of these design features to provide both comfort from the elements and interactive pedestrian spaces during the cold winter months.

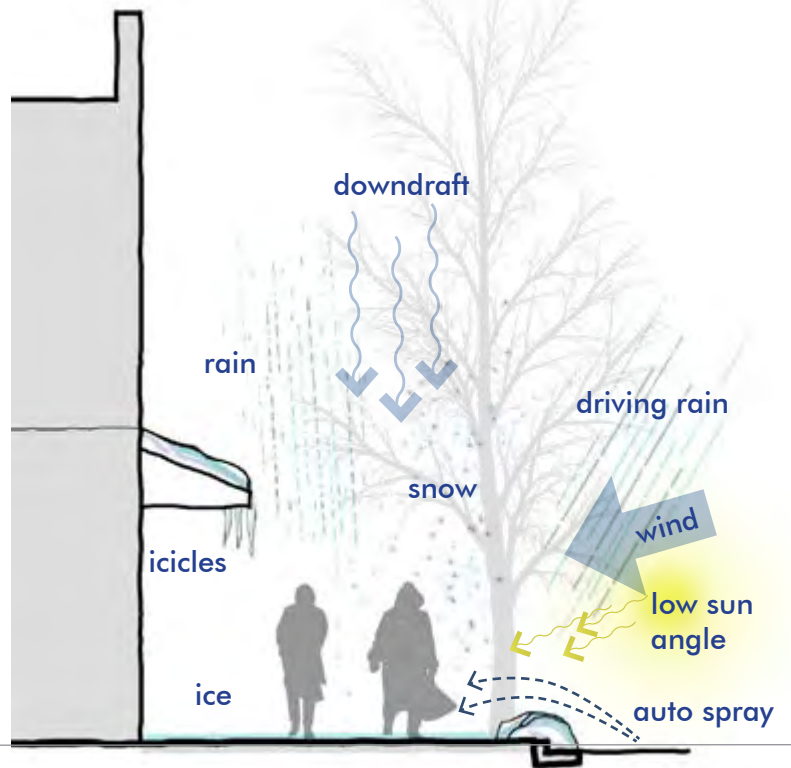
PRINCIPLES OF WINTER CITY PLANNING



DESIGN FOR WINTER SAFETY AND COMFORT

- ❑ Take advantage of solar radiation in the orientation of buildings and outdoor spaces to provide a southern exposure to heat and sunlight.
- ❑ Use buildings and vegetation to protect outdoor spaces, such as vest pocket parks, from prevailing winter winds.
- ❑ Avoid building orientations which will create a wind tunneling effect.
- ❑ Avoid creating public spaces for winter use in areas that are shaded from the sun.
- ❑ Provide shelters or wind blocks in areas that serve as outdoor gathering spaces.
- ❑ Use technology and materials appropriate for a “winter city”. Outdoor furniture should be constructed using appropriate materials such as wood, polyethylene, or vinyl-coated metal.

ELEMENTS OF PEDESTRIAN DISCOMFORTS IN WINTER CITIES



- ❑ Cover ramps or stairs to protect them from snow and ice.
- ❑ Provide handrails for all public and private walkways that exist on slopes. Particularly hazardous areas, such as steps and ramps, may need to be heated to prevent snow and ice from accumulating.
- ❑ Design roofs to account for snow and ice accumulation and also prevent snow and ice from shedding onto parking areas or pedestrian walkways.
- ❑ Create transition areas at building entrances to provide patrons with an area to shed snow prior to entering the building.

WINTER ACTIVITY

The **Marquette Commons** is a town square designed for all season use. In Spring, Summer and Fall, the plaza is used as a Farmers Market. In winter, it is transformed into an ice skating rink



Anchorage, Alaska, with a climate similar to northern Michigan and the Upper Peninsula, grooms their extensive bike / walking / running trails for winter use. People walk, run, bike, and ski on the packed snow surface.



Eau Claire, Wisconsin, began clearing snow from a natural area bike and walking path as a pilot project in their Wintermission Eau Claire program. The pilot project has been an overwhelming success.



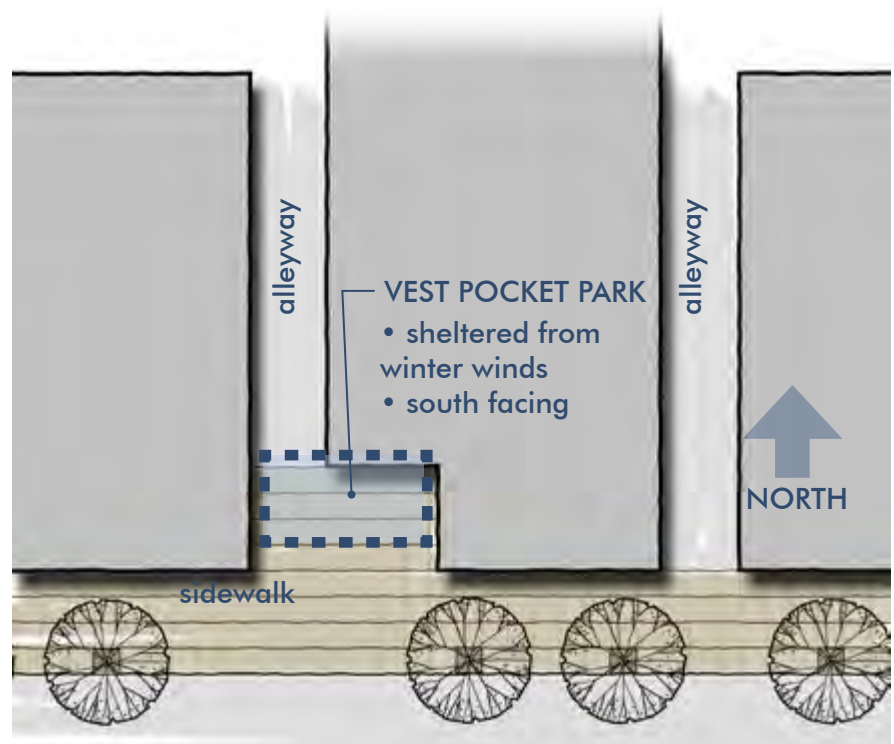
PRINCIPLES OF WINTER CITY PLANNING



SNOW MANAGEMENT

- ❑ Consider snow plowing and removal in the design of road improvements such as curb extensions/bumpouts, to allow for easy maneuverability of equipment around such areas.
- ❑ Design road cross-sections to provide an area for snow storage to prevent snow from being plowed onto the sidewalks when the street is cleared of snow.
- ❑ Bike lanes should not be used for snow storage, as more people are using bicycles for transportation year-round.
- ❑ Bike lanes should be maintained to the same standard as streets in order to encourage more people to commute by bicycle.
- ❑ Bike parking racks should not be put away for the winter season.
- ❑ Map out snow management problem areas and issues to evaluate the impacts of winter winds and drifting snow on city streets and walking paths.
- ❑ Redesign areas where wind is problematic to use earth forms and vegetation to reduce wind and drifting snow.
- ❑ Investigate the use of new equipment or innovative technology for snow removal.
- ❑ Locate snow storage areas where they will receive sufficient solar radiation to encourage melt-off and provide adequate drainage.

VEST PARKS IN WINTER CITIES

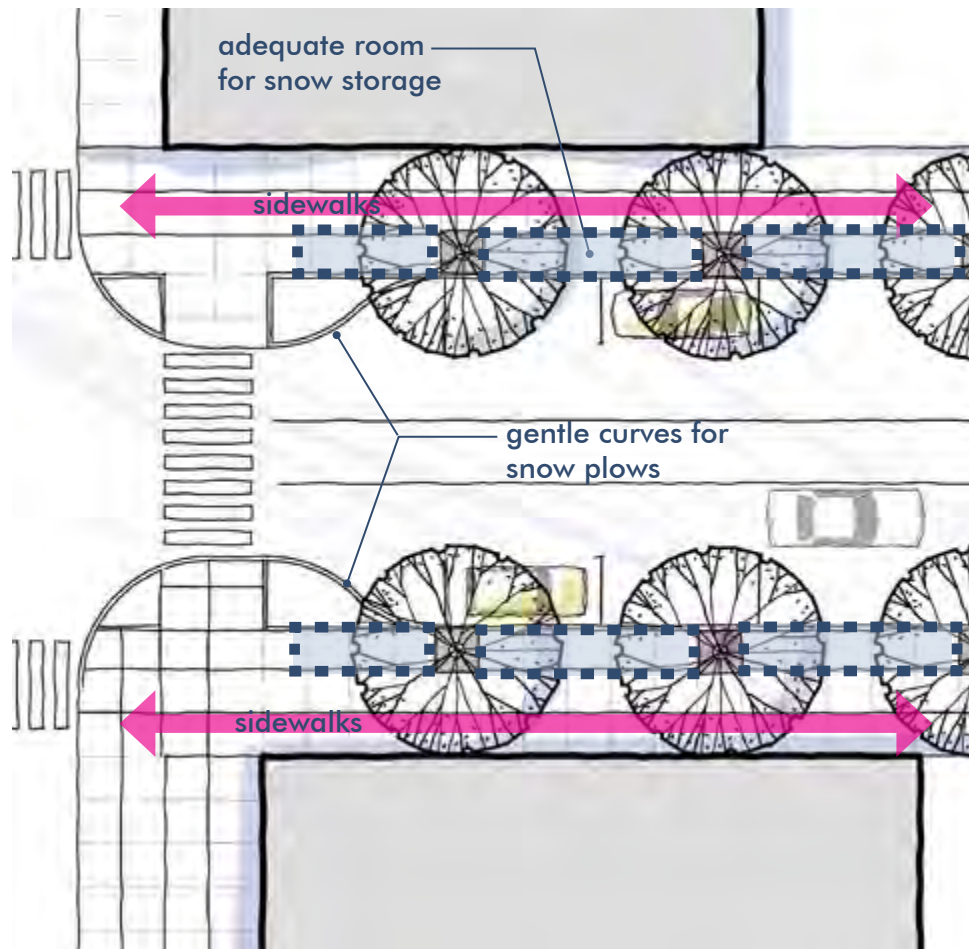


SNOW MANAGEMENT

CONTINUED...

- ❑ Store snow in a number of smaller sites, rather than one large area in order to speed up the melting process.
- ❑ Balance the need for efficient snow removal with other considerations such as walkability, aesthetics, and parking.
- ❑ Explore and implement appropriate “best practices” for snow management that will improve service, reduce inconvenience and increase citizen satisfaction.

SNOW PLOWING & STORAGE



PRINCIPLES OF WINTER CITY PLANNING

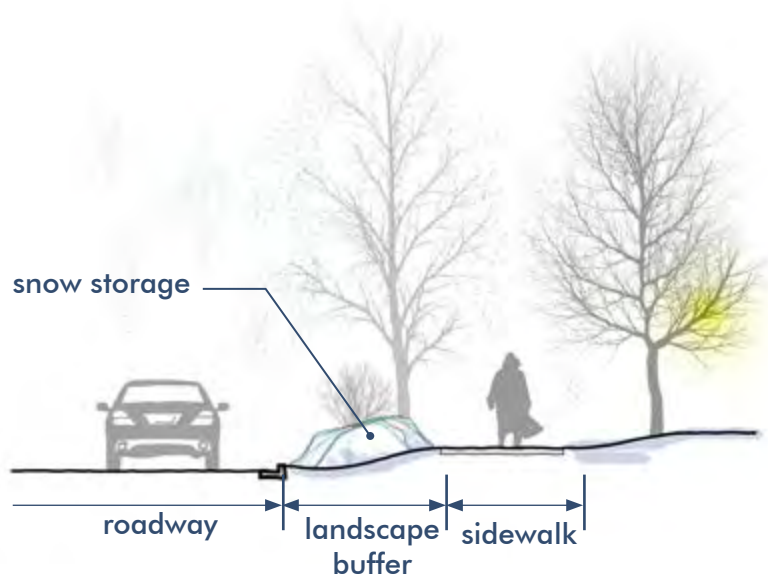


VEGETATION AND LANDSCAPING

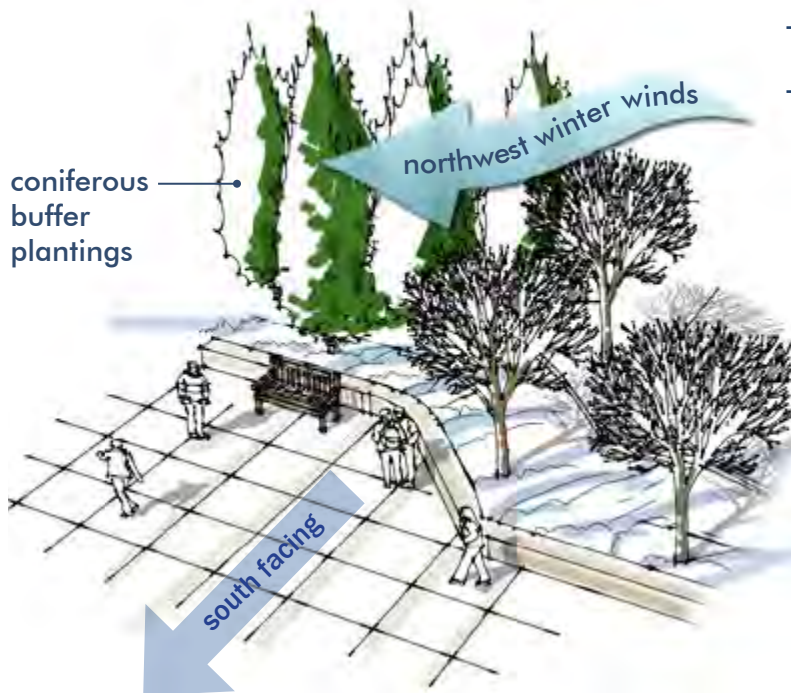
- ❑ Plant deciduous trees on the southern face of a building or outdoor area to provide cooling in the summer (when leaves are present), while still allowing sunlight to filter in during the winter (when leaves have fallen).
- ❑ Coniferous vegetation should be used on the north and west sides to protect the area from prevailing winter winds.
- ❑ Use berms and vegetation to direct snow drifts away from building entrances.
- ❑ Select appropriate landscaping for snow storage areas to minimize damage and poor growth due to compaction, pollutants, and poor drainage.
- ❑ Consider using vegetation as snow fences to protect open roadways and other areas from prevailing winter winds.
- ❑ Create “outdoor rooms” using trees and vegetation to shelter exposed areas from prevailing winds.
- ❑ Use landscaping plant species that offer attractive or useful winter characteristics such as twig color, fruit, and salt-tolerance.



LANDSCAPE BUFFERS & SETBACKS



OUTDOOR ROOMS



LIGHTING AND COLOR

- Consider color and lighting treatments for public spaces and buildings, in order to offset the darkness and monotony of the winter season.



PRINCIPLES OF WINTER CITY PLANNING



MAKE WINTER A POSITIVE ASSET TO ATTRACT BUSINESS, TOURISM AND NEW RESIDENTS

- ❑ Collaborate with other area organizations to create a sustainable annual winter festival featuring family outdoor activities, snow/ice sculptures, winter market, food and music.
- ❑ Consider implementing a “winter market” to capture a greater share of winter tourism.
- ❑ Dress up downtown with lighting, public art, and snow/ice sculptures for the entire winter season, not just the holidays.



Houghton, Michigan takes advantage of steep grades and snow for this event.

LIGHT UP THE DARK

Lighting public space and buildings brightens up dark days and nights and creates winter beauty.

The **Place D'Youville** in **Quebec City** is an historic public square that features lighting of the surrounding buildings and a winter ice rink.



Tiny **Copper Harbor**, the northernmost community in Michigan lights up their town park with a beautiful display.



PROCLAMATION

WHEREAS, public works professionals focus on infrastructure, facilities and services that are of vital importance to sustainable and resilient communities and to the public health, high quality of life and well-being of the people of the City of Mt. Pleasant; and,

WHEREAS, these infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are responsible for rebuilding, improving, and protecting our nation's transportation, water treatment and solid waste systems, public buildings, and other facilities essential for these services; and

WHEREAS, it is in the public interest for the citizens and civic leaders of Michigan to gain knowledge of and to maintain an ongoing interest and understanding of the importance of public works and related programs in their respective communities; and,

WHEREAS, 2022 marks the 62nd annual National Public Works Week sponsored by the American Public Works Association be it now,

RESOLVED, I, Amy Perschbacher, Mayor of the City of Mount Pleasant, do hereby designate the week of May 15-21, 2022, as National Public Works Week; I urge all citizens to recognize the substantial contributions made by our public works professionals to protect our local and national health, safety, and quality of life.

In Witness Whereof, I have hereunto set my hand and Great Seal of the City of Mount Pleasant, Michigan, this 9th day of May 2022.

Amy Perschbacher, Mayor
City of Mount Pleasant

TO: MAYOR AND CITY COMMISSION

MAY 4, 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 5-4-2022
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. Communication with the AG's office continues. It is currently believed that this will need to be on the November 2022 ballot.

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

[illegible]

City of Mt. Pleasant, Michigan

Mt. Pleasant
[meet here]

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Brownfield Redevelopment Authority (BRA) Economic Development Corporation (EDC)

MINUTES OF THE REGULAR MEETING

**November 10, 2021—3:30 P. M.
ELECTRONICALLY CONDUCTED**

I. Call to Order

The meeting was conducted electronically and was called to order by Chair Jeff Smith at 3:37 p.m.

Present: Mary Alsager (for Lori Gillis), Aaron Desentz, Mary Ann Kornexl, Jeff Smith (Chair), Bradley Wahr (Vice Chair)

Absent: Joshua Agardy, Tom Krapohl, Margaret McAvoy, Jennifer Verleger

Also attending: (Staff): Laura Delamater (meeting host), Breanna Knudsen (Saginaw Chippewa Tribe), William Mrdeza

In accordance with state law governing the ability to conduct meetings virtually, all members attending the meeting identified Michigan as the state, Mt. Pleasant as the city, and Isabella County as the location from which they were participating.

II. Approval of Agenda

Wahr noted that due to annual elections at the last Board meeting, the office of Chair and Vice Chair changed; as a result, the officer positions were incorrectly identified on the agenda for this meeting and should be corrected. It was moved by Wahr, seconded by Desentz, to amend and approve the agenda with the correction of Smith as Chair and Wahr as Vice Chair. **The motion passed unanimously.**

III. Approval of the August 10, 2021 Meeting Minutes

It was moved by Wahr, seconded by Alsager, to approve the August 10, 2021 meeting minutes as presented. **The motion passed unanimously.**

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IV. Old and New Business:

A. BRA

1. Recommend Approval of the Final 2021 Amended Budget for the Brownfield Redevelopment Authority

Kornexl summarized the final 2021 Brownfield Redevelopment Authority budget for the Board. She indicated captured taxes increased over the anticipated amount due to the City's ability to capture a portion of the recently approved millage associated with Mid-Michigan College. State reimbursement for lost property tax revenue was also slightly higher than projected. Overall, the final 2021 budget was consistent with the original budget projections. It was moved by Wahr, seconded by Kornexl, to recommend approval of the final 2021 amended budget for the Brownfield Authority. **The motion passed unanimously.**

B. EDC

1. Recommended Approval of the Final 2021 Amended Budget for the Economic Development Corporation

Kornexl summarized the EDC budget for Board consideration. She highlighted the sale of property and the transfer of the remaining EDC property to the City in the budget. Kornexl also indicated that the transfer of maintenance funds to the General Fund was to cover the cost of maintenance in the Borden Building parking lot. Because the EDC no longer has land assets to manage due to the land transfer to the City, the EDC's budget has been zeroed out and the entity will go dormant until needed in the future. It was moved by Wahr, seconded by Kornexl, to recommend approval of the final 2021 amended budget for the Economic Development Corporation. **The motion passed unanimously.**

V. Other Business

There was no other business to discuss.

City of Mt. Pleasant, Michigan



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VI. Public Comment

Breanna Knudsen, a staff member of the Environmental Team of the Saginaw Chippewa Indian Tribe, was in attendance as a member of the public. She thanked the Board for the opportunity to attend the meeting and indicated she plans to attend future meetings of the Brownfield Redevelopment Authority in order to be kept informed of City activities in this area.

VII. Adjourn

There being no other comments or business, **the meeting adjourned at 3:48 p.m.**

**Mt. Pleasant Zoning Board of Appeals
Minutes of the Regular Meeting
January 26, 2022**

I. Chair Raisanen called the meeting to order at 7:01 p.m.

Present: Corey Friedrich, Peter Orlik, Lara Raisanen, Steven Stressman, Aaron White
Absent: None

Staff: Brian Kench, Laura Delamater

II. Approval of the Agenda:

Motion by Friedrich, support by Orlik to approve the agenda.

Ayes: Friedrich, Orlik, Raisanen, Stressman, White
Nays: None

Motion was approved unanimously.

III. Approval of the Minutes:

A. December 15, 2021

Orlik noted a typographical error on page 4 and asked for the following change: *Orlik noted that the screen was up to code ~~in the~~ stand point ~~in~~ height and that there was a lot less maintenance with cinderblock ***from the stand point *of** height...* and Raisanen noted 2 typographical errors on page 3 and asked for the following change: Chair Raisanen invited the ~~applicate~~ to present his case ***applicant** and *Orlik asked Mr. Baltierrez when he bought the property if there was any discussion about the drive-through window and ~~it's~~ use with the Realtor or the seller. ***its.***

Motion by Orlik, support by Friedrich, to approve the minutes as amended.

Ayes: Friedrich, Orlik, Raisanen, Stressman, White
Nays: None

Motion approved unanimously.

IV. Communications:

Kench noted that there were no communications.

****noted amendment***

V. Public Comments:

Chair Raisanen opened the public comment. Kench noted that there were no public comments submitted via zoom or electronically. There being no one who wished to address the board, Chair Raisanen closed public comment.

VI. Old Business:

A. None

VII. New Business:

A. 2022 Meeting Schedule

Chair Raisanen presented the proposed 2022 Meeting Schedule.

Motion by Stressman, support by Orlik to approve the 2022 Meeting Schedule as presented.

Ayes: Friedrich, Orlik, Raisanen, Stressman, White

Nays: None

Motioned approved unanimously.

VIII. Adjournment:

Motion by Friedrich support by White to adjourn.

Ayes: Friedrich, Orlik, Raisanen, Stressman, White

Nays: None

Motion approved unanimously.

Meeting adjourned at 7:07 p.m.

lkd

AIRPORT JOINT OPERATIONS AND MANAGEMENT BOARD

Meeting Minutes

Thursday, March 17, 2022

3:30-5:00 p.m.

SECR Conference Center, Squirrel Room

I. Call to Order

Chairman Nanney called the meeting to order at 3:41 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, Tyler Loomis, Jason Moore

III. Introduction of Tyler Loomis, Airport Assistant Manager

IV. Additions/Deletions to Agenda

Motion by McBryde, support by Ruhl, to approve the agenda
Motion passed unanimously

V. Public Input on Agenda Items

None

VI. Approval of Meeting Minutes – January 20, 2022

Motion by McBryde, support by Desentz, to accept the minutes as written
Motion passed unanimously

VII. Airport Manager's Report – January and February 2022

Brickner presented the airport manager's reports

VIII. Airport Manager's Report

IX. Old Business

- a. Crew Car – Airport Courtesy Car Policy Examples
Airport manager to draft policy for Board review
- b. Food Trucks – Board is working thru this option
- c. Education – FAA-Approved flight simulator is now on site
- d. Additional ideas to promote corporate traffic - ongoing

X. New Business

- a. Further discussion on how to promote airport growth
Possible planned unit development

XI. Announcements on Airport Related Issues and Concerns
None

XII. Public Comment on Non-Agenda items
None

XIII. Adjournment
Nanney adjourned the meeting at 4:36 p.m.

Pritchard, Addie

From: Longoria, Ryan
Sent: Monday, April 25, 2022 8:12 AM
To: Pritchard, Addie
Cc: Way, Lisa; Biscorner, Philip
Subject: FW: April 26 P&R Comm. Agenda Packet

Addie,

Please see the e-mail below from our newest commissioner. I'm guessing this will count as an official resignation, but let me know if you need anything else at all and once again, the Parks and Rec Commission is running thin.

Thanks.

Ryan Longoria, CPRP

Director of Recreation and Sports
City of Mt. Pleasant
989.779.5329



From: Jennifer Jones <zenjenjones@gmail.com>
Sent: Friday, April 22, 2022 12:37 PM
To: Way, Lisa <lway@mt-pleasant.org>; Longoria, Ryan <rlongoria@mt-pleasant.org>
Subject: Re: April 26 P&R Comm. Agenda Packet

EXTERNAL Message Warning

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Hello Lisa,

Unfortunately, my schedule has made some changes that will be affecting my Tuesday's through the Spring and Summer months. My son, Bradyn has soccer practice on Tuesday's at 6:30pm and then once Summer arrives, I will be running Bootcamp classes on Tuesday/Thursday at 5:30pm. I would be more than happy to hop on board in the Fall if there is still vacancy for this position. I apologize as I was really excited to come on board and offer my insight, knowledge and listening ear. If your days and times change for this meeting please let me know.

Thanks a bunch!
Jennifer Jones

On Thu, Apr 21, 2022 at 9:20 AM Way, Lisa <lway@mt-pleasant.org> wrote:

Dear Commissioners, attached is the agenda packet for the Tuesday, April 26 Parks & Recreation Commission meeting, 6:00 p.m. in the City Chambers.

We are looking forward to seeing you!

Sincerely,

Lisa Way

Office Professional II

City of Mt. Pleasant

Parks & Recreation

Phone: (989) 779-5333

www.mt-pleasant.org



From: [comment comment](#)
To: [Desentz, Aaron](#); [Pritchard, Addie](#); [Bouck, Heather](#); [McCann, Angie](#); [Wixson, Marilyn](#)
Subject: FW: Downtown street closing
Date: Wednesday, April 27, 2022 12:09:04 PM

Mary Ann

-----Original Message-----

From: Macleod, Elizabeth <macle1e@cmich.edu>
Sent: Wednesday, April 27, 2022 9:34 AM
To: comment comment <comment@mt-pleasant.org>
Subject: Downtown street closing

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Dear City Manager,

I would like to express my vote for the continued city street closing in downtown Mt. Pleasant.

I much enjoyed it last summer and believe that it contributed to a festive atmosphere downtown, especially when there were farmers market booths and craft vendors. Maybe you could include a "talent time" when people, both children and adults, could sing or dance or recite. Nothing fancy, but it would give people in the community a feeling of belonging.

Beth Macleod
525 South Fancher
Mt. Pleasant, MI

Sent from my iPhone

From: [Sponseller, Michelle](#)
To: [Desentz, Aaron](#); [Pritchard, Addie](#)
Subject: FW: Broadway closer
Date: Thursday, April 28, 2022 7:14:25 AM

Email from Amanda VanHoose who has a massage business above Ponder Coffee.

Michelle Sponseller

Downtown Development Director
City of Mt. Pleasant
320 W. Broadway Street, Mt. Pleasant MI 48858
Phone: (989) 779-5348
Email: msponseller@mt-pleasant.org
Website: www.mt-pleasant.org or www.downtownmp.com



From: Amanda VanHoose <empoweringbodywork@yahoo.com>
Sent: Thursday, April 28, 2022 7:12 AM
To: Sponseller, Michelle <msponseller@mt-pleasant.org>
Subject: Broadway closer

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I know this is late but I have been thinking about it. I feel maybe businesses didn't do stuff because of covid restrictions. And with those lifted and the road closed they may be more likely to do things. Also. For myself, simply having people down there to eat will allow them to catch my sign and possibly come in.. or allow me to have lunch and socialize between clients. Just wanted to say that. Thank you...

Amanda VanHoose
[Sent from Yahoo Mail on Android](#)

From: [Lonnie DeRosia](#)
To: [city manager](#); [Perschbacher, Amy](#); [Cyman, Olivia](#); [Alsager, Mary](#); [Assmann, Brian](#); [Busch, Elizabeth](#); [Eke, Maureen](#); [Ronan, George](#)
Subject: Broadway Closure
Date: Friday, April 29, 2022 1:02:09 PM

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4/28/2022

Dear City Commission,

This letter is being written on behalf of the owner, Jim Jacobs, and I, regarding the permanent closure of Broadway Street between Main Street and University Street. We feel that this closure is not in the best interest of our business and many other businesses along the section of Broadway which is being closed. The main issue we have with this closure is the lack of parking downtown which has been an issue for many years now. It has been almost 3 years now that the city stopped regulating parking and although this helped it still was not a solution to the problem. The city does not understand because they are not a business, or it is because they really do not listen to the opinion of these businesses. It is to our understanding that a petition in which we actively took part in to stop the closure is now being ignored. Why? Do the people of the community and the customers who frequent our businesses opinions or signatures not matter. I ask the city to look at similar cities, where studies have been conducted on the same issues we are discussing and look at the findings and results from these studies. I bet the commission would be surprised by the results. In a larger city this idea may work better but let us be honest here, we are Mt. Pleasant. We have so many beautiful parks that could be used or utilized for gatherings such as this. Downtown needs a better solution to the parking issues that we as businesses face every day. Maybe start with this issue first. I have countless customers on a weekly basis express their concerns and annoyance with the lack of parking. Some of those folks' elderly who cannot walk far. How can we promote our business and downtown, when we must constantly re direct customers because of a small section of street that is closed down. Most do not even make it because they do not want to deal with the mess or navigate around. The Broadway closure is a lot like a construction zone, no one wants to deal with it. Furthermore, have any of the current commissioners driven by the closed section of Broadway during the summer? It is a ghost town. The only exception would be the early morning. There may be ½ dozen people out there and the same goes for Sunday's. But after the Farmers Market (When it was going on.) or after 1pm there is literally no one out there utilizing the space. The couple of businesses which may support it are Max and Emily's and Ponder Coffee, both which already have outdoor seating. Heck Max and Emily's is not even open past 2pm right now. This closure is not only detrimental to our business. It really serves no good purpose. I ask that the city really consider keeping Broadway open and take their time evaluating this matter.

Thanks,
Lonnie DeRosia Jr.
General Manager Pisanello's

From: [Kurt Feight](#)
To: [city manager](#); [apershbacher@mt-pleasant.org](#); [ocyman@mt-pleasant.org](#); [Alsager, Mary](#); [Assmann, Brian](#); [ebusch@mt-pleasant.org](#); [Eke, Maureen](#); [Ronan, George](#)
Subject: Oppose closure of Broadway Street - "Broadway Central"
Date: Friday, April 29, 2022 1:50:09 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

EXTERNAL Message Warning

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As a business and property owner in downtown Mt. Pleasant I strongly oppose the closure of Broadway Street aka "Broadway Central".

Reasons to oppose and vote **NO**:

- Loss of prime parking spaces in center of downtown.
- Safety issues and concerns with diverting traffic around Broadway and through other streets
- Closure of Broadway impairs the ability of our Fire, Police and Emergency teams into the area in the event of an emergency.

As a tax payer, business owner and life long citizen of Mt. Pleasant, I'm asking you vote no and keep Broadway Street open.

Sincerely,

Kurt



Kurt E. Feight, CIC LIC

President / Agent



119 S Franklin Street | Mt. Pleasant, MI 48858
tel (989) 772-2977 x 14 | mobile (989) 560-1120 | fax (989) 772-3843

[website](#) | [our carriers](#) | [linkedin](#) | [vCard](#) | [map](#) | [email](#)



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From: [Kelly Hudson](#)
To: [city manager](#); [Alsager, Mary](#); [Assmann, Brian](#); [Eke, Maureen](#); [Ronan, George](#); [Cyman, Olivia](#); [Busch, Elizabeth](#); [Perschbacher, Amy](#)
Subject: Broadway Central
Date: Friday, April 29, 2022 2:30:49 PM
Attachments: [image007.png](#)

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Good afternoon.

I'm writing to express concerns about the closure of Broadway Street in Mt. Pleasant for "Broadway Central." As someone who works downtown and drives through downtown multiple times every day, I made many observations over the last two years when the road was closed.

1. The space was often under-utilized. Most tables were empty when I drove or walked by.
2. Tables were not clean. They were dirty and sticky and, frankly, unsanitary. They would become dirty from simply being used or being outdoors. I personally saw tables with spilled drinks, food residue, bird droppings and dirt/pollen that collected on the picnic table surfaces.
3. I'm concerned about emergency vehicles being able to respond quickly and efficiently in the event of a fire, safety, or medical emergency. Individuals live in apartments above many of the businesses along Broadway Street. Their safety must be considered as well.
4. The road closure reduces visibility and parking for businesses located along the closed section of Broadway Street.
5. Traffic has to be diverted around Broadway and causes congestion, especially at the various 4-way stops. I especially experienced this at the beginning and end of the workday.

I will say that closing part of Broadway Street makes sense on a short-term basis for special events like car shows, the farmer's market, etc., as many other cities do for similar events. I do not think that a long-term closure of a downtown artery is justifiable or beneficial for our city.

I hope that you consider my concerns expressed above and vote to keep Broadway Street open.

Thank you.

Regards,

Kelly

Kelly Hudson, CIC 



Marketing & Communications Director



P (989) 772-2977 | kelly@mtpleasantagency.com



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From: [Julie Gronda](#)
To: [city manager](#); [Perschbacher, Amy](#); [Cyman, Olivia](#); [Ronan, George](#)
Cc: [Alsager, Mary](#); [Assmann, Brian](#); [Busch, Elizabeth](#); [Eke, Maureen](#)
Subject: Closure of Broadway Street
Date: Friday, April 29, 2022 3:09:02 PM
Attachments: [image001.png](#)
[image002.png](#)
Importance: High

EXTERNAL Message Warning

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As a consumer and employee of a downtown Mt. Pleasant business, I strongly oppose the closure of Broadway Street aka "Broadway Central".

I oppose the closure of Broadway Street for the following reasons;

- The loss of prime parking spaces in center of downtown.
- Safety issues and concerns with diverting traffic around Broadway and through other streets. It causes congestion and traffic confusion on other city streets.
- The closure of Broadway impairs the ability of our Fire, Police and Emergency teams into the downtown area in the event of an emergency.

As a consumer and longtime employee of a downtown Mt. Pleasant business, I'm asking you keep the downtown area safe and keep Broadway Street open.

Thank you for consideration and for keeping our city streets safe!



Julie Gronda

Agent



P (989) 772-2977 | fax (989) 772-3843



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From: jason.connors@nm.com
To: [city manager](#); [Perschbacher, Amy](#); [Cyman, Olivia](#); [Alsager, Mary](#); [Assmann, Brian](#); [Busch, Elizabeth](#); [Eke, Maureen](#); [Ronan, George](#)
Subject: Broadway Central
Date: Monday, May 2, 2022 10:52:18 AM
Attachments: [image006.png](#)
[image007.png](#)
[image001.wmz](#)
[image003.png](#)

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Good morning.

I am emailing you to voice my opposition to the closure of Broadway St.

This has impacted my business the most with clients being unable to find parking. This is not professional and is not good for business. My clients should not have to be impacted for a small minority who would like to eat in the middle of Broadway at a picnic table. There were far too many days these last couple of years when no one was eating or sitting at the tables during the lunch hour. Not to mention the safety concerns of no one removing the umbrellas in inclement weather.

It is also inconvenient for my elderly and handicapped clients as they are forced to walk from a distance. These clients have expressed how unsafe this is and have voiced their frustrations that businesses who provide goods or services have an ADA obligation to remove barriers. This has done the opposite.

We are not a large city with tons of tourists. We have always functioned without the need to close Broadway up until a few year ago. There is no reason to continue to impact clients, customers and traffic for the convenience to sit outside for a meal or catch up with a friend while sitting in the middle of Broadway St. Island Park is where I have gone since moving here in the early 2000's whenever I or my family wanted to eat lunch outside. And, Island Park is a great space. This is where we should be encouraging our community to go. It is set-up for parking, has places to eat and can accommodate everyone's needs.

Please spend your energy encouraging our community members to utilize our many beautiful parks instead of closing down Broadway St.

Respectfully,



Jason Connors
Financial Advisor

114 E. Broadway St, Mt Pleasant, MI, 48858
M: 989.773.6433
O: 989.817.7928
F: 989.817.7928
jasonconnors.nm.com



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Northwestern Mutual
720 East Wisconsin Avenue
Milwaukee, Wisconsin 53202-4797.

From: kristyn.pearen@nm.com
To: [city manager](#); [Perschbacher, Amy](#); [Cyman, Olivia](#); malsager@mt-plesant.org; [Assmann, Brian](#); [Busch, Elizabeth](#); [Eke, Maureen](#); [Ronan, George](#)
Subject: "Broadway Central" - NOT IN FAVOR
Date: Monday, May 2, 2022 11:54:09 AM

EXTERNAL Message Warning

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Hello City Leaders,

I'm writing today to express to you my opposition to closing of Broadway Street on a long term basis. I work at Northwestern Mutual 114 E Broadway and having the street closed off is not something our clients are in favor of or enjoy. Last year we received 10x more complaints about it being closed than anybody ever said anything nice about it.

The parking is already limited right outside our building so taking away a whole street doesn't sit well with clients. We've even had elderly clients (80 years old or more) who have had to walk from down past Gray's Furniture to get to our office.

Our office overlooks the street and we can see daily (Monday – Friday) how little the street is being used. To us, 6-10 people over several lunch periods is not enough to keep it shut down all week long.

I totally love the Thursday concert series that Max and Emily's have hosted. That is planned and we can tell clients or not schedule meetings for that one afternoon/evening. But to do it all week long is not good business.

Closing the street over the weekend to offer up more of a free shopping experience or places to sit for the few food restaurants here would be nice. But really who are you giving outdoor seating too? Stans? Downtown Soda Shoppe? Jimmy Johns? Those are the only ones that don't already have seating outside. Not enough to shut the main artery down to the downtown area.

Missing the SHA and MPPS home coming parades last year was sad. All the people lining the street along Broadway to come and cheer on the schools has been a big part of the parades for my 16 years down here.

During the height of Covid in 2020 it might have made some sense to offer more open / outside / social distanced seating, again it wasn't used as much as you might think. We watched it. Two summers worth now. If the street was flooded with people then you'd say it was being utilized. But it's not.

As a downtown employee we already have issues with the alley and streets, sidewalks looking bad on a daily basis, then add picnic tables and trash all about, it really looks bad for the downtown area.

All this energy should be focused on how to keep businesses or open up more shopping downtown, not eliminate parking and access to the ones you have here and who have been loyal through all the years.

Sincerely,

Kristyn S. Pearen

*Associate Financial Representative to Luke A. Karr CLU, ChFC, RICP Financial Advisor
114 E. Broadway, Mt. Pleasant, MI 48858*

Tel: 989-773-2096 Fax: 989-773-2096

kristyn.pearen@nm.com



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Minutes of the special meeting of the City Commission held Monday, April 18, 2022 at 5:36 p.m. at the Division of Public Safety, 804 E. High St., Mt. Pleasant, Michigan.

Mayor Perschbacher called the meeting to order.

The Pledge of Allegiance was recited.

Commissioners Present: Mayor Amy Perschbacher, Mary Alsager, Brian Assmann, Maureen Eke and George Ronan

Commissioners Absent: Olivia Cyman and Liz Busch

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: Continuation of 2023 Goals and Objectives

Lew Bender led a discussion regarding City Commission's 2023 goals and objectives. A review of each department's challenges and points of focus were discussed.

Moved by Commissioner Alsager and supported by Commissioner Eke to adjourn the meeting at 7:37 p.m.

Amy Perschbacher, Mayor

Heather Bouck, City Clerk

Minutes of the regular meeting of the City Commission held Monday, April 25, 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 and City Clerk Heather Bouck

Proclamations and Presentations

Mayor Perschbacher read a letter from the Citizens' Academy participants expressing their appreciation of Jacob Kain and the work he has done to promote the Academy and the staff who contributed to the program.

Assistant Director of Community Services/City Planner Jacob Kain and Mayor Perschbacher recognized and awarded the participants of the 2022 Mt. Pleasant Citizens' Academy.

Doug Bush, Associate Superintendent of Career and Technical Education gave a presentation on the upcoming May 3rd ballot question on the millage renewal for the Gratiot Isabella Regional Education Service District.

Additions/Deletions to Agenda

Moved by Commissioner Alsager and seconded by Commissioner Eke to approve the agenda with the cancellation of Item # 23, "Public hearing on the Community Development Block Grant Water Related Infrastructure Program application and consider approval of resolution on the same."; Postponement of Item #24 to May 9, 2022 for consideration of Broadway Central for the 2022 season and consider budget amendment for same; and, the addition of Item #21a to the Consent Calendar, setting a public hearing for Monday, May 9, 2022 for the CDBG Water Related Infrastructure Grant, potential funding for secondary treatment process upgrades. Motion unanimously adopted.

Public Input on Agenda Items

Bob Busch, 422 S. Washington, thanked the Commission for the free market consideration for marijuana.

Caleb Cary, 910 E. Chippewa, spoke in support of changing the marihuana ordinance and the changes in the marijuana market.

E-mail communication from Alan Godley & Linda Vogel, Norm's Flower Petal, 201 E. Broadway; and petition signed by 288 community members, received in opposition to Broadway Central.

E-mail communications received from Delphine Rossignol family, 1005 Riverview Ct.; Shannon Palmer, 72 E. Bluegrass Rd.; Kevin Daum, 1414 E. Lincoln St.; Nicole Ferguson, 1425 Morning Mist Ct.; Sleepy Dog Books, 120 E. Broadway St. in support of Broadway Central.

E-mail communications received from Micah Focken, 910 E. Chippewa St.; Alicia Haley, 621 N. Kinney Ave.; Angela Holtz, 1600 E. Bellows St.; Kellie Myers, kmyers813@outlook.com in support of free market for marihuana establishments.

E-mail communication from Keith Sikora, 1645 Chippewa Way, in opposition to free market for marihuana establishments.

Receipt of Petitions and Communications

Received the following petitions and communications:

3. City Manager report on pending items.
4. First Quarter Investment Report.
5. Building, Fire and Sanitary Sewer Board of Appeals Meeting Minutes. (June 2019)
6. Parks and Recreation Commission Meeting Minutes. (October and November)
7. Resignation of Josh Jerome from the Local Development Finance Authority (LDFA).
8. Correspondence received from Shannon Palmer, 72 E. Bluegrass Rd.; Sarah Grinn, 8889 Westview Dr., Lake, MI; Jenny McDonald, 510 S. Franklin St.; Dan Weber, 1411 Crestwood Dr.; Jodi Roed, Alma, MI; Amy Ford, 1211 Forest Ln.; Janice Tomasik, 1181 Stoney Creek Ln.; Kevin Daum, 1414 E. Lincoln St.; Tierney Popp, 4055 Arrow Dr.; Brittany and Dustin Fremion, 604 E. Wisconsin St.; Emily Bloesch and Chris Davoli, 4144 Fairway Ln.; Shelly Smith, 3515 Riverbank Trl.; in support of Broadway Central.

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 April 11, 2022.
10. Minutes of the closed session of the City Commission held April 11, 2022.
11. Michigan Department of Transportation (MDOT) performance resolution for governmental agencies for the purpose of representing the City in transactions. (CC Exh 2-2022)
12. Bid of Fisher Transportation of Mt. Pleasant, Michigan in the amount of \$27.82/ton (estimated 1500 tons) for the 2022-2023 Street Sweepings Disposal Project.
13. Bid of McGuirk Sand & Gravel of Mt. Pleasant, Michigan in the amount of \$1,350,588.90 with a budget amendment in the amount of \$93,723 in the Water fund for the Crapo Street Reconstruction Project.
14. Resolution Establishing Fee For Minor Site Plan Review as follows:
WHEREAS, Chapter 154 requires fees for site plan review be set by resolution of the City Commission; and
WHEREAS, the City Commission adopted fee/charges policy guidelines in July 2017; and

WHEREAS, the City Commission on April 11, 2022 adopted Text Change 22-04 which created a Minor Site Plan Review process;

NOW, THEREFORE, BE IT RESOLVED that the following fee is consistent with the policy guidelines and will take effect May 11, 2022:

Minor Site Plan Review \$200.00

15. Receive proposed ordinance to amend Title XI: BUSINESS REGULATIONS, Chapter 110. GENERAL LICENSING to allow for and regulate the operation of pedicabs within the City and set a public hearing for Monday, May 9, 2022 at 7:00 p.m. on same.
16. Set a public hearing for Monday, May 9, 2022 at 7:00 p.m. to obtain public input on the Michigan Economic Development Corporation (MEDC) Revitalization and Placemaking Grant proposal.
17. Receive proposed amendment to Title XI: BUSINESS REGULATIONS, Chapter 112. Medical Marihuana Facilities of the Mt. Pleasant Code of Ordinances and set a public hearing for Monday, May 9, 2022 at 7:00 p.m. on same.
18. Receive proposed amendment to Title XI: BUSINESS REGULATIONS, Chapter 115. Recreational Marihuana Establishments of the Mt. Pleasant Code of Ordinances and set a public hearing for Monday, May 9, 2022 at 7:00 p.m. on same.
19. Receive proposed ordinance to amend Chapter 154.410.B.4. of the Mt. Pleasant Zoning Ordinances to reference numeric limits for adult-use marihuana establishments and medical marihuana facilities and set a public hearing for May 23, 2022 on the same.
20. Budget amendment of \$95,980 in the Major Street fund and \$37,470 in the Water fund for the 2022 Brown Street Reconstruction project.
21. Warrants dated April 14 & 20, 2022 and Payrolls dated April 15, 2022 all totaling \$749,486.09.
- 21a. Set a Public hearing for Monday, May 9, 2022 at 7:00 p.m. on the Community Development Block Grant Water Related Infrastructure Grant, potential funding for secondary treatment process upgrades.

Motion unanimously adopted.

Public hearing on application of Jib-Bob, LLC for a redevelopment liquor license. There being no public communications or comments received, the Mayor closed the public hearing.

Moved by Commissioner Ronan and seconded by Commissioner Alsager to approve the resolution approving a redevelopment liquor license to Jib-Bob, LLC at 214 N. Franklin St. as follows:

WHEREAS, the City Commission has established a Redevelopment Liquor License Development District pursuant to Act 501 of Public Acts 2006 **436.1521a(1)(b)**, and;

WHEREAS, the City of Mt. Pleasant Central Business District Tax Finance Authority (CBD TIFA) will realize considerable public and private investment within the next five years, and;

WHEREAS, the CBD TIFA was established under Public Act 450 of 1980 under appropriate statutory provision, and;

WHEREAS, the City of Mt. Pleasant shall provide the Michigan Liquor Control Commission a map clearly outlining the boundaries of the Redevelopment Liquor License Development District, and;

WHEREAS, the City Commission finds that Jib-Bob LLC meets the provisions of Public Act 501 of 2006, including: • Is engaged in dining, entertainment or recreation and open to the general public; • Have a seating capacity of at least 25 people; • Investment by Jib-Bob LLC of more than \$75,000 in the rehabilitation or restoration of the building where the license will be housed in the next five years;

WHEREAS, the City of Mt. Pleasant shall provide to the Michigan Liquor Control Commission an affidavit from the City Assessor, as certified by the City Clerk, stating the total amount of public and private investment in real and personal property with the selected portion of CBD TIFA district, which shall not be less than \$200,000 for each license requested, over the preceding time periods, and,

NOW BE IT THEREFORE RESOLVED, the City Commission hereby approves the request from Jib-Bob LLC, "ABOVE ALL OTHERS" for a new Class C license under **436.1521a(1)(b)**, to be permitted at 214 North Franklin, Mt. Pleasant, Isabella County, Michigan.

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

NAYS: None

ABSENT: None

Motion unanimously adopted.

Public hearing on Community Development Block Grant Water Related Infrastructure Program application and consider approval of resolution on the same was cancelled.

Consider approval of Broadway Central for the 2022 season and consider budget amendment for same was postponed to May 9, 2022.

Announcements on City-Related Issues and New Business

Commissioner Alsager thanked Assistant Community Services Director/City Planner Jacob Kain for the work he has done on the Citizens' Academy.

Commissioner Busch announced that "No Mow May" is an excellent platform to protect pollinating insects in the community.

The Commission recessed at 7:30 p.m. and went into Work Session at 7:41 p.m. (Commissioner Eke returned at 7:43 p.m.)

WORK SESSION

25. Presentation and discussion on 2023-2028 Capital Improvement Plan.

Assistant Finance Director/IT Director Chris Saladine provided a presentation on the 2023-2028 Capital Improvement Plan.

Discussion ensued.

26. Discussion on Housing Study next steps.

Community Services & Economic Development Director William Mrdeza and Assistant Community Services Director/City Planner Jacob Kain led a discussion on next steps/direction for staff in regards to housing. Focus is to increase owner occupied housing and expand affordable housing.

Moved by Commissioner Alsager and seconded by Commissioner Eke to adjourn the meeting at 9:09 p.m. Motion unanimously adopted.

Amy Perschbacher, Mayor

Heather Bouck, City Clerk

Memorandum



TO: Aaron Desentz, City Manager
FROM: Tim Middleton, Deputy DPW Director
DATE: April 27, 2022
SUBJECT: Award Contract for 2022 Well #6 Rehabilitation Project

Request

The City Commission is requested to award the contract for the 2022 Well #6 Rehabilitation Project to Peerless-Midwest for \$46,406.

Reason

The 2022 Well #6 Rehabilitation Project is part of the continuing well maintenance program included in the City's Capital Improvement Plan. The project consists of cleaning out the well to remove the restriction at the well screen and rehabilitation of the pump components.

On Tuesday, April 26, 2022, the following bids were received.

Peerless-Midwest, Ionia	\$46,406.00
Northern Pump and Well, Lansing	\$60,677.00

Peerless-Midwest is the low bidder. Their bid is approximately \$7,600 below the budgeted amount of \$54,000. The City has contracted with Peerless-Midwest on previous well projects and they have proven to be a skilled and experienced company.

Recommendation

I recommend the City Commission award the 2022 Well #6 Rehabilitation Project to Peerless-Midwest for \$46,406. Funds are available in the Water Plant Reserve.

City of Mt. Pleasant, Michigan



CITY HALL
320 W. Broadway • 48858
(989) 779-5300
(989) 773-4691 Fax

PUBLIC SAFETY
804 E. High • 48858
(989) 779-5100
(989) 773-4020 Fax

PUBLIC WORKS
320 W. Broadway • 48858
(989) 779-5400
(989) 772-6250 Fax

MEMORANDUM

TO: Aaron Desentz, City Manager
Paul Lauria, Director of Public Safety
Bill Mrdeza, Director of Community Services

FROM: Brian Kench, Building Official BK

DATE: Thursday, April 28, 2022

SUBJECT: Building Crack Seal and Masonry Repair Bid- 2022

Staff issued a request for bids for crack sealing and masonry repair to replace failing sealants around doors/windows, replacing materials used in control joints separating large spans of brick and/or EIFS (Exterior Insulation Finish System) and masonry repair early this month.

A pre-bid meeting was held on April 12, 2022 with seven bidders present, along with our manufacturer representative, Josh Higby from Tremco. Along with crack sealing, the project also includes some minor brick repair and replacement of the brick screen wall located on the west property line adjacent to Popeye's restaurant. Given the water damage and the amount of cracking in the screen wall, the consensus from the restoration professionals was to replace the failing wall and reclaim some of the brick masonry for patching the building.

Reference calls were made on the low bidder, National Restoration who performed work for other municipalities and universities. The feedback received suggests they are a reputable company and do quality work. The City of Troy, who we spoke with is currently entering an agreement to complete some restoration work on one of their historic structures.

Estimates were provided on this project in 2021 for budget purposes in the amount of \$100,000. Given supply chain issues, coupled with increasing material cost, the project came in slightly higher than anticipated. As a result, we are also requesting a budget amendment in the amount of \$14,000 from the CIP millage.

PREBID	COMPANY	TOTAL BID	
X	National Restoration Inc.	Milford, MI	\$114,000.00
X	Cusack Masonry Restoration, LLC	Hubbardston, MI	\$155,000.00
X	Bornor Restoration	Lansing, MI	\$159,870.00
X	Arisco Contracting	Fraser MI	\$219,000.00

RECOMMENDED ACTION:

Recommend that the City Commission approve a budget amendment in the amount of \$14,000 and award a contract to National Restoration in the amount of \$114,000.

Memorandum



TO: Aaron Desentz
City Manager

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

Heather Bouck
City Clerk

FROM: Jacob Kain
City Planner

DATE: May 9, 2022

SUBJECT: Deadline extension requests – Absolute Royale Inc.

Absolute Royale Inc. has conditional authorization to operate a Class C medical marihuana grower and a Class C recreational marihuana grower at 801 Industrial. The applicant has submitted a request that the City Commission grant a nine-month extension of certain deadlines related to these conditional authorizations. Sections 112.03(F) of the Medical Marihuana Facilities Ordinance and 115.03(G) of the Recreational Marihuana Establishments Ordinance state that the City Commission may extend any of the deadlines upon a showing of good cause.

Medical Marihuana Grower Class C

Conditional Authorization issued November 2, 2020

Special Use Permit issued January 7, 2021

- Extension requested for Section 112.03(E)(4) which requires the applicant to obtain a state operating license within 18 months of receiving conditional authorization.
 - Current deadline: May 2, 2022
 - Requested deadline: February 2, 2023

Adult-Use Marihuana Grower Class C

Conditional Authorization issued February 23, 2021

Special Use Permit issued April 8, 2021

- Extension requested for Section 115.03(F)(1) which requires that the applicant submit 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.
 - Previously extended by the City Commission to June 25, 2022.
 - Requested deadline: March 25, 2023
- Extension requested for Section 115.03(F)(4) which requires the applicant to obtain a state operating license within 18 months of receiving conditional authorization.
 - Current deadline: August 23, 2022
 - Requested deadline: May 23, 2023

Memorandum

**Requested Action:**

The City Commission adopt the attached resolutions extending the deadlines for Absolute Royale Inc. to satisfy the requirements of:

1. Section 112.03(E)(4) to February 2, 2023;
2. Section 115.03(F)(1) to March 25, 2023; and
3. Section 115.03(F)(4) to May 23, 2023.

Attachment:

1. Extension request
2. Medical Marihuana resolution
3. Adult-Use Marihuana resolution



City Commission
City of Mt Pleasant
Attn: Mr. Jacob Kain

April 26, 2022

Subject: deadline extension

Commission Members,

Absolute Royale, Inc. respectfully requests a deadline extension for filling our Phase 2 submittal of the Medical use grower license and for the Adult use license. To file the Phase 2, the State requires a Certificate of Occupancy which we will not have from you until you inspect our facility once its completed. We would like to ask for a 9-month extension. We hope to be completed well before the 9-month extension but with building supply shortages due to Covid and labor shortages, delays might occur. We are only waiting for a few key elements in this build out process all of which are out of our control; Consumers Power being one of them. We recognize these delays are out of our control and we are working with extreme diligence to avoid as many delays as possible.

Thank you for your consideration of this request.

Respectfully,

A handwritten signature in black ink that reads "Martha Hollenbeck". The signature is written in a cursive, flowing style.

Martha Hollenbeck

Absolute Royale, Inc.

RESOLUTION

WHEREAS, Absolute Royale Inc. received a conditional authorization for a Class C Medical Marihuana Grower on November 2, 2020; and

WHEREAS, Section 112.03(E) of the Mount Pleasant City Code of Ordinances requires the City Clerk to grant final authorization for conditionally authorized medical marihuana facilities 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 section 154.410(B)(4)(p) of the zoning ordinance within 30 days of receiving conditional authorization; (3) Obtains special use authorization within six months of receiving conditional authorization; and (4) Obtains a state operating license within 18 months of receiving conditional authorization; and

WHEREAS, Absolute Royale Inc. has satisfied the requirements of Sections 112.03(E) (1), (2) and (3) of the Mount Pleasant City Code of Ordinances and obtained a Special Use Permit from the Planning Commission on January 7, 2021; and

WHEREAS, Absolute Royale Inc. has not yet satisfied the requirements under Section 112.03(E)(4); and

WHEREAS, the conditional authorization granted to Absolute Royale Inc. will otherwise expire because the applicant has not obtained a state operating license within 18 months of receiving conditional authorization as specified under Section 112.03(E)(4); and

WHEREAS, Absolute Royale Inc. has requested a nine (9) month extension to meet the requirement of Section 112.03(E)(4) for cause as outlined in their April 26, 2022 request for extension; and

WHEREAS, Section 112.03(F) of the Mount Pleasant City Code of Ordinances authorizes the City Commission to extend any of the deadlines required by Section 112.03(E) upon a showing of good cause.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The City Commission of the City of Mount Pleasant finds that Absolute Royale Inc. has established good cause to extend the deadline to meet the requirements of Section 112.03(E)(4).

2. Absolute Royale Inc.'s request under Section 112.03(F) for a nine-month extension to satisfy the requirements of Section 112.03(E)(4) for their Class C Medical Marihuana Grower located at 801 Industrial is granted and the deadline date to satisfy such requirements shall be February 2, 2023.

3. Except as otherwise modified by this Resolution, all other deadlines established by Chapter 112 of the Mount Pleasant City Code of Ordinances shall remain in full force and effect.

RESOLUTION

WHEREAS, Absolute Royale Inc. received a conditional authorization for a Class C Adult-Use Marihuana Grower on February 23, 2021; and

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

WHEREAS, Absolute Royale Inc. has satisfied the requirements of Sections 115.03(F)(2) and (3) of the Mount Pleasant City Code of Ordinances and obtained a Special Use Permit from the Planning Commission on April 8, 2021; and

WHEREAS, Absolute Royale Inc. has not yet satisfied the requirements under Sections 115.03(F)(1) and (4); and

WHEREAS, the conditional authorization granted to Absolute Royale Inc. will otherwise expire because the applicant has not submitted the paperwork for the establishment-specific step of the application for a state operating license (and all related applications for stacked licenses) to LARA within 30 days of receiving conditional authorization as specified under Section 115.03(F)(1) and because the applicant has not obtained a state operating license within 18 months of receiving conditional authorization as specified under Section 115.03(F)(4); and

WHEREAS, Absolute Royale Inc. has requested a nine (9) month extension to meet the requirement of Sections 115.03(F)(1) and (4) for cause as outlined in their April 26, 2022 request for extension; and

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

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The City Commission of the City of Mount Pleasant finds that Absolute Royale Inc. has established good cause to extend the deadline to meet the requirements of Sections 115.03(F)(1) and (4).

2. Absolute Royale Inc.'s request under Section 115.03(G) for a nine-month extension to satisfy the requirements of Section 115.03(F)(1) for their Class C Adult-Use Marihuana Grower located at 801 Industrial is granted and the deadline date to satisfy such requirements shall be March 25, 2023.

3. Absolute Royale Inc.'s request under Section 115.03(G) for a nine-month extension to satisfy the requirements of Section 115.03(F)(4) for their Class C Adult-Use Marihuana Grower located at 801 Industrial is granted and the deadline date to satisfy such requirements shall be May 23, 2023.

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

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 04/22/2022-05/04/2022

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
05/04/2022	21ST CENTURY MEDIA - MICHIGAN	CONTRACT SVCS	\$1,260.00
05/04/2022	ABC FASTENER GROUP, INC	SUPPLIES	9.13
05/04/2022	AIRGAS USA, LLC	CONTRACT SVCS	54.02
05/04/2022	ALEXANDER CHEMICAL CORPORATION	CHEMICALS	7,160.82
05/04/2022	ASTRO WOOD STAKE, INC	SUPPLIES	1,288.00
05/04/2022	ATI GROUP	CONTRACT SVCS	1,062.09
05/04/2022	AVFUEL CORPORATION	AIRPORT FUEL	21,906.90
05/04/2022	LEWIS G. BENDER	CONTRACT SVCS	7,773.78
05/04/2022	BILL HAUCK PAINTING	CONTRACT SVCS	628.00
05/04/2022	BLOCK ELECTRIC COMPANY	CONTRACT SVCS	410.88
05/04/2022	BROWN & BROWN OF CENTRAL MI	ADMIN COSTS	11,250.00
05/04/2022	BUSINESS CONNECTIONS, INC.	CONTRACT SVCS	135.00
05/04/2022	C & O SPORTSWEAR	SUPPLIES	220.15
05/04/2022	CARLSON - DIMOND & WRIGHT, INC.	CONTRACT SVCS	406.00
05/04/2022	CDW GOVERNMENT, INC	SUPPLIES	602.26
05/04/2022	CENTRAL MICHIGAN HEALTH DEPT	CONTRACT SVCS	432.00
05/04/2022	CGS, INC.	TRAINING	1,094.10
05/04/2022	AMANDA CHRITZ	REIMBURSEMENT	1,483.00
05/04/2022	CINTAS CORPORATION	SUPPLIES/CONTRACT SVCS	593.72
05/04/2022	CMP DISTRIBUTORS, INC.	SUPPLIES	62.95
05/04/2022	CONSUMERS ENERGY	UTILITIES	30,935.86
05/04/2022	COYNE OIL CORPORATION	SUPPLIES/VEHICLE MAINT	10,487.31
05/04/2022	CROWN PRODUCTS LLC	SUPPLIES	942.19
05/04/2022	CUMMINS SALES AND SERVICE	CONTRACT SVCS	558.20
05/04/2022	DIXON ENGINEERING, INC	CONTRACT SVCS	4,500.00
05/04/2022	ERA	SUPPLIES	1,231.57
05/04/2022	ESCON GROUP	CONTRACT SVCS	4,142.00
05/04/2022	ETNA SUPPLY	SUPPLIES	10.60
05/04/2022	FERGUSON WATERWORKS #3386	METER REPLACEMENT	1,983.95
05/04/2022	FISHBECK, THOMPSON, CARR & HUBER	CONTRACT SVCS	81,099.29
05/04/2022	ALL PRO EXERCISE	SUPPLIES/CONTRACT SVCS	179.00
05/04/2022	FOSTER, SWIFT, COLLINS & SMITH, P.C	CONTRACT SVCS	18,374.00
05/04/2022	GRANGER	CONTRACT SVCS	68.96
05/04/2022	GREEN SCENE LANDSCAPING, INC.	CONTRACT SVCS	2,385.71
05/04/2022	HACH COMPANY	CONTRACT SVCS/SUPPLIES	6,306.64
05/04/2022	HALT FIRE	SUPPLIES	490.84
05/04/2022	HOFFMAN CONSTRUCTION	CONTRACT SVCS	7,447.00
05/04/2022	HYDROCORP, INC.	INSPECTION/REPORTING SVCS	4,829.50
05/04/2022	J. RANCK ELECTRIC INC.	CONTRACT SVCS	2,250.00
05/04/2022	KERR PUMP AND SUPPLY, INC	SUPPLIES	916.82
05/04/2022	KINETICO WATER SYSTEMS	CONTRACT SVCS	296.98
05/04/2022	KRAPOHL FORD LINCOLN MERC	CONTRACT SVCS	123.05
05/04/2022	KRAPOHL FORD LINCOLN MERC	CAPITAL ACQUISITIONS	31,359.00

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 04/22/2022-05/04/2022

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
05/04/2022	KUSSMAUL ELECTRONICS, LLC	SUPPLIES	353.36
05/04/2022	LAMAR COMPANIES	CONTRACT SVCS	1,250.00
05/04/2022	ROBERT W LAMSON, PHD	CONTRACT SVCS	465.00
05/04/2022	LANSING SANITARY SUPPLY, INC.	SUPPLIES	129.54
05/04/2022	SUSAN LANGWORTHY	HEALTH INSURANCE	58.00
05/04/2022	LEXIPOL, LLC	CONTRACT SVCS	10,743.79
05/04/2022	LITHOPREP	SUPPLIES	110.00
05/04/2022	MHOK, PLLC	PROSECUTORIAL SVCS	7,633.31
05/04/2022	MCLAREN CORPORATE SERVICES	CONTRACT SVCS	1,784.00
05/04/2022	TYLER BROWN	REIMBURSEMENT	10.47
05/04/2022	410 BROADWAY, LLC	MAKE IT PLEASANT GRANT	400.00
05/04/2022	MICHIGAN PIPE & VALVE	SUPPLIES	2,813.00
05/04/2022	MP AREA COMMUNITY FOUNDATION	CONTRACT SVCS	3,500.00
05/04/2022	MPPS	SUPPLIES	3,093.20
05/04/2022	MT PLEASANT ROTARY CLUB	DUES	156.00
05/04/2022	ALMA TIRE SERVICE INC	SUPPLIES	741.11
05/04/2022	MRWA	TRAINING	585.00
05/04/2022	MWEA	TRAINING	325.00
05/04/2022	JUSTIN NAU	REIMBURSEMENT	170.66
05/04/2022	DOUG NEFF	MAKE IT PLEASANT GRANT	200.00
05/04/2022	NELSON TANK ENGINEERING &	CAPITAL ACQUISITIONS	4,140.00
05/04/2022	NCL OF WISCONSIN	CHEMICALS/SUPPLIES	1,209.07
05/04/2022	O'BOYLE COWELL BLALOCK & ASSOC.	CONTRACT SVCS	5,495.00
05/04/2022	OFFICE DEPOT	SUPPLIES	74.37
05/04/2022	OTIS ELEVATOR COMPANY	CONTRACT SVCS	474.51
05/04/2022	PETTY CASH - ANGIE MCCANN	REIMBURSEMENTS	127.50
05/04/2022	PERCEPTIVE CONTROLS, INC.	CONTRACT SVCS	3,579.50
05/04/2022	PRO COMM, INC	VEHICLE MAINT/SUPPLIES	590.00
05/04/2022	3967 EUCLID LLC	REFUND	430.00
05/04/2022	HILLARY PIERCE	REFUND	460.00
05/04/2022	KELLY ZIELINSKI	REFUND	460.00
05/04/2022	MICHELLE FUNK	REFUND	460.00
05/04/2022	TRACY CASTELLON	REFUND	460.00
05/04/2022	JESSICA CARLSON	REFUND	40.00
05/04/2022	NICHOLAS DEMSKI	REFUND	180.00
05/04/2022	LAUREN ADAMS	REFUND	560.00
05/04/2022	JOSEPH FOX	REFUND	460.00
05/04/2022	CHRIS ROWLEY	REFUND	460.00
05/04/2022	HOFFMAN CONSTRUCTION	REFUND	118.00
05/04/2022	CMU ADVENTURE SEMINARS	REFUND	810.00
05/04/2022	ANDREA PROUT	REFUND	107.00
05/04/2022	DMITRY A EROFEEV	REFUND	662.21
05/04/2022	ROMANOW BUILDING SERVICES	SUPPLIES	6,319.04

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 04/22/2022-05/04/2022

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
05/04/2022	SCHICHEL'S NURSERY, INC	SUPPLIES	7,074.00
05/04/2022	SHARE CORPORATION	SUPPLIES	497.29
05/04/2022	JUDY SMITH	MAKE IT PLEASANT GRANT	300.00
05/04/2022	TIMOTHY STANDEN	REIMBURSEMENT	190.55
05/04/2022	SUMMIT FIRE PROTECTION	CONTRACT SVCS	2,557.50
05/04/2022	TRACE ANALYTICAL LABORATORIES, INC.	CONTRACT SVCS	298.00
05/04/2022	1110 N. FANCHER, LLC	UB REFUND	26.65
05/04/2022	410 LINDEN, LLC	UB REFUND	28.23
05/04/2022	NATHAN BEUTLER	UMPIRE	65.00
05/04/2022	CAIDEN ROBINSON	UMPIRE	39.00
05/04/2022	RACHEL CHESS	UMPIRE	65.00
05/04/2022	TITUS KEYES	UMPIRE	26.00
05/04/2022	AUDRA SZELAG	UMPIRE	26.00
05/04/2022	THEO CRAIN	UMPIRE	52.00
05/04/2022	JACK CULLEN	UMPIRE	65.00
05/04/2022	BEN DVORAK	UMPIRE	52.00
05/04/2022	AMY RATKOS	UMPIRE	26.00
05/04/2022	MICAH SPRINGER	UMPIRE	52.00
05/04/2022	SILAS SPRINGER	UMPIRE	52.00
05/04/2022	JOSH WILSON	UMPIRE	52.00
05/04/2022	ADIA KISTE	UMPIRE	39.00
05/04/2022	MORGAN BRANDEBERRY	UMPIRE	65.00
05/04/2022	LUCAS FINCH	UMPIRE	39.00
05/04/2022	VAN BRAKENBERRY	UMPIRE	52.00
05/04/2022	JACKSON PELESS	UMPIRE	26.00
05/04/2022	THOMAS PACKARD	UMPIRE	26.00
05/04/2022	UNIFIRST CORPORATION	CONTRACT SVCS	194.88
05/04/2022	USABUEBOOK	SUPPLIES/CHEMICALS	1,661.24
05/04/2022	THE W.W. WILLIAMS COMPANY, LLC	CONTRACT SVCS	1,240.00
05/04/2022	WOMEN'S AID SERVICES	CONTRACT SVCS	6,480.00
05/04/2022	YEO & YEO CONSULTING, LLC	CONTRACT SVCS	3,442.00

COMM TOTALS:

Total of 117 Checks:	\$355,758.25
Less 0 Void Checks:	0.00
Total of 117 Disbursements:	\$355,758.25

Memorandum



TO: Aaron Desentz, City Manager

FROM: Tim Middleton, Deputy DPW Director

DATE: April 26, 2022

SUBJECT: Resolution in Support of CDBG (WRI) Grant for Phase 2 Secondary Treatment and Clarification Infrastructure Improvements.

Request

The City Commission is requested to adopt a resolution in support of the Community Block Development Grant Water Related Infrastructure Program.

Reason

In March 2022, the City was notified of the availability of a Water Related Infrastructure Community Development Block Grant (CDBG) through the Michigan Economic Development Corporation. As part of the grant application process, a public hearing was set to receive public comments concerning the proposed project.

Public Works is seeking \$2,000,000 in grant funding for Phase 2 secondary treatment and clarification infrastructure improvements at the Water Resource Recovery Facility. In order for the application to be more competitive in the award phase, the grant will include a 25% funding match from the City. The required match amount is available in the plant reserve fund.

Recommendation

I recommend the City Commission adopt the attached resolution for inclusion in the 2022 CDBG grant application.

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 Strategic Fund has invited Units of General Local Government to apply for its CDBG-Infrastructure and Resiliency (CDBG-IR) Competitive Funding Round; and

WHEREAS, the City of Mt. Pleasant desires to request \$2,000,000 in CDBG funds to make improvements at the Water Resource Recovery Facility; and

WHEREAS, the City of Mt. Pleasant commits local funds from its sewer fund in the amount of \$500,000 and

WHEREAS, the proposed project is consistent with the local Community Development Plan as described in the Application; and

WHEREAS, the proposed project will benefit all residents of the project area and 63.6 percent of the residents of the City of Mt. Pleasant are low and moderate income persons as determined by an income survey approved by the Michigan Economic Development Corporation; and

WHEREAS, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation.

NOW, THEREFORE, BE IT RESOLVED that the City of Mt. Pleasant hereby designates the City Manager as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

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: April 26, 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 application for the Revitalization and Placemaking grant is June 3, 2022; awards are expected to be announced in mid/late summer.

As the RAP grant requires a \$1 million match, this application proposes to use \$500,000 allocated from the City’s American Rescue Plan Act (ARPA) along with the \$1 million potential grant funds from the MEDC Public Gathering Spaces grant applied for on April 15. The RAP grant provides the use of other MEDC incentives as match.

At this time staff is requesting the attached resolution be approved after holding the public hearing.

REQUESTED ACTION:

Staff requests that the City Commission hold the Revitalization and Placemaking grant public hearing on May 9, 2022 and approve the following resolution.

AUTHORIZING RESOLUTION

WHEREAS, the Michigan Strategic Fund has invited Units of General Local Government to apply for its Revitalization and Placemaking (RAP) Competitive Funding Round; and

WHEREAS, the City of Mt. Pleasant desires to request \$1,000,000 in federal American Rescue Plan Act (ARPA) funds allocated to the State of Michigan for place-based infrastructure for Town Center Civic Space project; and

WHEREAS, the City of Mt. Pleasant commits local funds from its American Rescue Act Plan (ARPA) in the amount of \$500,000; and

WHEREAS, the proposed project is consistent with the local Master Plan as described in the application; and

WHEREAS, the proposed project will benefit all residents of the project area and 63.57 percent of the residents of the City of Mt. Pleasant are low and moderate income persons as determined by (census data provided by the U.S. Department of Housing and Urban Development OR an income survey approved by the Michigan Economic Development Corporation); and

WHEREAS, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan Economic Development Corporation.

NOW, THEREFORE, BE IT RESOLVED that the City of Mt. Pleasant hereby designates the Aaron Desentz, City Manager, as the person authorized to certify the Revitalization and Placemaking application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

Memorandum



TO: City Commission

FROM: Aaron Desentz, 
City Manager

DATE: May 4, 2022

SUBJECT: Pedicab Ordinance

The City Commission expressed interest in late 2021 in the creation of an ordinance to regulate pedicab use in the City limits. The purpose of the ordinance was to allow for use of “pedal pubs” – a popular pedicab found in many other cities that allows riders to pedal while enjoying an alcoholic beverage. The proposed ordinance was included in your last City Commission packet and is being recommended for your consideration.

If adopted, the pedicab ordinance will:

- Require a permit to be obtained in order to operate a pedicab.
- Said permit will require the name of operators, company that they represent, driver’s license and background checks for operators, etc.
- Set operating regulations such as:
 - Prevent operation of pedicabs on MDOT owned streets and streets owned by CMU.
 - Allow for crossing the above streets only at intersections with traffic lights.
- Sets safety regulations and requires that pedicabs have working lights, horn, brakes, etc.

Recommended Action: The City Commission hold the public hearing on the ordinance to amend Chapter 110 of the Mt. Pleasant Code of Ordinances to allow the operation of pedicabs and approve the ordinance as presented.

**CITY OF MOUNT PLEASANT
ISABELLA COUNTY, MICHIGAN**

ORDINANCE NO. __

**AN ORDINANCE TO AMEND CHAPTER 110 OF
THE MOUNT PLEASANT CITY CODE**

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

Section 1. Amendment to Section. 110.11. Chapter 110, Section 11 is amended to add the phrase “or Pedicab” to read as follows:

(A) No person shall engage in the following businesses or activities without first obtaining a license which shall require payment of a license fee in amounts set from time to time by City Commission resolutions:

- (1) Auctioneers;
- (2) Circus, menagerie, carnival, exhibition, side show;
- (3) Junk dealers;
- (4) Mobile food service providers;
- (5) Pawnbrokers;
- (6) Taxicab or Pedicab businesses, vehicles, and drivers; and
- (7) Vendors.

(B) No person shall engage in a “going out of business sale,” as defined in § 110.29, without first obtaining a license which shall require payment of a license fee as provided in § 110.29.

Section 2. Amendment to Add Section 110.30. Chapter 110 of the City Code is amended to add Section 110.30 as follows:

§ 110.30 PEDICABS.

(A) Findings of Fact. The City Commission finds and declares that it is in the public interest and public welfare that pedicabs be regulated under the police power of the City of Mount Pleasant in order to promote the safety and welfare of the citizens and visitors to the City of Mount Pleasant; to reduce interference with the flow of traffic through the City of Mount Pleasant; that it is in the public interest that pedicab drivers be properly qualified persons; that the pedicabs be fit for their intended purpose; and that the safety and welfare of passengers be protected in the operation of pedicabs. The City Commission further finds that these aforementioned conditions may be adversely affected with the unregulated use of pedicabs on a regular basis on the public streets of the City of Mount Pleasant. This Section is authorized an adopted pursuant to sections 7b, 33, 518a,

624a, 625p, 657, 660, 662, 901 and 907 of the Michigan Vehicle Code, MCL 257.1 et seq, as amended.

(B) Definitions. The following words, terms, and phrases, when used in this section, shall have the meaning ascribed to them in this subsection, except where the context clearly indicates a different meaning:

PEDICAB has the same meaning as a "commercial quadricycle" as defined by section 7b as amended of the Michigan Motor Vehicle Code (MCL 257.7b) and is a vehicle that satisfies all of the following:

- (1) The vehicle has fully operative pedals for propulsion entirely by human power.
- (2) The vehicle has at least 4 wheels and is operated in a manner similar to a bicycle.
- (3) The vehicle has at least 6 seats for passengers.
- (4) The vehicle is designed to be occupied by a driver and powered either by passengers providing pedal power to the drive train of the vehicle or by a motor capable of propelling the vehicle in the absence of human power.
- (5) The vehicle is used for commercial purposes.
- (6) The vehicle is operated by the owner of the vehicle or an employee of the owner of the vehicle.

PEDICAB OWNER or LICENSEE means a person or entity that is licensed pursuant to this Section, to transport passengers on a pedicab for hire in the City.

PEDICAB DRIVER means a pedicab owner, or a person employed by a pedicab owner, who operates or is responsible for operating, a pedicab.

OPERATING LICENSE means a written license issued by the City Clerk pursuant to Chapter 110 that authorizes a person to operate a pedicab.

(C) License Required. No person or entity shall allow a pedicab to be operated upon any street, alley, highway or road within the City of Mount Pleasant until a license has been issued by the City Clerk in accordance with this Section and subject to Chapter 110. Any person or entity violating this subsection shall be guilty of a misdemeanor and shall be punished as provided in § 10.99.

(D) Temporary Permit. A pedicab owner may receive from the Clerk, upon consultation and approval of the Chief of Police, a temporary permit, valid for up to fourteen (14) consecutive days, for the use of public streets other than those permitted by subsection E.

(E) Operation Limited to Certain Public Streets. A pedicab may only be operated on the public streets of the City of Mount Pleasant and is otherwise limited as follows:

- (1) Pedicabs may not operate on any street owned or maintained by the Michigan Department of Transportation;
- (2) pedicabs may not operate on any street owned or maintained by the Isabella County Road Commission;
- (3) pedicabs may not operate on any street owned or maintained by Central Michigan University;
- (4) pedicabs may not operate on Pickard Street;
- (5) pedicabs may not operate on non-motorized trails or sidewalks;
- (6) pedicabs may only pick up and drop off passengers in locations designated as an area for parking or for loading and unloading; and
- (7) Notwithstanding the above prohibitions, pedicabs may cross prohibited streets at intersections, and may only do so in compliance with vehicular traffic control devices.
- (8) The Chief of Police shall have the authority to temporarily suspend the operation of pedicabs within the City where, in the sole discretion of the Chief of Police, conditions for such operation become unsuitable or unsafe.
- (9) Criminal misdemeanor. Any person violating any provision of this subsection, shall be guilty of a misdemeanor and shall be punished as provided in § 10.99.

(F) Application for License.

- (1) In addition to any other facts required by the Clerk pursuant to Chapter 110, the application shall include the following information:
 - (a) The applicant's full name and residence address;
 - (b) the applicant's date of birth;
 - (c) the applicant's driver's license and number;
 - (d) a certificate of insurance satisfying the requirements of subsection L; and
 - (e) a description of the pedicab, including at least the trade name, number of seats, serial number, if any, and body style.
- (2) If the applicant is not an individual, the application shall include the name of the individual who will be acting as principal in charge of the licensee and shall sign the application. All owners of the applicant shall meet each of the requirements for individual applicants.

(G) Review of Application. The application shall be reviewed in accordance with Chapter 110.

(H) Validity of Operating License.

(1) The licensee is responsible for maintaining a list of all employees or contractors, including the licensee, who will operate the pedicab. The list will include the driver's name, address, date of birth, and driver's license number. The licensee shall conduct a background check for each pedicab driver and shall not employ as a pedicab driver any individual who does not possess a valid driver's license, or who has been previously convicted of a crime that involves violence against a person, possession of a controlled substance, or the operation of a vehicle under the influence of alcohol or a controlled substance as defined by the Michigan Vehicle Code.

(2) The driver of each pedicab is responsible to control litter on the vehicle and from its passengers so that it does not become windborne or is not deposited onto the streets or upon private property whereby it is licensed to operate.

(I) License Fee. A fee in the amount specified by the City Commission pursuant to Chapter 110 shall be filed with the license application.

(J) Operating Regulations.

(1) Pedicabs are only licensed to be operated in the City of Mount Pleasant as provided in subsection E. Any person violating this subsection shall be guilty of a misdemeanor and shall be punished as provided in § 10.99.

(2) No person under the age of 18 shall operate a pedicab.

(3) No person shall operate a pedicab unless that person has a valid driver's license. Any person violating this subsection shall be guilty of a misdemeanor and shall be punished as provided in § 10.99.

(4) No person shall operate a pedicab in an unsafe manner.

(5) All pedicab operators must operate a pedicab in compliance with all traffic laws, rules, and regulations of the City and the State of Michigan, including the Uniform Traffic Code and the Michigan Vehicle Code, unless otherwise specified herein. Violations of the Uniform Traffic Code or Michigan Vehicle Code are punishable as set forth therein.

(6) Pedicabs shall not be parked on streets, highways, or thoroughfares and may only be parked, loaded or unloaded in designated areas as provided in subsection E. Any person violating this subsection shall be guilty of a misdemeanor and shall be punished as provided in § 10.99.

(7) A person shall operate a pedicab in compliance with section 625p of the Motor Vehicle Code as amended. Notwithstanding the provisions in section 625p, no person shall operate a pedicab while intoxicated or while visibly impaired by alcohol or a controlled substance. "Intoxicated" or "visibly impaired" shall have the same meaning prescribed to those terms by the Michigan Vehicle Code, as amended. Any person violating this subsection shall be guilty of a misdemeanor and shall be punished as provided in § 10.99. If the pedicab is so equipped or operated in a manner that the provisions of MCL 257.625 apply, then violation of this subsection shall be punishable as provided in the Motor Vehicle Code. In the event there is a conflict between the provisions of this section and the Motor Vehicle Code, the provisions of the Motor Vehicle Code shall prevail.

(8) No person shall operate a pedicab when the number of passengers exceeds the number of available seats in the pedicab. No person shall operate a pedicab unless all passengers are seated in a seat designed for that purpose. Any person violating this subsection shall be guilty of a misdemeanor and shall be punished as provided in § 10.99.

(9) Each pedicab owner shall adopt and operate a system for the collection, storage, and return of personal property left in a pedicab.

(10) Pedicabs shall not be operated in the City between the hours of 12:00 A.M. and 8:00 A.M. local time.

(11) Pedicabs shall be operated in a manner that does not impede the normal flow of traffic.

(12) Alcohol may be consumed by passengers in the passenger area of a pedicab being operated in compliance with this Section. Pedicab operators shall not sell or distribute alcohol, unless otherwise licensed for such activity by the Michigan Liquor Control Commission.

(K) Fares. Fares to be charged for passenger service shall be established by the licensee. Said fares shall be posted in a conspicuous place on each pedicab.

(L) Insurance Requirements.

(1) The owner of every pedicab shall procure for each such vehicle a property damage and personal injury liability policy written by a company authorized to do business in Michigan with a minimum Best rating of A and satisfactory to the City Clerk. The policy shall at a minimum be in the amount of \$1,000,000 per occurrence with a combined single limit of \$2,000,000. The policy shall provide that thirty (30) days written notice shall be given to the City Clerk before a policy is canceled, materially changed or not renewed. The City shall be named as an additional insured. A certificate of insurance shall be filed with the City Clerk at the time the application for license is filed and include a copy of the additional insured endorsement.

(2) Termination of Insurance. In the event of cancellation of the policy of insurance required above, it shall be unlawful for the owner of any pedicab to allow said vehicle to be operated upon the streets, roads, alleys or highways of the City of Mount Pleasant.

(M) Pedicab Regulations.

(1) All pedicabs shall be equipped with such safety devices as are required by the State of Michigan.

(2) All pedicabs must be constructed for and have the structural integrity to support pedicab operations. Each pedicab vehicle must be equipped with the following:

- (a) Front and rear illuminated turn signals;
- (b) headlights;
- (c) taillights;
- (d) rearview mirror;
- (e) a bell or horn;
- (f) reflectors placed on each wheel and at each corner of the body of the pedicab;
- (g) a proper braking system, including rear break lights;
- (h) reliable back up or power-assist capabilities in the event human power provided by passengers is insufficient to fully ascend any steep incline encountered by the pedicab during normal operations;
- (i) a sealed refuse container for use by passengers thereon;
- (j) any other equipment required to comply with all applicable federal and state laws; and
- (k) a pedicab must not have any cracks, broken or missing parts, or other visible damage. All wheels must be firmly attached to the hub of a vehicle and all springs, axles, and supporting structures of each pedicab vehicle must be intact.

(3) Each pedicab operator at all times shall keep each pedicab vehicle clean and free of refuse and in safe operating condition. Prior to the operation of any pedicab and at the beginning of each shift or each day of operation, the pedicab driver shall thoroughly inspect the pedicab for safe operating conditions and shall maintain records of such inspection, which shall be immediately presented for review upon request by any authorized City official. For any condition found then or at any other time that will prevent the safe operation of the pedicab, the pedicab operator shall immediately remove the pedicab from service and correct the condition before the pedicab is placed in operating service.

(4) Each pedicab shall have a unique, nontransferable vehicle identification number, issued by the City Clerk visible on the rear of the vehicle.

- (5) Each pedicab owner shall prepare a training program for pedicab operators covering, at a minimum, the safe operation of pedicab vehicles, customer service policies, and the requirements of this Section.
- (6) If a pedicab is involved in an accident or collision, the pedicab operator shall immediately notify the pedicab owner and the police department and otherwise remain at the scene, unless it is unsafe to do so and otherwise comply with the provisions of MCL 257.618 or MCL 257.622, as amended. Any person violating this subsection shall be guilty of a misdemeanor and shall be punished as provided in § 10.99.
- (7) All pedicab drivers must display an identification badge provided by the Licensee. Each identification badge must contain the following information:
- (a) Name;
 - (b) Photograph; and
 - (c) business address and telephone number of the company that owns and operates the Pedicab.
- (N) Licenses granted pursuant to this Section are subject to renewal, suspension or revocation in accordance with Chapter 110.
- (O) Violations: Municipal Civil Infractions. A person who violates any provisions of this Section is responsible for a municipal civil infraction, unless otherwise designated. The first violation is punishable by a civil fine of \$100 plus costs and other sanctions, for each violation. Second and subsequent violations are subject to a fine of \$500.00, plus costs and other sanctions, for each violation. A third violation within one year shall result in immediate revocation of the license subject to Chapter 110 of this Code. The Chief of Police or his/her designee is hereby designated as the authorized City official to issue municipal civil infraction violation notices (directing alleged violators to appear at the City of Mount Pleasant Municipal Ordinance Violations Bureau) for violations under this Chapter as provided by this Code.
- (P) Conflicts. To the extent any provision of this Section conflicts with any applicable provision of state law, the state law provision shall prevail, but only to the extent necessary to give state law full force and effect. To the extent any provision of this Section conflicts with any other provision of Chapter 110, the provision that provides more restriction or a stricter penalty shall prevail.

Section 3. Repeal and Replace. Any and all ordinances inconsistent with this Ordinance are hereby repealed, but only to the extent necessary for this Ordinance to be in full force and effect.

Section 4. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within ten (10) days of the date of its adoption. This ordinance will take effect thirty (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.

Date: _____, 2022

Amy Perschbacher, Mayor

Date: _____, 2022

Heather Bouck, City Clerk

Introduced: _____, 2022

Adopted: _____, 2022

Published: _____, 2022

Effective: _____, 2022

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: May 9, 2022

SUBJECT: Medical and Adult-Use Marijuana Ordinances

At their April 11, 2022 regular meeting, the City Commission requested that staff prepare amendments to the medical and adult-use marijuana ordinances that removed facility and establishment caps and included the previously recommended administrative amendments. The attached draft ordinances were introduced at the April 25, 2022 regular meeting and include the following proposed amendments:

Administrative 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

License cap amendments

- Eliminate numeric license caps for all facility and establishment types currently permitted on a numerically-limited basis: Class A, B, and C growers; Provisioning Centers; and Microbusinesses (current and proposed licensing caps are compared in an attached table).

If the proposed ordinances are approved, the City would begin accepting applications for license types that are currently limited as of the effective date of the ordinance: June 8, 2022. Conditional authorization would be issued to complete applications as processed in accordance with ordinance requirements.

Applicants would continue to be required to meet current zoning requirements for their use. All marijuana uses remain classified as special uses under the zoning ordinance and therefore are subject to public hearing and approval by the Planning Commission for their proposed use and location. The current

Memorandum



zoning requirements for marihuana uses are attached along with a map which depicts the two location buffers, from K-12 schools and the SD-U (University) zoning districts.

RECOMMENDATION:

1. The City Commission hold a public hearing on the proposed amendments to Chapters 112 and approve the ordinance as presented; and
2. The City Commission hold a public hearing on the proposed amendments to Chapters 115 and approve the ordinance as presented.

Attachments:

1. Current and proposed licensing limits
2. Draft ordinance – Medical Marihuana Facilities
3. Draft ordinance – Adult-Use Marihuana Establishments
4. Chapter 112 underline/strikethrough
5. Chapter 115 underline/strikethrough
6. Special use permit criteria for marihuana uses
7. Buffer map

Current and proposed licensing limits

	License type	Current limit	Proposed limit
Medical Marihuana Facilities	Provisioning Centers	3	Unlimited
	Processors	Unlimited	Unlimited
	Growers (Class A)	5	Unlimited
	Growers (Class B)	3 (B and C)	Unlimited
	Growers (Class C)	3 (B and C)	Unlimited
	Safety Compliance	Unlimited	Unlimited
	Secure Transporter	Unlimited	Unlimited
Adult-Use Marihuana Establishments	Retailers	3	Unlimited
	Processors	Unlimited	Unlimited
	Growers (Class A)	5	Unlimited
	Growers (Class B)	3 (B and C)	Unlimited
	Growers (Class C)	3 (B and C)	Unlimited
	Safety Compliance	Unlimited	Unlimited
	Secure Transporter	Unlimited	Unlimited
	Microbusinesses	2	Unlimited

**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. Amendment. Subsections 112.02(A) and (B) are amended to read as follows:

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

- (1) Growers operating under Class A licenses;
- (2) Growers operating under Class B licenses;
- (3) Growers operating under Class C licenses;
- (4) Provisioning centers;
- (5) Processors;
- (6) Secure transporters; and
- (7) Safety compliance facilities.

(B) Co-location and stacked licenses. Co-location and stacked grower licenses 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.

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 112.04(D) is amended to read as follows:

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. 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.

Section 9. 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 10. Deletion. Section 112.07 is deleted in its entirety.

Section 11. 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: April 25, 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. Amendment. Subsections 115.02(B) and (C) are amended to read as follows:

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

- (1) Growers operating under Class A licenses (unlimited);
- (2) Growers operating under Class B licenses (unlimited);
- (3) Growers operating under Class C licenses (unlimited);
- (4) Retailers (unlimited);
- (5) Processors (unlimited);
- (6) Secure transporters (unlimited);
- (7) Safety compliance establishments (unlimited);
- (8) Microbusinesses (unlimited);
- (9) Zero designated consumption establishments;
- (10) Zero excess marihuana growers.

(C) Co-location and stacked licenses. Co-location and stacked grower licenses are permitted in the City.

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 115.04(C) is amended to read as follows:

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. 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.

Section 11. 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 12. Deletion. Section 115.08 is deleted in its entirety.

Section 13. 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: April 25, 2022
Adopted: _____, 2022
Published: _____, 2022
Effective: _____, 2022

DRAFT

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 g~~Growers operating under Class A licenses;
- (2) ~~Not more than three g~~Growers operating under Class B licenses;
- (3) Growers operating under or Class C licenses;
- ~~(34)~~ ~~Not more than three p~~Provisioning centers;
- ~~(45)~~ Processors;
- ~~(56)~~ Secure transporters; and
- ~~(67)~~ 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).

§ 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 marijuana 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;~~

(21) 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;

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

(43) 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

115.04 Relocation of establishments, transfers of licenses, and expansion of grow operations

115.05 General regulations

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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) ~~E~~~~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 g~~Growers operating under Class A licenses (unlimited);
- (2) ~~Not more than three g~~Growers operating under Class B licenses (unlimited); ~~or~~
- (3) Growers operating under Class C licenses (unlimited);
- ~~(34)~~ ~~Not more than three r~~Retailers (unlimited);
- ~~(45)~~ Processors (unlimited);
- ~~(56)~~ Secure transporters (unlimited);
- ~~(67)~~ Safety compliance establishments (unlimited);
- ~~(78)~~ ~~Not more than two m~~Microbusinesses (unlimited);
- ~~(89)~~ Zero designated consumption establishments;
- ~~(910)~~ 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.

§ 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 marihuana 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 marihuana 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 marihuana 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 issued by LARA; and residency in the City or Isabella County for at least one year.	10 points
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 with 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.~~

districts and to promote neighborhood stability, the primary dwelling unit must be owner-occupied at the time of initial special use permit application and approval such that it qualifies for the principal-residence exemption for property taxes.

b. Adult-use marijuana establishments must comply with the following regulations. All terms defined in section 115.01 have the same meaning when used in this subsection:

- i. Establishments must comply with the MRTMA and the MRTMA rules.
- ii. Co-located marijuana establishments and stacked grower licenses may be permitted, subject to the regulations of this section and any applicable rules promulgated by LARA.
- iii. Establishments shall be sufficiently setback from property lines or screened or buffered with a fence, wall, or landscape screen to minimize light spillage, odor, and noise (including noise associated with truck traffic or other machinery), affecting adjacent properties.
- iv. Special use applicants must provide a plan for the storage and disposal of marijuana or chemicals associated with marijuana cultivation, so as to minimize the risk of theft or harm resulting from chemical exposure.
- v. No marijuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is unlawful to store marijuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.
- vi. Signage for marijuana establishments will be approved pursuant to the generally applicable procedures and standards provided in section 154.414, with the additional restriction that establishment signage may not depict marijuana, marijuana-infused products, or marijuana-related paraphernalia.
- vii. Marijuana establishments must control and eliminate odor as follows:

- I. The building must be equipped with an activated air scrubbing and carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon

filter and air scrubbing system.

- II. The filtration system must consist of one or more fans, activated carbon filters and be capable of scrubbing the air prior to leaving any building. At a minimum, the fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
- III. The air scrubbing and filtration system must be maintained in working order and must be in use at all times. The filters must be changed per manufacturers' recommendation to ensure optimal performance.
- IV. Negative air pressure must be maintained inside the building.
- V. Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
- VI. An alternative odor control system is permitted if the special use applicant submits a report by a mechanical engineer licensed in the state of Michigan sufficiently demonstrating that the alternative system will eliminate odor as well or better than the air scrubbing and carbon filtration system otherwise required.
- viii. The following minimum-distancing regulations apply to all marijuana establishments:
 - I. An establishment may not be located within 1,000 feet of a public or private K-12 school.
 - II. An establishment generally may not be located within 500 feet of the SD-U University Special District, unless the establishment is located to the east of the Central Michigan University main campus, east of Mission Street.
 - III. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection to the nearest property line of the

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parcel used as a marihuana establishment.

ix. Establishment types in the city are limited as follows:

- I. Not more than 5 growers operating under Class A licenses;
- II. Not more than 3 growers operating under Class B or Class C licenses;
- III. Not more than 3 retailers;
- IV. No limit on the number of processors;
- V. No limit on the number of secure transporters;
- VI. No limit on the number of safety compliance establishments;
- VII. Not more than 2 microbusinesses;
- VIII. Zero designated consumption establishments; and
- IX. Zero excess marihuana growers.

x. For retailers:

- I. Retailers may not be open to customers between the hours of 9:00 p.m. and 9:00 a.m.
- II. Retailers may not receive deliveries between the hours of 8:00 p.m. and 7:00 a.m.
- III. Retailers in commercial (as opposed to industrial) character districts must be located within the boundaries of the city's Mission-Pickard Downtown Development District or Central Business Tax Increment Financing Authority District. Retailers would be incompatible with the portions of the commercial character districts outside these designated areas.
- IV. Retailers are allowed in industrial districts only if the establishment is co-located with a grower or processor
- V. The exterior appearance of a retailer must be compatible with surrounding businesses with respect to façade type, ground floor opacity, size and placement of signage, site layout, etc.
- VI. The interior of the establishment must be arranged in a way such that neither

marihuana nor marihuana-infused products are visible from the exterior of the establishment.

VII. Consumption of marihuana shall be prohibited in the retail establishment, and a sign shall be posted on the premises of each retail center indicating that consumption is prohibited on the premises.

VIII. Retailers shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras. The video recordings shall be maintained in a secure, off-site location for a period of 14 days.

IX. The public or common areas of the retail establishment must be separated from restricted or non-public areas of the marihuana establishment.

X. No drive-through window on the portion of the premises occupied by a retail establishment shall be permitted.

XI. Retailers shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises.

xi. Establishments other than retailers may operate only in areas zoned SD-I.

xii. For growers:

I. Cultivation must occur within an enclosed building with exterior facades consisting of opaque materials typical of an industrial or commercial building. The roof of the building may be constructed of a rigid transparent or translucent material designed to let in light, such as glass or rigid polycarbonate or fiberglass panels. Films or other non-rigid materials cannot be used to construct any component of the building's exterior structure.

II. Cultivation must be conducted in a manner to minimize adverse impacts on the city's sanitary sewer. The city's public works department shall review all pertinent information relating to sewer discharges and shall provide any pertinent comments on to the planning commission.

III. For each zoning lot, no more than 3 stacked

grower licenses may be in operation.

xiii. For processors:

- I. Cultivation must be conducted in a manner to minimize adverse impacts on the city's sanitary sewer. The city's public works department shall review all pertinent information relating to sewer discharges and shall provide any pertinent comments on to the planning commission.

xiv. For safety compliance facilities:

- I. Cultivation must be conducted in a manner to minimize adverse impacts on the city's sanitary sewer. The city's public works department shall review all pertinent information relating to sewer discharges and shall provide any pertinent comments on to the planning commission.

xv. For microbusinesses:

- I. Microbusinesses may not be open to customers between the hours of 9:00 p.m. and 9:00 a.m.
- II. Microbusinesses may not receive deliveries between the hours of 8:00 p.m. and 7:00 a.m.
- III. The exterior appearance of a microbusiness must be compatible with surrounding businesses with respect to façade type, ground floor opacity, size and placement of signage, site layout, etc.
- IV. The interior of the establishment must be arranged in a way such that neither marihuana nor marihuana-infused products are visible from the exterior of the establishment.
- V. Consumption of marihuana shall be prohibited in the establishment, and a sign shall be posted on the premises of each microbusiness indicating that consumption is prohibited on the premises.
- VI. Microbusinesses shall continuously monitor the entire premises on which they are operated with surveillance systems that include security cameras. The video recordings shall be maintained in a secure, off-site location for a period of 14 days.

- VI. The public or common areas of the microbusiness establishment must be separated from restricted or non-public areas of the marihuana establishment.

- VIII. No drive-through window on the portion of the premises occupied by a microbusiness establishment shall be permitted.

- IX. Microbusinesses shall not allow the sale, consumption, or use of alcohol or tobacco products on the premises.

- X. Cultivation must occur within an enclosed building with exterior facades consisting of opaque materials typical of an industrial or commercial building. The roof of the building may be constructed of a rigid transparent or translucent material designed to let in light, such as glass or rigid polycarbonate or fiberglass panels. Films or other non-rigid materials cannot be used to construct any component of the building's exterior structure.

- XI. Cultivation must be conducted in a manner to minimize adverse impacts on the city's sanitary sewer. The city's public works department shall review all pertinent information relating to sewer discharges and shall provide any pertinent comments on to the Planning Commission.

- xvi. Notwithstanding any other provision to the contrary, penalties for violations of this subsection shall be as follows:

- I. If at any time an authorized establishment violates this subsection, any condition imposed through a special use permit, or any other applicable city ordinance, the City Commission may request that LARA revoke or refrain from renewing the establishment's state operating license.
- II. It is unlawful to disobey, neglect, or refuse to comply with any provision of this subsection b or any condition of a special use permit issued pursuant to this subsection. A violation is a municipal civil infraction. Each day the violation continues shall be a separate offense, subject to the following fines:

First violation = \$500

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Second offense = \$2,500

Each subsequent offense = \$5,000

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

c. Automotive repair garages must comply with the following:

- i. All doors for vehicular access to service areas shall be in the Third Lot Layer.
- ii. There shall be no outside display of any parts or products.
- iii. All service, repair or replacement activity shall be conducted within an enclosed Building.
- iv. All new, used or discarded parts shall be stored within an enclosed Building.
- v. Uses that emit odors, dust, gases, noise, or vibrations beyond the Building or which are potentially harmful to an Adjacent Use or to the public are prohibited.

d. Bars, Nightclubs or Taverns must comply with the following:

- ii. The property shall not be Adjacent to or within 50 feet of property zoned CD-3L or CD-3, measured property line to property line.

e. Bed and Breakfast Dwellings must comply with the following:

- i. The maximum stay for any occupant of a Bed and Breakfast Dwelling shall be 14 consecutive days and not more than 30 days in one year.
- ii. Unless located in a local Historic District, Bed and Breakfast Dwellings shall be located no closer than 660 feet from another such establishment.
- iii. Bed and Breakfast Dwelling shall be located in a House Building type.
- iv. Bed and Breakfast Dwellings shall be permitted only in Buildings at least ten years old at the time of application.
- v. Bed and Breakfast Dwellings shall produce no offensive noise, vibration, smoke, electrical interference, dust, odors, or light detectable beyond the property lines of their respective lots. The judgment of the Building Official shall

be considered decisive and final in this matter unless formally appealed to the Zoning Board of Appeals within 45 days of the Building Official's written determination.

f. Child Care Centers as defined by Public Act 116 of 1973, being MCL. §§ 722.111 - 722.128, as amended, must comply with the following:

- i. A minimum of 35 square feet of habitable indoor play area shall be provided for each child. Play area shall be computed exclusive of hallways, bathrooms, reception and office areas, kitchens, storage areas and closets, and areas used exclusively for rest or sleep.
- ii. A minimum of 200 square feet of fenced outdoor play area shall be provided for each child. The fence shall be a minimum of 30 inches high. This outdoor area shall be in the Third Lot Layer. This outdoor area may be waived by the Planning Commission if public park or school play area is available within 500 feet of the subject property.
- iii. All outdoor playground equipment shall be located at least 20 feet from Residential Dwellings in Adjacent CD-3L or CD-3 Districts.
- iv. All requests for the Special Use Permit must include a floor plan drawn to scale and a Site Plan drawn to scale showing the location of all fences, permanent, stationary outdoor play equipment, parking spaces, and other Improvements, as well as all Structures on Adjacent parcels.
- v. All Child Care Centers shall be inspected annually by the Building Official or Fire Marshal for compliance with current codes and be issued a certificate of occupancy prior to operation.

g. Class I restaurants must comply with the following:

- i. Upon request from the City, the establishment shall provide the City Manager with reports and business records to permit the City to review and determine continued compliance with the requirements and performance standards set forth in the definition of "Restaurant and Other Related Uses - Class 1 Restaurant" in Article VII.
- ii. All requirements and performance standards set forth in the definition of "Restaurant and Other Related Uses - Class 1 Restaurant" in Article VII and the reporting requirements of this Section 154.410.B.4.f.i.

trap(s), ceilings, exterior and interior walls and floors. The certified plans shall state what type and caliber of ammunition the range is designed to totally confine.

- iii. No ammunition shall be used in the range that exceeds the certified design and construction specifications of the gun range.
- iv. The range shall have a clear and concise safety plan filed with the special use permit application.
- v. No range shall sell or dispense alcoholic beverages, nor shall they be in a building which contains a business that sells or dispenses alcoholic beverages. Alcoholic beverages are not allowed on the premises of the range at any time.
- vi. The range shall conform with all Federal, State and Local requirements related to the use, sale, rental, and transport of firearms.
- r. Medical marijuana facilities must comply with the following regulations. All terms defined in section 112.01 have the same meaning when used in this subsection:
 - i. Facilities must comply with the MMMFLA and the MMMFLA rules.
 - ii. Co-located marijuana facilities and stacked grower licenses may be permitted, subject to the regulations of this section and any applicable rules promulgated by LARA.
 - iii. Facilities shall be sufficiently setback from property lines or screened or buffered with a fence, wall, or landscape screen to minimize light spillage, odor, and noise (including noise associated with truck traffic or other machinery), affecting adjacent properties.
 - iv. Special use applicants must provide a plan for the storage and disposal of marijuana or chemicals associated with marijuana cultivation, so as to minimize the risk of theft or harm resulting from chemical exposure.
 - v. No marijuana may be stored overnight outside of an enclosed building. By way of example and without limitation, it is unlawful to store marijuana overnight in an outdoor waste bin or a secure transport vehicle parked outdoors.
 - vi. Signage for marijuana facilities will be approved pursuant to the generally applicable procedures

and standards provided in section 154.414, with the additional restriction that facility signage may not depict marijuana, marijuana-infused products, or marijuana-related paraphernalia.

- vii. Medical marijuana facilities must control and eliminate odor as follows:
 - I. The building must be equipped with an activated air scrubbing and carbon filtration system for odor control to ensure that air leaving the building through an exhaust vent first passes through an activated carbon filter and air scrubbing system.
 - II. The filtration system must consist of one or more fans, activated carbon filters and be capable of scrubbing the air prior to leaving any building. At a minimum, the fan(s) must be sized for cubic feet per minute (CFM) equivalent to the volume of the building (length multiplied by width multiplied by height) divided by three. The filter(s) shall be rated for the applicable CFM.
 - III. The air scrubbing and filtration system must be maintained in working order and must be in use at all times. The filters must be changed per manufacturers' recommendation to ensure optimal performance.
 - IV. Negative air pressure must be maintained inside the building.
 - V. Doors and windows must remain closed, except for the minimum time length needed to allow people to ingress or egress the building.
 - VI. An alternative odor control system is permitted if the special use applicant submits a report by a mechanical engineer licensed in the state of Michigan sufficiently demonstrating that the alternative system will eliminate odor as well or better than the air scrubbing and carbon filtration system otherwise required.
- viii. The following minimum-distancing regulations apply to all medical marijuana facilities:
 - I. A facility may not be located within 1,000

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feet of a public or private K-12 school.

- II. A facility generally may not be located within 500 feet of the SD-U University Special District, unless the facility is located to the east of the Central Michigan University main campus, east of Mission Street.

- III. The distances described in this subsection shall be computed by measuring a straight line from the nearest property line of land used for the purposes stated in this subsection to the nearest property line of the parcel used as a medical marihuana facility.

ix. Facility types in the city are limited as follows:

- I. Not more than 5 growers operating under Class A licenses;
- II. Not more than 3 growers operating under Class B or Class C licenses
- III. Not more than 3 provisioning centers;
- IV. No limit on the number of processors;
- V. No limit on the number of secure transporters;
- VI. No limit on the number of safety compliance facilities.

x. For provisioning centers:

- I. Provisioning centers may not be open to customers between the hours of 9:00 p.m. and 9:00 a.m.
- II. Provisioning centers may not receive deliveries between the hours of 8:00 p.m. and 7:00 a.m.
- III. Provisioning centers in commercial (as opposed to industrial) character districts must be located within the boundaries of the city's Mission-Pickard Downtown Development District or Central Business Tax Increment Financing Authority District. Provisioning centers would be incompatible with the portions of the commercial character districts outside these designated areas.
- IV. Provisioning centers are allowed in industrial districts only if the facility is co-located with a grower or processor.

- V. The exterior appearance of a provisioning center must be compatible with surrounding businesses with respect to façade type, ground floor opacity, size and placement of signage, site layout, etc.

- VI. The interior of the facility must be arranged in a way such that neither marihuana nor marihuana-infused products are visible from the exterior of the facility.

xi. For growers:

- I. Cultivation must occur within an enclosed building with exterior facades consisting of opaque materials typical of an industrial or commercial building. The roof of the building may be constructed of a rigid transparent or translucent material designed to let in light, such as glass or rigid polycarbonate or fiberglass panels. Films or other non-rigid materials cannot be used to construct any component of the building's exterior structure.
- II. Cultivation must be conducted in a manner to minimize adverse impacts on the city's sanitary sewer. The city's public works department shall review all pertinent information relating to sewer discharges and shall provide any pertinent comments on to the planning commission.
- III. For each zoning lot, no more than 3 stacked grower licenses may be in operation.

xii. Notwithstanding any other provision to the contrary, penalties for violations of this subsection p shall be as follows:

- I. If at any time an authorized facility violates this subsection p, any condition imposed through a special use permit, or any other applicable city ordinance, the City Commission may request that LARA revoke or refrain from renewing the facility's state operating license.
- II. It is unlawful to disobey, neglect, or refuse to comply with any provision of this subsection p or any condition of a special use permit issued pursuant to this subsection. A violation is a municipal civil infraction. Each day the violation continues shall be a separate offense, subject to the

following fines:

First violation = \$500

Second offense = \$2,500

Each subsequent offense = \$5,000

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

s. Motels must comply with the following:

- i. Each unit shall contain at least 250 square feet of floor area.
- ii. The maximum stay for any occupant of a Motel shall be 14 consecutive days and not more than 30 days in one year.

t. Multiple-Family Dwellings in the CD-3 character district must comply with the following:

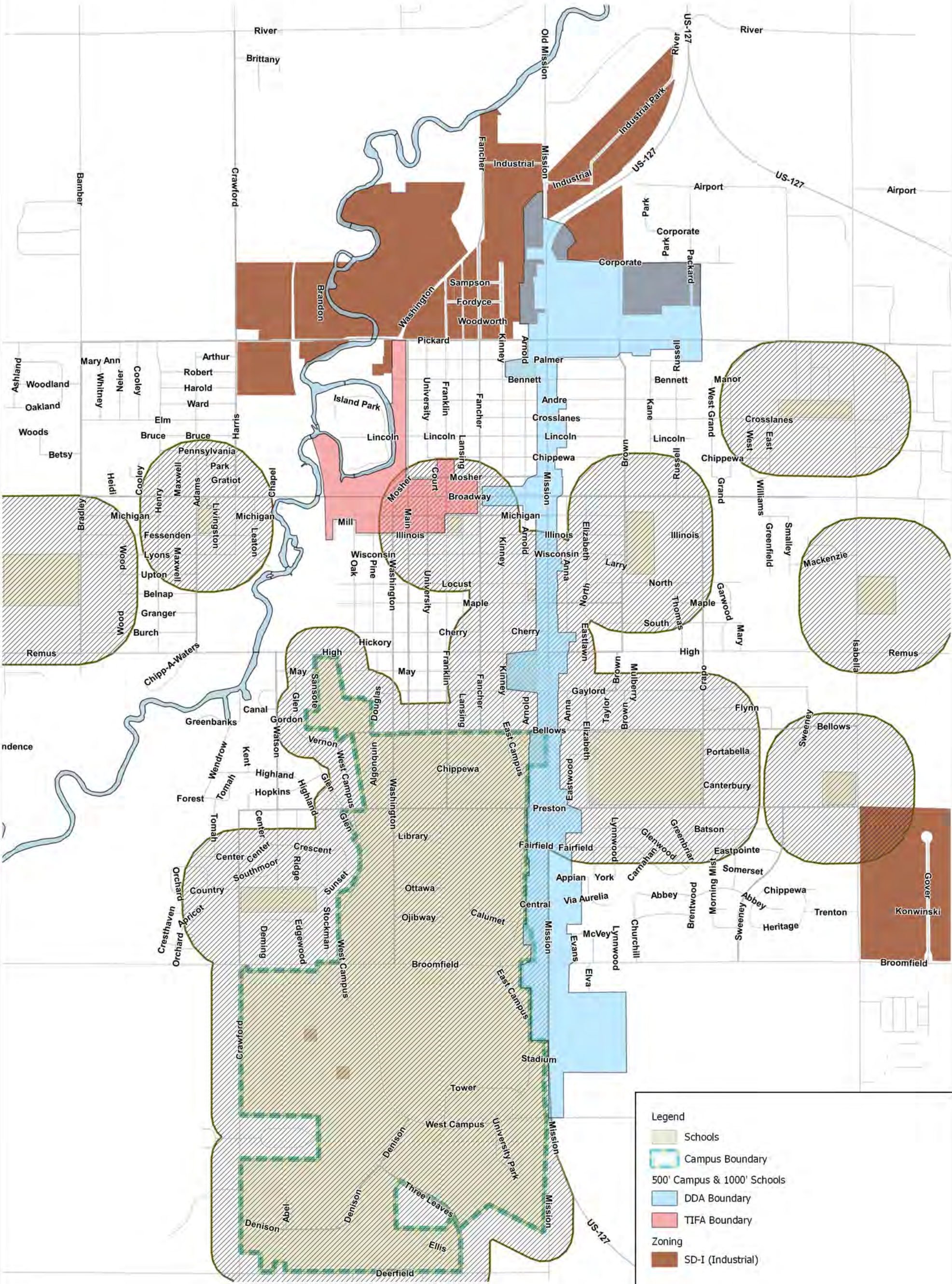
- i. A dwelling shall exist on the subject property at the time of application for special use permit.
- ii. At least two of the following shall be applicable to the existing dwelling:
 - I. The dwelling was built prior to 1945, to be shown by documentary evidence or attested in an affidavit of the property owner/applicant;
 - II. The dwelling was last used for a legal, non-conforming use, to be shown by documentary evidence or attested in an affidavit of the property owner/applicant;
 - III. The dwelling has been unoccupied for a period of five or more years prior to the date of application for a special use permit, to be shown by documentary evidence or attested in an affidavit of the property owner/applicant; or
 - IV. The existing dwelling is determined by the Planning Commission to be excessive for the needs of a single family. This determination shall be based up a consideration of the existing size and configuration of the dwelling, including finished square footage of the dwelling and number of bedrooms. Basements (whether finished or unfinished) shall not be counted toward the square footage or

number of bedrooms for the purpose of this determination.

- iii. The standards of the CD-4 character district shall apply where such standard is more stringent than the comparable standard of the CD-3 character district.
 - iv. The number of dwelling units shall not exceed the number permitted by land area in the CD-4 zoning district.
 - v. Basements (whether finished or unfinished) shall not be counted toward the required gross floor area of each dwelling unit.
 - vi. The multiple family dwelling shall be a House buidign type only and shall have architecture compatible with surrounding dwellings.
 - vii. No dumpsters shall be utilized for regular solid waste or recycling collection. Trash receptacle location shall otherwise comply with Chapter 50 (Solid Wastes).
- u. New and used vehicle dealer with showrooms, sales or leasing offices must comply with the following:
- i. Any outdoor sales space or repair facilities shall be provided with a paved, asphaltic or Portland cement binder pavement or other medium approved by the Planning Commission so as to provide a durable, and dustless surface and shall be graded and drained as to dispose of all surface water that may accumulate within the area.
 - ii. A Streetscreen shall separate the outdoor display area of vehicles and the public right-of-way.
 - iii. Access to the outdoor sales area shall be at least 40 feet from any intersection of two streets.
 - iv. Servicing of vehicles and major motor repair and refinishing shall be subject to the following requirements:
 - I. It shall be subordinate and customarily clearly incidental to the sale of vehicles as a Principal Use and shall occur within an enclosed Building.
 - II. Any partially dismantled or damaged vehicles shall be stored within an enclosed Building.
 - III. Any new, used or discarded parts and

Buffer Map - Campus 500' & Schools 1000'

City of Mt.Pleasant



- Legend
- Schools
 - Campus Boundary
 - 500' Campus & 1000' Schools
 - DDA Boundary
 - TIFA Boundary
 - Zoning
 - SD-I (Industrial)

Note:
This map is intended to give a GENERAL depiction of the buffer zones but each proposed location will be reviewed based on the specific language in the zoning ordinance to determine if it is an allowed use at that location.

Published: Mar-19-2018



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

0 0.5 1 Miles



Memorandum

Mt. Pleasant
[meet here]

TO: Aaron Desentz, City Manager
FROM: William R. Mrdeza
Community Services & Economic Development Director
DATE: May 2, 2022
SUBJECT: Broadway Central Hybrid Approach

W.R.M.

Background

Broadway Central was created in 2020 in response to the COVID-19 pandemic and restrictions on indoor business activity. The space was intended to provide additional outdoor dining capacity for downtown restaurants. During 2020 and most of the 2021 season, large gatherings were discouraged in the space in accordance with county health guidelines. Certain City and non-City events, such as the Saturday Farmers' Market and the Craft Beer Festival, utilized the Broadway Central space during the limited time the street was closed.

In order to consider a repeat of the Broadway street closure in 2022, the City Commission felt that it was important to have more events take place in the space which would draw visitors downtown beyond the busier mid-day activity period. Staff did not feel that the activities programmed by the City for that space would be sufficient to meet the Commission's expectation of more events and therefore reached out to other local partners and businesses to solicit additional commitments for non-City sponsored events and activities.

As a result of the feedback received from all parties, staff instead envisioned a hybrid approach to being able to offer outdoor dining and socializing opportunities for residents and visitors, while also considering the concerns of the business community that keeping the street open was necessary for the success of their business. The following outlines more details of this recommendation.

The Hybrid Approach

The proposed hybrid approach would keep the street open to traffic while allowing for outdoor dining opportunities at picnic tables placed in a number of parking spaces on either side of the street. Approximately seven spaces would be used for this activity with six of those spaces already planned to be used by adjacent businesses; the City would make use of one additional space for these purposes. Highlights of this recommended approach include the following:

- Broadway to remain open to vehicle traffic
- Seating for dining would be allowed in selected existing parking spaces along Broadway, including several previously underutilized spaces for outdoor dining such as the sidewalk at 200 East Broadway and the area in front of Isabella Bank (see attached map).

Memorandum

Mt. Pleasant
[meet here]

- A physical barrier (such as decorative fencing) would be installed between picnic tables and the street travel lanes to protect create a visual separation between those seated at the picnic tables and passing traffic
- Include the use of several available ½ parking spaces for picnic tables
- The City would provide up to 24 picnic tables and market umbrellas; the petunia tree would be installed at a suitable location
- Edison lights would be strung above each of the picnic table locations to provide ambiance in the evenings
- Up to twelve all-weather Adirondack chairs would be placed in appropriate locations within the area to create varied seating and socializing options for those using the space
- The City would retain the ability to permit events and activities via a road closure on a short-term, temporary basis. Currently known events of this nature include the HBA Car Show, Sleepy Dog Books grand opening, For Arts Sake art show, and the Craft Beer Festival. Potential events (to be organized by others) include author events, ice cream social, dog and me read together, special guest story times, pet adoptions, Chamber Corporate Cup Challenge, and a Chamber downtown Business After Hours block party
- For consistency, the Saturday Farmers Market would be located in Town Center, which is adjacent to and visible from the area of Broadway under consideration for the hybrid treatment
- Identify local artists interested in organizing sidewalk art to brighten up the space; the City would provide financial support for paint, supplies, etc.
- Purchase four additional trash containers to accommodate the anticipated increase in trash generated by more people using the area
- Install up to 8 board signs throughout the area which include QR codes to local eatery menus
- Install artificial turf in selected areas under the picnic tables in order to create more of an outdoor feel, better define the dining space, and add variety
- Install three portable ADA ramps to make the on-street dining spots universally accessible
- A related but future activity could include the creation of a downtown Social District.

Why This Hybrid Alternative Makes Sense

- Considers the feedback received from all parties and suggests a viable compromise approach to activating a portion of the downtown space
- Applies the lessons learned from 2020 and 2021 and adapts those to the current conditions present in 2022
- Finds ways to amplify the benefits generated by Broadway Central in previous years such as expanded public outdoor dining, creating a setting for casual interaction, and providing opportunities for visitors to the space to patronize multiple local businesses
- May create a positive impact on more businesses located downtown

Memorandum



- Adds a "coolness" factor to multiple areas of downtown; if the concept is successful it can be expanded to other adjacent downtown locations which express an interest
- Has less impact on traffic flow and parking and addresses the issue business visibility on Broadway
- Activates a few otherwise underutilized areas not used previously
- Street closures would only occur intermittently for special events (see sample listing above)
- Creates the possibility to rebrand the concept, which would create a fresh new feel
- This initial hybrid approach could proactively support a Social District by providing required seating options for patrons should a district be established in the future

Requested Action

Staff recommends the above hybrid option and requests City Commission approval of the concept and a budget amendment of \$41,040 from the Economic Initiatives Fund to cover the cost of the hybrid approach as presented. Funds are proposed to come from the Max and Emily's Concert Series sponsorship, 2022 budgeted funds, and the Economic Initiative Fund.

Attachments:

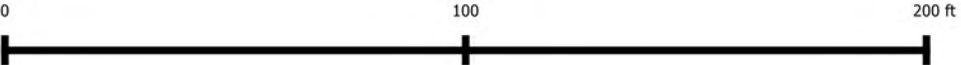
- 1) Map of the downtown area in question
- 2) Proposed budget necessary to make the space successful
- 3) Photos illustrating some of the amenity components.

Broadway Optional Plan

City of Mt. Pleasant



- Legend
- Existing Outdoor Dining Decks
 - City Seating Areas
 - Picnic Tables
 - Adirondack Chairs



Broadway Central Updated Costs

Fencing • Around street seating areas.	\$12,000
Access Ramps • Three ADA ramps for access to seating areas.	\$1,000
Edison Lights • Over the seating areas.	\$3,000
Adirondack Chairs (12) • Polywood material.	\$5,160
Astro Turf • 12' wide for two of the seating areas.	\$5,600
Stain/Sanding Picnic Tables • Refresh look of picnic tables.	\$1,200
Market Umbrellas • Replace as needed throughout season.	\$7,000
Sidewalk and Seating Area Art • Murals along sidewalks throughout downtown.	\$5,000
Trash Cans • Purchase 4 additional trash cans for areas with seating.	\$7,000
Sandwich Board Signs (8) • Water/sand-filled signs to use throughout downtown.	\$3,200
AirTags (12) • Secure on chairs, ability to track location.	\$700
Park Staff Salaries • For daily trash pick-up and clean-up of seating areas.	\$3,780
Street Dept Installation & Removal • Staff time, equipment and fuel.	\$4,500
Total	\$59,140

Examples of Amenities

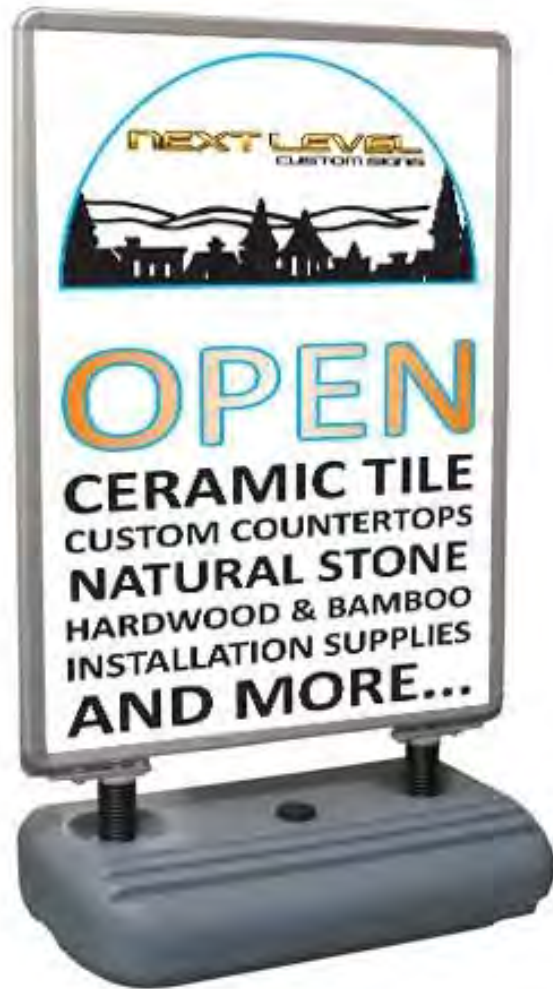


Portable ADA Ramp



Artificial Grass

Examples of Amenities (Continued)



Example of Sidewalk Board Signage

Examples of Edison Light Strings



Protective Fencing Concepts



Memorandum



TO: Aaron Desentz, City Manager

FROM: Mary Ann Kornexl, Finance Director
Chris Saladine, Assistant Finance Director

DATE: May 1, 2022

SUBJECT: 2022 Millage Rate/Budget Amendment

On November 22, 2021 the City Commission approved the 2022 Operating Budget and approved a total City millage rate of 16.25 mills, the same rate since 2014. The resolution approving the millage rate states the Commission reserves the right to review the rates in spring 2022 and consider adjustments based on changed conditions.

Since the budget was prepared last year two key items in the General Fund have changed. State Shared Revenue estimates decreased by \$239,000 due to the decrease in census that was recognized by Department of Treasury in April of this year. Property tax revenue, after Board of Review, is expected to increase by \$304,000 based on the increase in multiplier due to the inflation factor in Proposal A.

At the time the budget was prepared last year there was uncertainty about property tax values, revenue and expenditures. In the City Manager introductory letter, we indicated the General Fund Unassigned Fund balance should be revisited in May with the millage discussion. The Unassigned Fund Balance of \$5 million is 35% of the operating budget. The letter indicated once some of the uncertainty was resolved we should look at making an additional contribution to the MERS pension plan. The pension plan was 81% funded in 2009 and has fallen to 64% funded in 2020. We believe it makes sound economic sense to contribute an additional \$1.2 million this year to raise the funding percentage which will help alleviate large future year increases in pension contributions.

Since the budget was developed, we have been reviewing our fire apparatus replacement schedule. We have been setting aside funds to replace these and currently have \$1.2 million set aside. We have learned that the estimate for replacing our oldest equipment is \$3.6 million over the next 3 years. This does not include the residual value of the current apparatus or possible grant funding; even accounting for possible grants or residual sale value, we anticipate being short of the required funding. Therefore, we believe it makes sound economic sense to set aside an additional \$1 million this year.

With these two allocations, we will be left with 21% Unassigned Fund Balance. We believe this is adequate and meets the required minimum fund balance of at least 15% of expenditures. Therefore we are recommending these two budget amendments be considered when considering the 2022 millage rate.

The City Commission has two options for the 2022 millage rate:

1. Leave it as set in December at 16.25 mills, in which case no action is required by the City Commission, or
2. Set a public hearing for May 23 or Jun 13 to receive public input on the millage rate and then take action to set a different rate for 2022.

Our recommendation is to leave the millage rate as it was set in December at 16.25 mills, in which case, no action is required by the City Commission regarding the millage rate.

Memorandum



Requested Action

Please put this item on the May 9, 2022 agenda for consideration by the City Commission with the following recommendation:

- Leave the millage as set in December at 16.25 mills, in which case no action is required by the City Commission
- Amend the budget to allocate the General Fund Unassigned Fund Balance: \$1,200,000 to an additional MERS contribution and \$1,000,000 to Assigned for Fire Truck Replacement.

Memorandum



TO: Aaron Desentz, City Manager

FROM: Mary Ann Kornexl, Finance Director

DATE: May 2, 2022

SUBJECT: Water Resource Recovery Facility (WRRF) Upgrade Bond Resolution

At the December 13, 2021 City Commission meeting, the Commission approved a resolution declaring the intent to issue up to \$22 million in bonds to upgrade the WRRF. A notice of intent to issue bonds was published in the Morning Sun as required by State law. The voters had a 45 day right to request a referendum to consider the bond issue. This time has lapsed without receipt of such a request.

We have proceeded with financing phase I of the project. A bond issue of \$8.5 million has been determined to be necessary to finance this phase of construction and engineering for the entire project. The attached resolution has been prepared by the Bond Attorney, Roger Swets. The resolution authorizes the issuance of the bonds.

Our Municipal Advisor, Stephen Hayduk, has recommended to accept the proposal from Isabella Bank for below market interest rate on the bonds. This will save the WRRF customers interest over the 20 year term of the bonds and will save approximately \$105,000 of bond issue costs compared to a competitive bid bond sale.

Staff and our consultants are currently looking for grant and state financing options for Phase II of the project that will be undertaken in 2023.

Requested Action

Please put the attached resolution on the May 9, 2022 City Commission agenda for consideration.

**CITY OF MT. PLEASANT
(Isabella County, Michigan)**

Resolution No. _____

**RESOLUTION TO AUTHORIZE ISSUANCE OF
GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2022**

Minutes of a regular meeting of the City Commission of the City of Mt. Pleasant, Isabella County, Michigan, held on May 9, 2022, at _____ p.m., local time.

PRESENT: _____

ABSENT: _____

The following resolution was offered by _____ and supported by _____:

WHEREAS, pursuant to Act 34, Public Acts of Michigan, 2001, as amended (“Act 34”), the City of Mt. Pleasant (the “City”) has the authority to issue bonds to pay the costs of any capital improvement items; and

WHEREAS, the City desires to plan, design, purchase, acquire, and construct certain capital improvements, including without limitation, improvements to the water resource recovery system and the wastewater treatment facility, including without limitation, equalization improvements, septage screen unit and building improvements, grit vortex tank improvements, grit handling building improvements, digester improvements, site grading and restoration work, upgrade and replace primary, biological, and final filtration treatment processes, encompassing the existing primary tanks, tertiary towers, rotating biological contactors, and final tanks with new treatment technology, design and implement new processes to better handle loading demands more efficiently, as well as all work, equipment, and appurtenances necessary or incidental to these improvements, and such other capital improvements as the City shall determine to make (the “Improvements”); and

WHEREAS, the Improvements will enable the City to provide more efficient and better quality public services to City residents; and

WHEREAS, to finance the cost of making the Improvements the City Commission deems it necessary to borrow funds and to issue its General Obligation Limited Tax Bonds, Series 2022 therefor pursuant to the provisions of Act 34.

NOW, THEREFORE, BE IT HEREBY RESOLVED as follows:

1. NECESSITY. It is necessary for the public health, safety, and welfare of the City to acquire the Improvements and issue bonds of the City, pursuant to Act 34 to finance the cost of acquiring the Improvements.

2. PERIOD OF USEFULNESS. The estimated period of usefulness of the Improvements is determined to be in excess of twenty-one years.

3. ISSUANCE OF BONDS. To defray a portion of the cost of acquiring the Improvements, including legal, engineering, financial and other expenses, the City shall issue its bonds known as General Obligation Limited Tax Bonds, Series 2022 (the “Bonds”), in the aggregate principal amount of not to exceed \$8,500,000, as finally determined by the Authorized Officer (defined below) in an order signed by the Authorized Officer (the “Sale Order”). The balance of the cost of acquiring the Improvements, if any, shall be paid by grants or funds appropriated by the City.

4. BOND TERMS. The Bonds shall be issued in fully registered form as to both principal and interest, in denominations of \$5,000 each, or any multiple thereof or such other denominations determined by the Authorized Officer (“Authorized Denominations”). The Bonds shall be numbered consecutively in the order of their registration; shall be dated the date of delivery or such other date determined by the Authorized Officer in the Sale Order, and shall be payable serially or as term bonds with mandatory sinking fund redemptions on the dates and in the amounts determined by the Authorized Officer in the Sale Order. The Bonds shall bear interest at a rate or rates, payable semiannually on such dates, all as determined by the Authorized Officer in the Sale Order. The Authorized Officer may determine or alter the Bond terms within the parameters of this resolution as hereafter provided.

5. PAYMENT OF PRINCIPAL AND INTEREST. Both principal of and interest on the Bonds shall be payable in lawful money of the United States of America to the person appearing on the Bond registration books as the registered owner thereof. Payment of interest on the Bonds shall be paid to the registered owner at the address as it appears on the registration books, as of the determination date. Initially, the determination date shall be the date as of the fifteenth (15th) day of the month prior to the payment date for each interest payment; however, the determination date may be changed by the City to conform to market practice.

6. PLEDGE OF LIMITED TAX FULL FAITH AND CREDIT, GENERAL OBLIGATION. The City intends to pay the debt service of the Bonds from its water resource recovery system fund. As security for the payment of the Bonds, the City hereby pledges its limited tax, full faith and credit, general obligation for the prompt payment of the principal of and interest on the Bonds as and when due. Each year, the City shall be obligated, as a first budget obligation, to advance money from its General Fund to pay the principal of and interest on the Bonds. In the event there are insufficient moneys for the payment of principal of and interest on the Bonds, the City shall levy a tax on all taxable property in the City for the prompt payment of principal and interest on the Bonds, which tax shall be limited as to rate and amount by applicable constitutional, statutory and charter limitations on the taxing power of the City.

7. PRIOR REDEMPTION. The Bonds shall be subject to redemption prior to maturity as determined by the Authorized Officer at the time of sale.

8. PAYING AGENT AND REGISTRATION.

(a) Appointment of Paying Agent. From time to time the Authorized Officer is authorized to designate and appoint a Paying Agent (the “Paying Agent”), which may also act as transfer agent and bond registrar, and is authorized to remove the Paying Agent and appoint a successor Paying Agent. The initial Paying Agent shall be appointed by the Authorized Officer. In the event of a change in the Paying Agent, notice shall be given in writing by certified mail to each Registered Owner not less than sixty (60) days prior to the next interest payment date. The Paying Agent shall keep the official books for the recordation of the Registered Owners of the Bonds.

(b) Book-Entry Eligible. At the option of the initial purchaser of the Bonds, the Bonds may be issued initially in book-entry-only form as one fully registered bond per maturity and will be registered in the name of Cede & Co., as bondholder and nominee for DTC. If this option is selected, DTC will act as securities depository for the Bonds, purchase of the Bonds will be made in book-entry-only form, in Authorized Denominations and purchasers will not receive certificates representing their interest in Bonds purchased. Payment of principal and interest will be made by the Paying Agent to DTC. While the Bonds are held in book-entry-only form, then the Bonds shall be transferred in accordance with the procedures established by DTC. So long as the Bonds are registered to DTC or another bond depository, the Paying Agent or bond registrar shall have no responsibility with respect to such transfers. The Authorized Officer

shall have the authority from time to time to appoint a successor depository trustee to serve in the place of DTC. While the Bonds are issued in book-entry-only form the Paying Agent shall serve as paying agent only.

(c) Registration of Bonds Outside of Book-Entry-Only. In the event the book-entry-only system is not selected or is discontinued, the following provisions would apply to the Bonds. Registration of the Bonds shall be recorded in the registration books of the City kept by the Paying Agent. Bonds may be transferred only by submitting the same to the Paying Agent, together with a satisfactory instrument of transfer signed by the Registered Owner or his legal representative duly authorized in writing, after which a new Bond or Bonds shall be issued by the Paying Agent to the transferee (new registered owner) in the amount of the aggregate principal balance of the Bonds transferred. No transfer of Bonds shall be valid unless and until recorded on the bond registration books in accordance with the foregoing. The person in whose name any bond is registered may for all purposes, notwithstanding any notice to the contrary, be deemed and treated by the City and the Paying Agent as the absolute owner thereof, and any payment of principal and interest on any Bond to the Registered Owner thereof shall constitute a valid discharge of the City's liability upon such Bond to the extent of such payment. No Bond shall be transferred less than fifteen (15) days prior to an interest payment date nor after the Bond has been called for redemption. So long as the Bonds are registered to DTC or another bond depository, the Paying Agent, acting as bond registrar, shall have no responsibility with respect to such transfers.

9. BOND FORM. The Bonds shall be substantially in the form attached hereto as Exhibit A, and incorporated herein, with such changes as are recommended by the City's Bond Counsel and approved by the officers of the City signing the Bonds, whose signature thereon shall be conclusive evidence of such approval.

10. EXECUTION OF BONDS. The Mayor or the Vice Mayor, and the Clerk or the Deputy Clerk of the City are hereby authorized and directed to sign the Bonds, either manually or by facsimile signature, on behalf of the City. Upon execution, the Bonds shall be delivered by the City to the purchaser thereof upon receipt of the purchase price in accordance with the accepted bid therefor, plus accrued interest, if any, to the date of delivery.

11. BONDS MUTILATED, LOST OR DESTROYED. If any Bond shall become mutilated, the City, at the expense of the holder of the Bond, shall execute, and the Paying Agent

shall authenticate and deliver, a new Bond of like tenor in exchange and substitution for the mutilated Bond, upon surrender to the Paying Agent of the mutilated Bond. If any Bond issued under this Resolution shall be lost, destroyed or stolen, evidence of the loss, destruction or theft may be submitted to the Paying Agent and, if this evidence is satisfactory to both the City and the Paying Agent and indemnity satisfactory to the Paying Agent shall be given, the City, at the expense of the owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like tenor, which shall bear the statement required by Act 354, Public Acts of Michigan, 1972, as amended, or any applicable law hereafter enacted, in lieu of and in substitution for the Bond so lost, destroyed or stolen. If any such Bond shall have matured or shall be about to mature, instead of issuing a substitute Bond, the Paying Agent may pay the same without surrender thereof.

12. BOND PAYMENT FUND. For payment of principal of and interest on the Bonds, there shall be established and maintained a debt service fund for the Bonds (the "Bond Payment Fund"). The accrued interest, if any, and capitalized interest, if any, received at the time of delivery of the Bonds and such amount of any premium determined by the Authorized Officer shall be placed into the Bond Payment Fund. The City shall budget annually a sufficient amount to pay the annual principal of and interest on the Bonds and deposit such amount in the Bond Payment Fund as needed to make payments of principal and interest as they become due. Moneys in the Bond Payment Fund shall be expended solely for payment of principal and interest on the Bonds that first come due. Any monies remaining in the Bond Payment Fund after the annual payments of principal of and interest on the Bonds shall be transferred to the appropriate fund and shall no longer be pledged hereunder.

13. CONSTRUCTION FUND. Prior to delivery and sale of the Bonds, there shall be established a construction fund (the "Construction Fund"). After deducting the sums which are required to be deposited in the Bond Payment Fund, the balance of the proceeds of the Bonds shall be deposited into the Construction Fund. The moneys on deposit in the Construction Fund from time to time shall be used solely for the purpose for which the Bonds were issued. Any unexpended balance shall be used for such purposes as allowed by law. Any monies remaining in the Construction Fund after payment of all such costs shall be transferred to the Bond Payment Fund. After completion of the Improvements and disposition of any remaining bond proceeds, pursuant to the provisions of this Section, the Construction Fund shall be closed.

14. INVESTMENT OF FUNDS. Moneys in the funds and accounts established herein may be invested by the City as allowed by law, subject to the limitations imposed by arbitrage regulations and Section 148 of the Internal Revenue Code of 1986, as amended, and the applicable regulations thereunder (collectively the “Code”).

15. DEPOSITORY AND FUNDS ON HAND. Monies in the several funds and accounts maintained pursuant to this Resolution may be kept in one or more accounts at financial institutions designated by resolution of the City, and if kept in one account, the monies shall be allocated on the books and records of the City in the manner and at the times provided in this Resolution.

16. ADDITIONAL BONDS. In accordance with the provisions of Act 34, the City reserves the right to issue additional bonds, which shall be of equal standing and priority with the Bonds.

17. SALE OF BONDS. The Authorized Officer is hereby authorized to negotiate the sale of the Bonds to a purchaser selected by the Authorized Officer or to circulate or to cause to be circulated a request for proposals to purchase the Bonds and to negotiate the sale of the Bonds to such purchaser as the Authorized Officer shall determine (the “Purchaser”). The City determines that a negotiated sale is in the best interest of the City because its relationships with local banking institutions provide a low interest rate while also saving on the costs of issuance for the Bonds, will provide flexibility to respond to market conditions and is the most efficient and expeditious method of selling the Bonds, providing the lowest interest cost to the City.

18. AUTHORIZED OFFICER. Notwithstanding any other provision of this Resolution, the City Manager and FinanceDirector/Treasurer of the City, or either one of them acting alone (the “Authorized Officer”), are authorized within the limitations set forth below to determine the title of the Bonds, the interest rate or rates, maximum interest rate, amount of discount or premium, amount of maturities, principal amount, amount of good faith deposit, if any, denominations, dates of issuance, dates of maturities, interest payment dates, optional and mandatory redemption rights, and term bond options. The authority granted to the Authorized Officer by this Section, is subject to the following limitations:

- (a) The par amount of the Bonds shall not exceed \$8,500,000.
- (b) The net interest rate on the bonds shall not exceed five percent (5%) per annum.

(c) The final maturity date of the Bonds shall not be later than twenty-one (21) years after the date of issuance of the Bonds.

(d) The Bonds shall not be sold at a price of less than 99.00% of the par value of the Bonds.

(e) An underwriter's discount for the Bonds shall not exceed .25%.

(f) In addition, the Authorized Officer is authorized to agree to such fees as may be included in the proposal of the Purchaser.

The Authorized Officer is hereby authorized for and on behalf of the City, without further City Commission approval, to: (a) enter into a Bond Purchase Agreement or otherwise award the sale of the Bonds; (b) engage a placement agent; (c) engage a municipal advisor; (d) cause the preparation of a preliminary official statement and a final official statement for the bonds, if necessary; (e) deliver a certificate of the City to comply with the requirement for a continuing disclosure undertaking of the County pursuant to subsection (b)(5) or (d)(2) of SEC Rule 15c2-12, if necessary (f) acquire municipal bond insurance for the Bonds and sign a commitment and any documents necessary therefor, including an order containing such terms as may be needed for the bond insurance, (g) make any elections or designations under the Code, and (h) do all other acts and take all other necessary procedures required to effectuate the sale, issuance and delivery of the Bonds.

Approval by the City of the matters delegated in this section or any other sections may be evidenced by execution or approval of a Sale Order or such documents by the Authorized Officer. The Authorized Officer, together with the Mayor and the Clerk, or any one of them or more of them, is authorized to execute any documents or certificates necessary to complete the transaction, including, but not limited to, any applications including applications to the Michigan Department of Treasury (including an Application for State Treasurer's Approval to Issue Long-Term Securities, applications for waivers, and the submission of any supporting or related documents), any certificates, receipts, orders, agreements, instruments, security reports, a blanket letter of representations, and any certificates relating to federal or state securities laws, rules or regulations, and to pay any fees required by the State of Michigan.

19. TAX COVENANT. The City covenants to comply with all requirements of the Code necessary to assure that the interest on the bonds will be and will remain excludable from gross income for federal income tax purposes. The Authorized Officer and other appropriate

officials of the City are authorized to do all things necessary (including the making of such covenants of the City as shall be appropriate) to assure that the interest on the Bonds will be and will remain excludable from gross income for federal income tax purposes.

20. QUALIFIED TAX-EXEMPT OBLIGATION. The City reasonably anticipates that the amount of qualified tax-exempt obligations which will be issued by the City and all subordinate entities during the calendar year 2022 shall not exceed \$10,000,000. The City hereby designates the Bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3)(B) of the Code.

21. DEFEASANCE. In the event cash or direct obligations of the United States or obligations the principal of and interest on which are guaranteed by the United States, or a combination thereof, the principal of and interest on which, without reinvestment, come due at times and in amounts sufficient to pay at maturity or irrevocable call for earlier optional or mandatory redemption, the principal of, premium, if any, and interest on the bonds, shall be deposited in trust, this Resolution shall be defeased and the owners of the bonds shall have no further rights under this Resolution except to receive payment of the principal of, premium, if any, and interest on the bonds from the cash or securities deposited in trust and the interest and gains thereon and to transfer and exchange bonds as provided herein.

22. BOND COUNSEL. The firm of Dickinson Wright PLLC is hereby employed as bond counsel to the City for the issuance of the Bonds. The City acknowledges that Dickinson Wright PLLC represents a number of financial institutions, including financial institutions that may potentially purchase the Bonds, and consents to Dickinson Wright PLLC's representation of the City as bond counsel and, and waives any conflict of interest arising from such representation of a financial institution or underwriter that may purchase the Bonds in other matters not involving the City.

23. REGISTERED MUNICIPAL ADVISOR. Bendzinski & Co. Municipal Financial Advisors is hereby employed as registered municipal advisor to the City for the issuance of the Bonds.

24. RESOLUTION SUBJECT TO MICHIGAN LAW. The provisions of this Resolution are subject to the laws of the State of Michigan.

25. SECTION HEADINGS. The section headings in this Resolution are furnished for convenience of reference only and shall not be considered to be a part of this Resolution.

26. SEVERABILITY. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

27. CONFLICT. Except as provided above, all resolutions or parts thereof, insofar as the same may be in conflict herewith, are hereby repealed; provided, that the foregoing shall not operate to repeal any provision thereof, the repeal of which would impair the obligation on the Bonds.

28. EFFECTIVE DATE OF RESOLUTION. This Resolution is determined by the City Commission to be immediately necessary for the preservation of the peace, health and safety of the City and shall be in full force and effect from and after its passage.

YEAS: _____

NAYS: _____

ABSTAIN: _____

RESOLUTION DECLARED ADOPTED.

Heather Bouck, Clerk
City of Mt. Pleasant

CERTIFICATION

I, Heather Bouck, the duly qualified and acting Clerk of the City of Mt. Pleasant, Isabella County, Michigan (the "City"), do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Commission at a meeting held on May 9, 2022, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act 267, Public Acts of Michigan, 1976, as amended and the Governor's Executive Order 2022-48.

Dated: May 9, 2022

Heather Bouck, Clerk
City of Mt. Pleasant

EXHIBIT A

NO. ____

THIS BOND HAS NOT BEEN REGISTERED UNDER THE SECURITIES ACT OF 1933, AS AMENDED, IN RELIANCE UPON EXEMPTIONS UNDER SUCH ACT. ANY RESALE OR OTHER TRANSFER OF THIS BOND MAY BE MADE ONLY UPON REGISTRATION UNDER SUCH ACT OR IN AN EXEMPT TRANSACTION UNDER SUCH ACT AND UPON COMPLIANCE WITH THE CONDITIONS SET FORTH HEREIN

**UNITED STATES OF AMERICA
STATE OF MICHIGAN
COUNTY OF ISABELLA
CITY OF MT. PLEASANT
GENERAL OBLIGATION LIMITED TAX BONDS, SERIES 2022**

Interest Rate

Maturity Date

Date of Original Issue

Registered Owner: [Insert Name]

Principal Amount: [Insert Par Amount] Dollars (\$_____)

The City of Mt. Pleasant, Isabella County, Michigan (the “City”), acknowledges itself indebted and, for value received, hereby promises to pay to the Registered Owner specified above, or registered assigns, the Principal Amount specified above, in lawful money of the United States of America, on the Date of Maturity specified above, unless prepaid prior thereto as hereinafter provided, with interest thereon from the Date of Original Issue specified above, or such later date to which interest has been paid, until paid, at the Interest Rate per annum specified above, payable on the first day of [Insert Date] and [Insert Date] of each year beginning [Insert Date] 1, 2022, until the Principal Amount hereof and interest thereon is paid, except as the provisions hereinafter set forth with respect to redemption of this bond prior to maturity may become applicable thereto.

This Bond is one of a total authorized issue of bonds of even date and like tenor except as to date of maturity and rate of interest, numbered in order of registration, aggregating the principal sum of \$[Insert Amount], issued in accordance with the provisions of Act 34, Public Acts of Michigan, 2001, as amended (Act “34”), and a resolution adopted by the City Commission on May 9, 2022, for the purpose of paying a portion of the cost of improvements to the water resource recovery system and the wastewater treatment facility.

The City has pledged the limited tax, full faith, credit and resources of the City for the prompt payment of the principal of and interest on the Bonds, in which event the City may levy a tax on all taxable property in the City for the payment of principal and interest on the Bonds, which tax shall be limited as to rate and amount by applicable constitutional, statutory and charter limitations on the taxing power of the City. The City reserves the right to issue additional bonds in accordance with the provisions of Act 34 that shall be of equal standing and priority with the Bonds.

[Insert Name] shall act as initial paying agent, bond registrar, and transfer agent (the “Paying Agent”). The City may hereafter designate an alternate Paying Agent by notice mailed to the Registered Owner not less than sixty (60) days prior to the next interest payment date. Interest on this Bond is payable to the Registered Owner of record as of the fifteenth (15th) day of the month preceding the payment date as shown on the registration books of the City maintained by the Paying Agent. Payments of principal and interest shall be made to the Registered Owner, by check or draft, preauthorized debit, electronic transfer or such other manner of payment acceptable to the Registered Owner.

[Bonds or portions of Bonds maturing on [Insert Date] (the “Term Bonds”) are subject to mandatory redemption prior to maturity in part, by lot, and will be redeemed at the par value thereof plus accrued interest to the redemption date as follows:

Redemption Date

Principal Amount

*maturity

Or in the alternative attach a maturity schedule as an exhibit to the bond.]

Bonds maturing on or before [Insert Date], shall not be subject to redemption prior to maturity. Bonds maturing on or after [Insert Date], are subject to redemption prior to maturity as a whole or in part, at the option of the City, in such order as the City shall determine, on any dates, on or after [Insert Date]. Bonds called for redemption shall be redeemed at the par value thereof and accrued interest to the date of redemption, without a premium.

Notice of the call of any Bonds for redemption shall be given by first class mail not less than thirty (30) days prior to the date fixed for redemption, to the Registered Owner at the registered address. Bonds called for redemption shall not bear interest after the date fixed for redemption, provided funds are on hand with the Paying Agent to redeem such Bonds. Bonds

shall be called for redemption in multiples of \$5,000, and Bonds of denominations of more than \$5,000 shall be treated as representing the number of bonds obtained by dividing the denomination of the Bond by \$5,000, and such Bonds may be redeemed in part. The notice of redemption of Bonds redeemed in part shall state that upon surrender of the Bond to be redeemed, a new Bond or Bonds in aggregate principal amount equal to the unredeemed portion of the Bond surrendered shall be issued to the Registered Owner thereof. So long as the book-entry-only system remains in effect, the Paying Agent will give notice to Cede & Co., as nominee of The Depository Trust Company, a New York corporation, only, and only Cede & Co. will be deemed to be a holder of the Bonds.

This Bond shall be registered in the name of the Registered Owner on the registration books kept by the Paying Agent and such registration noted hereon and thereafter no transfer shall be valid unless made upon the registration books and likewise noted hereon. This Bond is exchangeable at the request of the Registered owner hereof, in person or by his attorney duly authorized in writing, at the office of the Paying Agent, but only in the manner, subject to the limitations and at his sole expense, for other bonds of an equal aggregate amount, upon surrender of this Bond to the Paying Agent. Upon such transfer, a new registered bond or bonds of the same series and the same maturity of authorized denomination will be issued to the transferee in exchange therefor.

The City has designated the Bonds of this series as “qualified tax exempt obligations” for purposes of Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.

It is hereby certified and recited that all acts, conditions and things required by law, precedent to and in the issuance of this Bond, exist and have been done and performed in regular and due time and form as required by law and that the total indebtedness of the City including this Bond, does not exceed any constitutional, statutory or charter limitation.

IN WITNESS WHEREOF, the City of Mt. Pleasant, Isabella County, Michigan, by its City Commission, has caused this Bond to be signed, by the manual or facsimile signatures of its Mayor and its City Clerk, all as of the [Insert Date].

Amy Perschbacher, Mayor

Heather Bouck, Clerk

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____

(please print or type social security number or taxpayer identification number and name and address of transferee)

the within bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the within bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____ Signed: _____

In the presence of: _____

Notice: The signature to this assignment must correspond with the name as it appears upon the face of the within bond in every particular, without alteration or enlargement or any change whatever. When assignment is made by a guardian, trustee, executor or administrator, an officer of a corporation, or anyone in a representative capacity, proof of his authority to act must accompany the bond.

Signature(s) must be guaranteed by an eligible guarantor institution participating in a Securities Transfer Association recognized signature guaranty program.

Signature Guaranteed: _____

Memorandum



TO: Aaron Desentz, City Manager
FROM: Tim Middleton, Deputy DPW Director
DATE: April 26, 2022
SUBJECT: Award Contract for Phase 1 Water Resource Recovery Facility Upgrades

Request:

The City Commission is requested to award the contract for the Phase 1 Water Resource Recovery Facility Upgrades to RCL Construction for \$7,748,000.

Reason:

The Water Resource Recovery Facility has several treatment processes that have reached their useful lifespan or no longer provide efficient treatment. The majority of this equipment is more than 40 years old. This construction project will replace the existing retention basin liner, associated level monitoring, and install a check valve to prevent flood waters from entering the basin. It will replace the existing aerated grit system with a new addition to the service building and new grit vortexes for improved treatment and energy consumption. The primary anaerobic digester will receive a fixed cover and energy efficient mixing system. The secondary digester will receive a jet mixing system for increased mixing capacity and a dual membrane gas dome for additional gas storage. Both digesters will receive new interior coatings and the brick exteriors will be replaced with a silicone-based coating-over-foam. A septage receiving system and building will be installed to remove debris and grit from incoming septage, and to monitor and record flow.

Fishbeck, the City's engineering consultant, conducted the bid letting and evaluation of the bids. Two bids were received on Tuesday, April 12, 2022.

RCL Construction Co., Inc. – Sanford	\$7,748,000.00
Grand River Construction, Inc. - Hudsonville	\$8,398,000.00

The low bidder, RCL Construction, was interviewed and references checked. All of the references contacted stated they completed the project on time, according to specifications, and within budget. Fishbeck recommends award of the contract to RCL Construction Co., Inc. with a base bid of \$7,748,000.

Recommendation:

I recommend the City Commission award the contract for the Phase 1 Water Resource Recovery Facility Upgrades to RCL Construction Co., Inc for \$7,748,000. Funding for this project is available through the concurrent issuance of bonds.

April 21, 2022
Project No. 211228

Tim Middleton
Deputy DPW Director
City of Mount Pleasant
320 Broadway Street
Mt. Pleasant, MI 48858

**City of Mt. Pleasant WRRF Improvements Phase 1
Executed Contract Documents**

Dear Mr. Middleton:

On April 12, 2022, we received two bids for the referenced project. The bid tabulation is attached. The bids are:

RCL Construction Co., Inc.	\$7,748,000
Grand River Construction, Inc.	\$8,398,000

Fishbeck has reviewed the bids and discussed the project with Rodney E. Bauer of RCL Construction Company. We recommend the project be awarded to RCL Construction Company.

If you have any questions or require additional information, please contact me at 517.887.4099 or bvanzee@fishbeck.com.

Sincerely,



Brian Van Zee

Senior Water & Wastewater Engineer

Attachments

By email

Copy: Rodney E. Bauer – RCL Construction Co., Inc.

Bid Item Tracking

Project Name: City of Mt. Pleasant WRRF Phase 1 Improvements

Project Location: Mount Pleasant, MI

Project Number: 211228

Bid Opening Date: Tuesday, April 12, 2022

Time: 1:30 p.m.

Bid Tab Information

Checked By/Date:

				Apparent Low Bid		2nd Lowest Bid	
				RCL Construction		Grand River Construction	
Item No.	Item Description	Unit	Total Estimated Quantity	Unit Price	Amount	Unit Price	Amount
1	General Requirements	LS	1	\$400,000.00	\$400,000.00	\$420,000.00	\$420,000.00
2	Demolition	LS	1	\$185,000.00	\$185,000.00	\$414,000.00	\$414,000.00
3	Electrical	LS	1	\$510,000.00	\$510,000.00	\$569,000.00	\$569,000.00
4	Controls and Instrumentation	LS	1	\$165,000.00	\$165,000.00	\$191,000.00	\$191,000.00
5	Architectural and Structural	LS	1	\$1,535,000.00	\$1,535,000.00	\$1,396,000.00	\$1,396,000.00
6	Painting	LS	1	\$320,000.00	\$320,000.00	\$394,000.00	\$394,000.00
7	Site Work	LS	1	\$600,000.00	\$600,000.00	\$450,000.00	\$450,000.00
8	Mechanical Plumbing, HVAC	LS	1	\$335,000.00	\$335,000.00	\$248,000.00	\$248,000.00
9	Process Piping	LS	1	\$463,000.00	\$463,000.00	\$510,000.00	\$510,000.00
10	Septage Screen Equipment	LS	1	\$485,000.00	\$485,000.00	\$580,000.00	\$580,000.00
11	Grit Removal Equipment	LS	1	\$490,000.00	\$490,000.00	\$607,000.00	\$607,000.00
12	Digester Fixed Cover	LS	1	\$967,000.00	\$967,000.00	\$847,000.00	\$847,000.00
13	Dual Membrane Cover	LS	1	\$605,000.00	\$605,000.00	\$841,000.00	\$841,000.00
14	Sludge Pump	LS	1	\$52,000.00	\$52,000.00	\$81,000.00	\$81,000.00
15	Fixed Digester Mixer	LS	1	\$270,000.00	\$270,000.00	\$331,000.00	\$331,000.00
16	Jet Mixer	LS	1	\$144,000.00	\$144,000.00	\$182,000.00	\$182,000.00
17	Basin Liner Furnish and Install	LS	1	\$132,000.00	\$132,000.00	\$247,000.00	\$247,000.00
18	Concrete Repair	Allowance	1	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00
19	Digester Cleanout	Allowance	1	\$65,000.00	\$65,000.00	\$65,000.00	\$65,000.00
	Construction Cost Subtotal (calculated)				\$7,748,000.00		\$8,398,000.00
	As-Read (from submitted bid)				\$7,748,000.00		\$8,398,000.00