



St. Joseph City Commission
Commission Chambers
700 Broad Street, St Joseph, MI 49085

AGENDA
April 7, 2025
6:00 PM

This meeting will be held in person: the public can view the meeting by going to Zoom.us on a computer or mobile device, or by calling 312.626.6799 (or 877.853.5247 toll free). Comments will not be received via Zoom; persons wishing to speak should be present in person.

Meeting ID: 844 8860 9278

Telecommunications relay services to assist individuals with disabilities are available by calling 7-1-1 and providing the meeting information to the relay operator; there is no charge to the caller.

Call to Order

Announcements

Order of Business

1. Pledge of Allegiance
2. Approval of Agenda
3. Public Comment - For Items on the Consent Agenda or Not on the Agenda - Please Limit Comments to Three Minutes

Consent Agenda

4. Regular Meeting Minutes of Monday, March 17, 2025
5. Blossomtime Vendors
6. New Board Appointment
7. Board Reappointments
8. Bluff Stairs Mural Request
9. St. Joseph Housing Commission Monthly Update
10. Gallagher Health Insurance Consultant Contract Approval
11. Invoice and Tax Disbursements
12. Broadband Equity Access and Deployment Program (BEAD)
13. Category B Grant & 2025 Resurfacing Project Bids

Old Business

14. Community Ambulance Echo Units
15. Downtown Parking Program: Overview
16. Downtown Parking Program: Ordinance Amendment-Parking Regulations, Second Reading

17. Downtown Parking Program: Resolution
18. Downtown Parking Program: Downtown Ambassadors
19. Noxious Weeds Ordinance
20. Resolution - System, City Water and Sewer Rates - FY26
21. CSO Flow Monitoring Proposal
22. Out of School Time Program Agreement - Boys & Girls Club

New Business

23. Zoning Ordinance Text Amendment - Section 2.3, 3.9.3.C and 21.7.C - Mechanical Equipment - City of St. Joseph - First Reading

City Comments

24. City Manager Comments
25. City Commission Comments

Reset Room for Study Session**Study Session**

26. FY26 Budget Study Session - Explanation of City Funds & Draft Capital Projects

Adjournment

Minutes of the St. Joseph City Commission Meeting held in the Commission Chambers at 700 Broad Street, St Joseph, MI 49085 on March 17, 2025.

Call to Order

The meeting was called to order at 6:00 PM by Commissioner Michael Sarola

Attendee Name	Title	Status	Arrived
Michele Binkley	Mayor pro tem	Absent	
Brook Thomas	Mayor	Absent	
Michael Sarola	Commissioner	Present	
Michael Fernandez	Commissioner	Present	
Tess Ulrey	Commissioner	Present	
Emily Hackworth	City Manager	Present	
Laurie Schmidt	City Attorney	Present	
Abby Bishop	City Clerk	Present	

Announcements

Order of Business

1. Pledge of Allegiance
2. Approval of Agenda

MOTION: To approve the Agenda as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

3. Public Comment

Jessica Chabot, a downtown City resident, expressed her dissatisfaction with parking availability for downtown residents and does not feel that residents' concerns have been heard or addressed. She also expressed dissatisfaction with pictures of her home being used in City presentations.

Jim Brooks, a city resident at Vail Court and a lighthouse volunteer, presented a Fresnel Lens and provided information on it. He explained that it is on loan from the Coast Guard and that plans are in place to ship it to the east side of the state. He stressed its historical local importance and asked for support in keeping them here; he offered suggestions on how they could be displayed and remain locally.

John Onderko, a city resident, asked who is paying for the changes to Broad Street below the bluff, which is being done to address traffic flow. He brought attention to a speed bump on Napier Ave and asked if someone could take care of it. He also said City property near the hospital looks trashy and needs to be cleaned up.

Consent Agenda

MOTION: To approve the Consent Agenda as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

4. Regular Meeting Minutes of Monday, February 24, 2025
Approved the Minutes of February 24, 2024, as presented.

Minutes Acceptance: Minutes of Mar 17, 2025 6:00 PM (Consent Agenda)

5. License Agreement-414 State Street
Approved the proposed Right of Way Encroachment License Agreement between the City of St. Joseph and Gussie 8024, LLC, contingent upon approval of the City Engineer and Public Works Director, contingent upon Gussie 8024, LLC completing the purchase of the property, and subject to minor non-substantive changes approved by the City Attorney.
6. Special Event Applications - St. Joseph Today Summer Events
Approved the St. Joseph Today special event applications as presented.
7. Sanitary Sewer Easement- 1000 Mohawk
Approved the proposed Grant of Easement for Public Utilities for sanitary sewer between the City of St. Joseph and Mark and Diane Springer for the property located at 1000 Mohawk Lane, St. Joseph, Michigan, and authorized the Mayor to execute the Easement.
8. New Seasonal Vendor - Private Property
Approved the seasonal vending application as presented, subject to receipt of updated information and authorization to staff to issue a seasonal vending permit to the applicant upon receipt of any updated information for 508 Pleasant Street, a private lot.
9. Summer Tennis Agreement - South Shore Tennis & Racquet Club
Approved the agreement with South Shore Tennis and Racquet Club to provide the 2025 summer tennis program and authorized the City Manager to sign the agreement on behalf of the City.
10. Tree Trimming & Removal Agreement
Approved the pricing contained in the proposal from Chop Tree Service from Grand Rapids, MI for tree trimming and removal services for the years 2025 through 2027 and authorized the City Manager to execute the appropriate documents.
11. Relocation Stipend
Approved the proposed addition of section 332 to the Personnel Manual.
12. Earned Sick Time Act (ESTA)- Amendment to Sick Leave Policy
Approved the amendments to Personnel Policy Manual, Policy 316 Sick Leave Benefits, effective February 21, 2025, as presented.
13. Invoice and Tax Disbursements
Approved the invoice and tax disbursements as presented.

New Business

14. Special Event Application - St. Joseph High School Senior Sendoff
The St. Joseph High School senior class has arranged a private event at Silver Beach Pizza and is seeking permission to set up a large tent in Whirlpool Centennial Park as part of a senior send-off celebration on Friday, May 16. St. Joseph High School's principal, Joe Rommel, explained that the seniors would like to spend their last day outside, and the school wanted to do something special for them.

The St. Joseph Senior Class President believes this will be a fun opportunity to spend their last day close to Silver Beach Pizza and the beach, enjoying time with their classmates. She explained they plan to set up games and a tent.

The St. Joseph Senior Class Treasurer states that on their last day, they would like to spend time outside instead of inside the school. She said they want to enjoy some Silver Beach Pizza, which they grew up eating, and the beach, which they grew up seeing and going to every summer.

Rommel advised that traditional events for seniors typically occur after school, and there are extra costs. He explained that having these events during the school day keeps the class together and allows for transportation. Rommel also states that they felt it was important for the class to celebrate within the City.

Commissioner Fernandez appreciated that the event would be held outside and happy to play a role in helping the event.

Commissioner Ulrey stated she thinks it's a great idea and will be curious to know if the next senior class will want to do it, too.

MOTION: To approve the St. Joseph High School Senior Sendoff special event application as presented and for staff to issue a special event permit.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

15. St. Joseph River Harbor Authority

City Manager Emily Hackworth expressed her appreciation for the collaboration with Berrien County, Benton Harbor, and St. Joseph Charter Township to explore the creation of a joint harbor authority to support dredging along the St. Joseph River.

Dan Fette, Berrien County Development Director, presented an agreement to create a harbor authority and help manage the waterfront area. He explained that the joint venture could recommend land use changes and issues, enter into contracts, accept grants and donations, and spend funds. Most importantly, Fette explained that the Authority will have the power to implement the dredging permit activities. He stated that neither the Authority nor the participating municipalities will fund the dredging but will help supervise and monitor the engineering that goes into it. The Authority could also have the ability to raise funds through assessment districts, use fees, and other types of fees. Fette stated that Benton Harbor and St. Joseph Charter Township have already approved the agreement.

Fette explained that once the agreement is approved, the State of Michigan is notified, and the authority is registered in the Office of the Great Seal. Once registered, Fette described the appointment process and requirements, first meetings, budget discussions, and bylaws that will need to be adopted. Fette added that this will not affect the Core of Engineers dredging activities.

Commissioner Sarola stated that this will be great for the three communities to have a comprehensive view and offer a clear vision. It will provide development opportunities for the surrounding areas and he is excited to see it come to fruition.

Commissioner Fernandez states this enables mechanisms to be put in place for all the work that needs to be done and that does not exist without this body.

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MOTION: To approve the attached agreement to establish the St. Joseph River Harbor Authority.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

16. Medic 1 Ambulance 2025/2026 Subsidy

Director of Public Safety Steve Neubecker presented the Medic 1 Ambulance 2025-2026 Subsidy. Neubecker advised that the Medic 1 board voted to approve an increase to the member subsidy for its 2025-2026 fiscal year. He explained that the current year's member subsidies are \$8.43 per capita and will increase by \$1.57 to \$10.00 per capita. He said the City currently pays \$5,518.84 monthly, and the increase will be \$7,201.33.

Neubecker advised that Medic 1's fiscal and billing years began on March 1, 2025. He explained that some of the increase is covered in the current budget; however, it is necessary to increase the current year's budget by \$6,730.

Commissioner Sarola clarified that the City's portion is more economical than other communities because we are a founding community. Neubecker stated yes.

MOTION: To increase Medic 1 Ambulance 2025-2026 subsidy by \$6,730 and to amend the City budget accordingly.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

17. Director Jason Wiley of Medic 1 Ambulance

Director Jason Wiley of Medic 1 Ambulance explained that Medic 1 is funded by ownership subsidies and a fee for service. He stated that they received \$.40 on the dollar when they bill for service and highlighted the importance of subsidies. Wiley stated that subsidies range from \$10 to \$72 per resident, with all numbers in between. He explained that for the last 50 years, operations have stayed the same, and they are in need of updating some operational changes and efficiencies. The Medic 1 executive board has proposed an increase of one to two dollars per capita for the original ownership to help boost the operation updates needed. Wiley offered to provide a longer presentation at a later date.

Commissioner Ulrey asked if the one-to-two-dollar increase is just for the original communities. Wiley advised yes, for the original 10.

Commissioner Sarola stated they would like him to return so they could see the full presentation and said it is important to understand where Medic 1 is going in the future.

18. Milkweed Ordinance

The Director of Special Projects & Communications, Kayla Griffith, presented an update to the City's Noxious Weeds Ordinance, Chapter 31 of the Code of Ordinances. Griffith explained that the update is to add some additional noxious weeds that are invasive plants to the area. She stated that these are important to include in the ordinance because invasive plants will crowd out native

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plants that are important to the local habitat. Griffith explained that the ordinance will remove milkweed from the list of noxious weeds as this is the only plant that monarch butterflies and caterpillars can eat and the City provides an important location for the Monarchs. She also explained the removal of goldenrod solidago from the list of noxious weeds. She stated that for a long time in history, there was an association that goldenrod caused human allergies because it blooms at the same time as ragweed. In reality, ragweed is the cause of these allergies, and goldenrod plays a crucial role in providing food for the last part of the pollinator journey.

Commissioner Fernandez stated he was a fan of ordinances that serve a purpose. He added that not allowing Japanese Knotweed could save residents some money.

Commissioner Sarola asked what would happen if Japanese knotweed were found on your property. Griffith stated that it is a very aggressive, invasive plant, and you would want to contact the County or a local professional to have it removed. Director of Public Works Greg Grothous added that they often hear from residents who find it on their property, and Public Works provides them with a contact to a local professional to remove it. He stated there is a specific chemical treatment and process the professionals follow to treat and remove it. City Attorney Laurie Schmidt explained that when knotweed was identified on a property in the past, it has been enforced as part of the Property Maintenance Program; the Code Enforcement Officer contacted the property owner to give them information so they could treat it properly.

MOTION: To approve the first reading of the Ordinance to Amend Chapter 31, Article II Noxious Weeds, Sections 31-16 through 31-22, as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

19. Right of Entry - Corps of Engineers - Lions Beach

Director of Public Works Greg Grothous stated City staff has been working with the U.S. Army Corps of Engineers for the last several months to gather data on the placement of dredging spoils. Grothous explained that as part of the outer harbor dredging, the Corps of Engineers would like to place cameras strategically from Park Street to Lions Beach. He stated these cameras will monitor the movement of the sand once dredging takes place and described other methods of monitoring that will be done. Grothous stated they plan to place the sand about 400 feet into the water instead of along the shoreline and monitor how the sand moves. He stated this was done in New Buffalo, and after monitoring it, it is believed the sand stays within the shoreline longer. Grothous explained that this should help with erosion. The cameras will be placed in trees, at Lions Beach, and possibly on a light pole or top of a playground structure.

Commissioner Sarola asked how long the cameras would be in place. Grothous stated they would like to place them very soon and leave them up through the summer, with removal in the fall. He added they will put them back up in the spring of 2026, prior to the 2026 dredging project.

Commissioner Ulrey stated this made sense as the only way to gather the data.

Commissioner Fernandez stated that shoreline preservation has been a hot topic and this is an important tool to help make better informed decisions.

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MOTION: To approve the enclosed Right of Entry Agreement with the Army Corps of Engineers for two parcels of public property and Lions Beach and to authorize the City Manager to execute the document on behalf of the City.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

20. Valve Turning Agreement - Wachs Water

Director of Public Works Greg Grothous presented an agreement with Wachs Water Services to provide valve exercise and condition assessment on the City’s water distribution system. Grothous advised that Wachs has completed valve-turning services for the City in three other years: 2011, 2017, and 2022. He also explained that valve turning can cause sediment to suspend in the water distribution system, leading to temporary discoloration of the water. He states that the last time this was completed in 2022, no reports of water discoloration were reported. Grothous stated pricing for the work is \$84 per valve, with 740 valves plus mobilization expenses, making the total quoted cost \$68,007.32. He explained that the not-to-exceed amount is \$70,000.00 to provide an allowance for additional work that might be identified during the project. City staff is expected to do much of the extra work that may arise.

Commissioner Sarola stated he researched Wachs and valve turning and advised that Wachs is clearly the leader in this field. He advised that having this done regularly is tremendously beneficial and cost savings as it will extend the life of the valves.

Commissioner Fernandez stated that it was nice to give residents a heads-up on this program in case they notice any discoloration in their water. Grothous added that the last time this was done, they authorized it to be done at night in high-traffic areas like Niles Ave and Main Street so as not to cause as much disruption.

MOTION: To approve the proposal from Wachs Water Services, a Division of Xylem Dewatering Solutions of Columbia MD, for Valve Exercise and Condition Assessment services in an amount not to exceed \$70,000 to be paid from the City Water Fund in the 2024-2025 or 2025-2026 budget year and to authorize the City Manager to execute the appropriate documents on behalf of the City.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

21. IT Security Audit

City Manager Emily Hackworth recommended completing an IT Cybersecurity Risk Assessment of the City’s current IT structure, highlighting any vulnerabilities or risks, and identifying any recommendations for the City moving forward. Hackworth stated this is to ensure the City is operating as efficiently and securely as possible. She explained that they had located a firm called CBIZ that understood what was needed and recommended conducting an assessment using the National Institute of Standards and Technology (NIST) Cybersecurity Framework (CSF) and reviewing the water plant's operating technology. Hackworth stated they will provide a final report with their findings and recommendations. The cost is \$36,000.00, and \$8,000.00 would be covered by the water plant.

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Commissioner Fernandez stated that this was an opportunity to assess our current situation and identify future efficiencies while supporting the City’s Asset Management program.

Commissioner Sarola emphasized the importance of the security side to this assessment and inquired about the last time one had been conducted. Hackworth stated she wasn’t aware of any assessment that had been done.

MOTION: To approve the Cybersecurity Audit Services proposal submitted by CBIZ, to be paid from the City Managers and Water Administration Budgets with the use of fund balance, and authorize the City Manager to execute the contract, subject to City Attorney approval.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

22. Pleasant Street Plaza Changes

Development Director Kelly Ewalt presented a request for changes to the Pleasant Street Plaza to allow for two-way traffic on Court Street. Ewalt explained that Wolf Financial Advisory asked the DDA to consider this change to make it easier for their customers to park at their location at 206 Cort Street. She stated that when Pleasant Street is open, it can confuse people coming off Ship Street onto Court because it is one-way. Ewalt stated they determined there was enough room for the road to become a two-way street after having the City Engineer verify. She explained that this request was presented to the DDA, who also discussed making Pleasant Street a two-way. The DDA made a recommendation to change both Court and Pleasant Streets to a two-way, as well as updating and removing the necessary signs indicating the traffic pattern changes.

Commissioner Ulrey asked if there would be an impact on parking spaces. City Engineer Tim Zebell and City Manager Emily Hackworth helped clarify that the parking spaces would remain angled so no spaces would be lost due to the changes in traffic direction.

Commissioner Fernandez commended City staff for their efforts in taking the feedback and making the most out of that space.

Commissioner Sarola added that not much will change except now that two-way driving will be legal.

Commissioner Ulrey said she spoke to a couple of business owners and they were all happy about these changes.

MOTION: To approve the changes to Pleasant Street Plaza for the 2025 summer season as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Michael Fernandez, Commissioner
SECONDER:	Tess Ulrey, Commissioner
AYES:	Commissioner Sarola, Commissioner Fernandez, Commissioner Ulrey
ABSENT:	Mayor pro tem Binkley, Mayor Thomas

Reports

23. Lighthouse Update

Minutes Acceptance: Minutes of Mar 17, 2025 6:00 PM (Consent Agenda)

Commissioner Ulrey presented a slideshow and update on the St. Joseph Lighthouse tours. Ulrey explained the lighthouse's historical importance to the City and stated that in the past, the tours have operated as part of the Heritage Museum. She advised that the Heritage Museum is no longer operating the tours; they do not have the capacity and, therefore, gave it back to the City. She stated the City owns the lighthouse but historically has not owned the tours. Ulrey noted that it is important to maintain this asset and thanked all the volunteers for their dedication and enthusiasm for the lighthouse and the tours.

Ulrey stated the tours have operated in many different ways, opening during the evening and on the weekends. She explained the volunteer group wants the tours to continue for the 2025 season, to be open on Saturdays in June, July, and August from 10 AM to 7 PM and that St Joseph Today has stepped up to take over the management of the tours. Ulrey explained the pricing for tours and options available to the community. She expressed her gratitude for the community partnership and the efforts being made to keep the lighthouse open. Ulrey also discussed the Fresnel Lens and how it was recently discovered that they would be shipped across the state. She explained how the Fresnel Lenses are originally from St. Joseph and the importance of keeping them here.

Commissioner Fernandez expressed the lighthouse's importance to the community and his appreciation to the volunteers who have stepped up to run this program and who want to continue sharing the lighthouse with everyone.

Commissioner Sarola stated that the lighthouse is iconic to St. Joseph and worth the \$5 to take a tour. He suggested that a night tour of the lighthouse once a month would be a neat experience.

Jim Brooks, a city resident, asked where the Fresnel lenses are currently located. City Manager Emily Hackworth stated that, to her knowledge, they are still at the Heritage Museum. Brooks noted that the lenses are very fragile and warned against shipping them in boxes for fear they will be damaged or destroyed. Ulrey added that they have received guidance from the Coast Guard on proper storage requirements.

A member of the public asked what was being done to negotiate or prevent the movement of these lenses to the east side of the state. Ulrey explained that they had just recently learned about the status of the lenses and Emily Hackworth made contact with the Coast Guard. Hackworth stated she had just found out about this last week and reached out to the Heritage Museum for a contact at the Coast Guard. She explained that she received a contact name today for someone at the Coast Guard and plans to contact them first thing tomorrow.

City Comments

24. City Manager Comments

City Manager Emily Hackworth thanked the volunteers working on the lighthouse effort and praised the great partnership with St. Joseph Today. She also expressed her gratitude to City Staff for their resilience during the carpet replacement and for working in a challenging environment while the work was being done.

25. City Commission Comments

Commissioner Fernandez thanked the ice rink staff for a great season and expressed his excitement for the upcoming spring and summer events.

Commissioner Ulrey also thanked the ice rink for a great season.

Reset Room for Study Session

Commissioner Sarola adjourned the meeting at 7:07 PM to reset the room for a study session.

Study Session

26. Study Session - Water Rates

The study session began at 7:12 PM.

John Kaczor from Municipal Analytics presented a slideshow of the findings from their study on city utility rates as part of the City’s Asset Management Program. Kaczor described Muniworth Software, which forecasts different scenarios and manages rates using real data. He explained how they predict needs, what drives costs, and how to maintain sufficient fund balances. Kaczor described the significant investments driving rate requirements in the 2026-2031 Capital Improvement Plans, bond plans, and estimates for rate increases for the City’s sewer, water, and water treatment funds. He provided charts that forecasted the rate increases and fund balances, comparing them against operating expenses, capital improvements, and revenues for the water and sewer funds. Kaczor provided a customer impact analysis that illustrated how the increase could affect a typical residential customer, showing the monthly and daily cost increases for water and sewer.

The Commission discussed the utility rates and how the City compares to other municipalities, different funding and bonding opportunities, how the economy has affected the cost of infrastructure improvements in recent years, how this affects the ability to forecast accurately, and other challenges impacting the cost of projects and the need to increase utility rates.

Adjournment

The meeting was closed at 7:56 PM.

Presiding Officer

City Clerk/ Recording Secretary

Minutes Acceptance: Minutes of Mar 17, 2025 6:00 PM (Consent Agenda)



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Abby Bishop, City Clerk

RE: Blossomtime Vendors

MEETING DATE: April 7, 2025

Attached for your review and consideration is a copy of vendor applications requesting to operate at an approved vending location during the Blossomtime Parade on Saturday, May 10, 2025. The approved Blossomtime vendor locations map is also attached for your reference.

The Vending Ordinance provides for the City Commission to consider vending during Special Events when the Special Event Application has elected not to control it. Blossomtime has declined to control it.

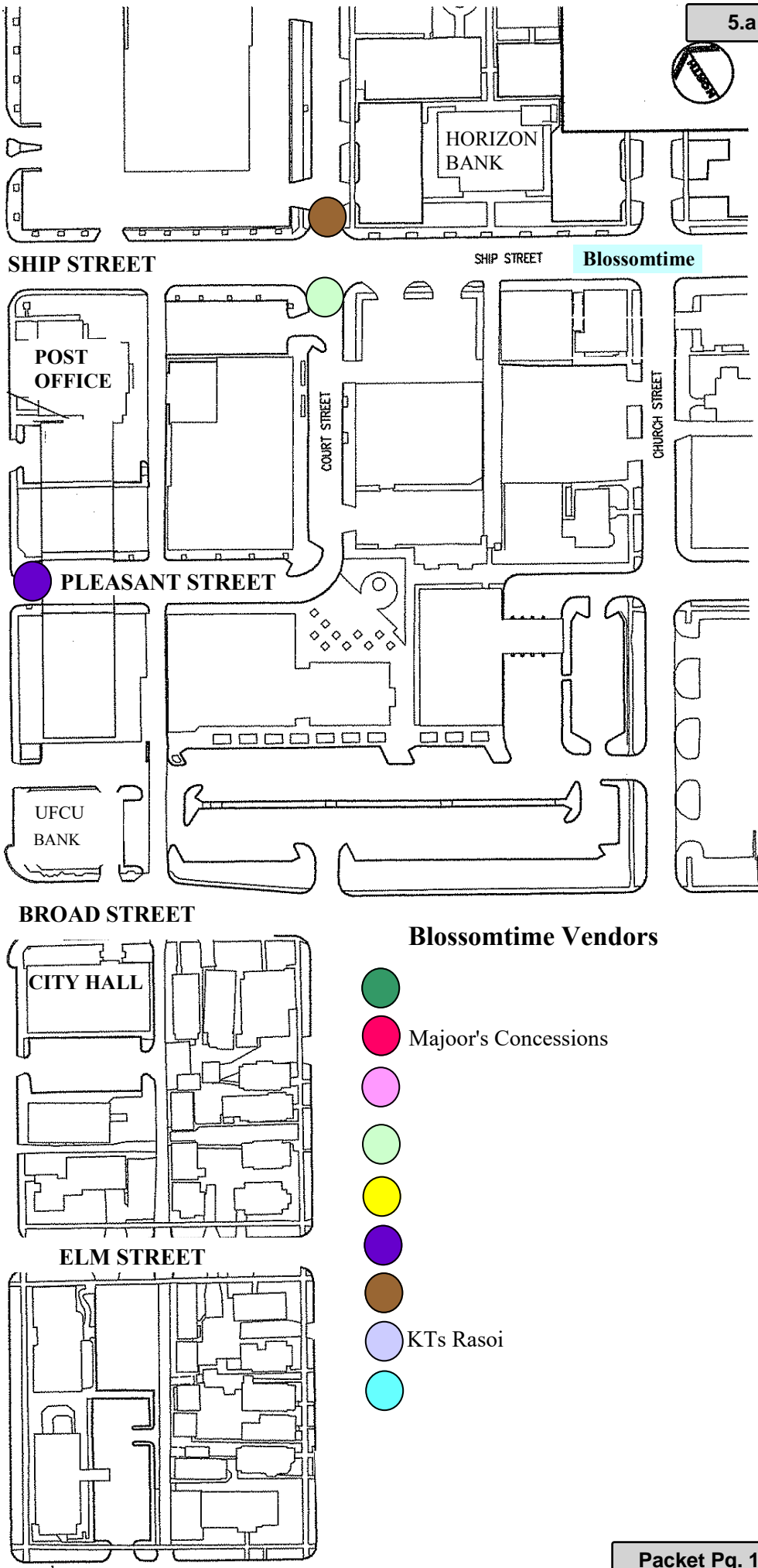
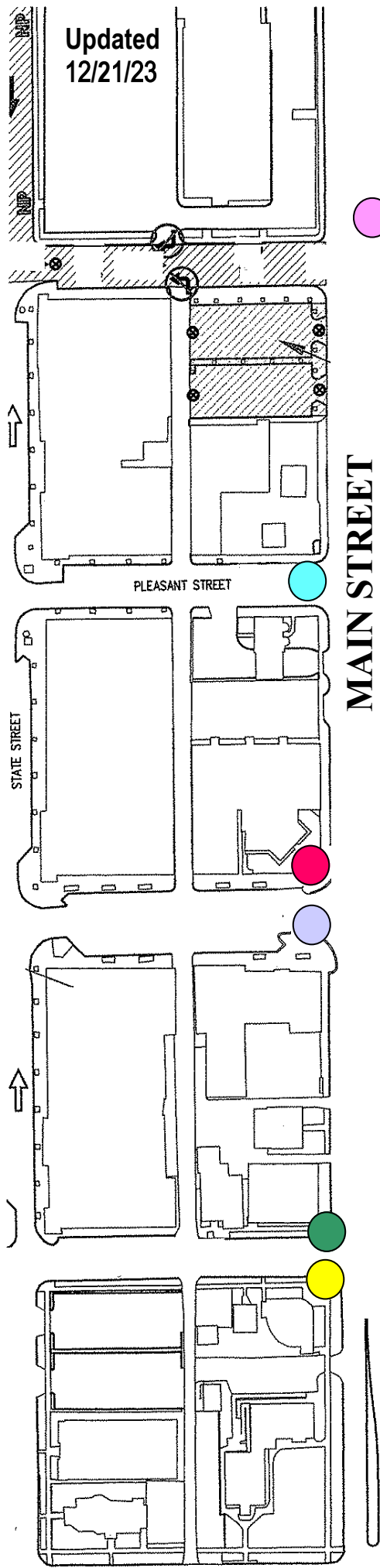
The Public Safety Director reviewed the application and conducted the background checks as required. Majoor's Concessions has participated in Blossomtime vending in the past and is requesting the corner of Broad and Main Street (North corner), and KT's Rasoi is a current seasonal vendor but a first-time vendor for the Blossomtime Event and is requesting the corner of Broad and Main Street (South corner).

Action requested: To approve, as part of the consent agenda, the issuance of a vending license for Majoor's Concessions and KT's Rasoi for concessions during the Blossomtime Parade, pending final submittal of required certifications and fees.










ATTACHMENTS:

- Blossomtime Vendor Map (PDF)
- Majoor's Concession - Application_Redacted (PDF)
- KT Rasoi - Blossomtime Application_Redacted (PDF)

Updated
12/21/23



Blossomtime Vendors

-  Major's Concessions
- 
- 
- 
- 
- 
- 
-  KT's Rasoi
- 

Attachment: Blossomtime Vendor Map (10658 : Blossomtime Vendors)



City of St. Joseph
Application for Vendor License

5.b

Applicant

Your Name: Jeff Major Today's Date: 2-1-25

Your Permanent Address [Redacted] For CC consideration on:

City: Comstock Park State: MI Zip: 49321 Email: [Redacted]

Your Daytime Phone: [Redacted] Evening Phone: [Redacted]

Name of Business/Organization: Major's Concessions

Nature of Business: Vending Your Affiliation with Business/Organization: Owner

Address of Business/Organization: [Redacted]

City: Comstock Park State: MI Zip: 49321 Email: themajors5@gmail.com

Business/Organization Daytime Phone: 616 481-8496 Evening Phone: 616 481-8496

Have you ever been convicted of any crime, misdemeanor or violation of a municipal ordinance? Y (N) If YES, describe nature of the offense and the punishment or penalty assessed

Attach a listing of all persons who will be vending under this application; include name, address & copy of state identification. # Persons 3

Vehicle Information Year Make/Model Color License Plate # State MI

Vending Information

Day Vendor Moving Day Vendor Peddler Stationary Vendor X

What DATE do you plan to vend? May 10, 2025 During what TIMES do you plan to vend? 8:00am - 4:00pm

VENDING LOCATION requested? 320 Main St. (corner of Main + Broad) Must attach a map / diagram indicating location / route.

From what type of structure will you be vending? Must attach picture of the booth / cart / stand / vehicle. Concession trailer

List all products you intend to sell Cotton Candy, Caramelcorn, Popcorn, Sno Cones, Caramel apples, Fresh squeezed lemonade, hot dogs, cold drinks, bottled water

How will the goods be delivered to you? I will be making the product on site

How will the goods be delivered to customers? Sold thru the service windows

List previous vending experience? We are a family owned business since 1915.

PLEASE READ CAREFULLY AND THEN SIGN BELOW

- 1. All applications for Vending Licenses must be approved by the City Commission.
2. Any License issued is valid only for the dates set forth on the license, without regard to any cancellation or postponement of related activities.
3. Licenses are not transferable.
4. An ID badge must be worn by vendor at all times while vending; ID badge may be provided by City or the City will approve badges provided by vendor.
5. Each vendor must post the license issued by the City of St. Joseph in a prominent location.
6. County Health Department Certification required for all food sales; City Vending License must be consistent with County Certificate.
7. If your business requires the use of weighing or measuring devices, you must submit a certificate from the State Inspector of Weights, Scales & Measures.

By signing this application, you affirm that the information provided is accurate and truthful to the best of your knowledge.

Signature of Applicant [Signature] Date 2-1-25

Photo ID: Stand Photo Location Map Health Department Certificate Other Certifications

Appl. Fee: Ch#/cash: Date: Comments:

PS Approval City Clerk Approval City Commission Approval

Original: City Clerk

Copy: Public Safety Director

Copy: Applicant

Attachment: Majors Concession - Application_Redacted (10658 : Blossomtime Vendors)



320 Main St.
St. Joseph, MI 49085

p 269-932-4297
f 269-852-5927

www.sturgis.bank

January 20, 2025

Maioor's Concessions



Comstock Park, Michigan 49321

Attention: Jeff Majoor

Dear Jeff,

Please accept this letter as my authorization for you to again use the parking lot at 320 Main Street, St. Joseph, Michigan, on the day of the Blossomtime Parada in the year 2025.

If the City has any further questions, please do not hesitate to have them contact me directly.

Once again, I wish you good luck and good weather.

Best Regards,

Leanne Brownfield
Assistant Vice President
Business Development Specialist

320 Main St.
Saint Joseph, MI 49085
DL: 269-659-1472 Cell: 269-605-9203
T: 269-932-4297 Ext. 3036 F:269-852-5927
NMLS # 916292
LBrownfield@sturgisbank.com



Attachment: Majoors Concession - Application_Redacted (10658 : Blossomtime Vendors)

Expires: 04/30/2025

Issued To: MAJOURS'S CONCESSIONS UNIT

COMSTOCK PARK MI 49321-8298

Responsible Party and Address:

JEFF MAJOUR
COMSTOCK PARK MI 49321-8298

State of Michigan

Department of Agriculture &
Rural Development
Food and Dairy Division

SST-2641-038522

**FOOD SERVICE - SPECIAL
TRANSITORY FOOD UNIT**

Display for Public View



Dr. Tim Boring
Director

Issued by the Michigan Department of Agriculture and Rural Development to operate a Food Service Establishment in accordance with provisions of Act 92, P. A. of 2000, as amended.

This license is not transferable.
Failure to post in a conspicuous place is a misdemeanor. (See Section 41119)

Notify the Local Health Department before a change of ownership. (See Section 4123)
Direct Inquiries to the Kent County Health Department



Attachment: Majors Concession - Application_Redacted (10658 : Blossomtime Vendors)

164 (Rev. 4-19)

STATE OF MICHIGAN

DEPARTMENT OF TREASURY

Sales Tax License

MAJOUR JEFFREY EDWARD MAJOORS CON
MAJOORS CONCESSIONS
[REDACTED]
COMSTOCK PARK, MI 49321-8298



Issued under authority of P.A. 167 of 1933, as amended.

Account Number: TR-2222484
Expiration Date: December 31, 2025

For Office Use Only
BP Number: 1056071





City of St. Joseph
Application for Vendor License

Applicant

Your Name: THRIJANI KANTA REDDY Today's Date: 02/04/25

Your Permanent Address: [Redacted] For CC consideration on:

City: SAINT JOSEPH State: MI Zip: 49085 Email: [Redacted]

Your Daytime Phone: [Redacted] Evening Phone: [Redacted]

Name of Business/Organization: KT'S RASOI

Nature of Business: RESTAURANT Your Affiliation with Business/Organization: FOUNDER

Address of Business/Organization: 4075 HOLLYWOOD RD

City: SAINT JOSEPH State: MI Zip: 49085 Email: INFO@KTSRASOI.COM

Business/Organization Daytime Phone: 269 235 9515 Evening Phone: - SAME -

Have you ever been convicted of any crime, misdemeanor or violation of a municipal ordinance? Y/N If YES, describe nature of the offense and the punishment or penalty assessed

Attach a listing of all persons who will be vending under this application; include name, address & copy of state identification. # Persons

Vehicle Information Year Make/Model Color License Plate # State

Vending Information

Day Vendor [checked] Moving Day Vendor Peddler Stationary Vendor

What DATE do you plan to vend? 05/10/25 During what TIMES do you plan to vend?

VENDING LOCATION requested? BROAD STREET / MAIN STREET CORNER (SOUTH)
Must attach a map / diagram indicating location / route.

From what type of structure will you be vending? Must attach picture of the booth / cart / stand / vehicle. 10 x 10 BOOTH

List all products you intend to sell MANGO LASSI, SAMOSA, GULAB JAMUN.

How will the goods be delivered to you? CAMBRO'S (HOT & COLD PACKS)

How will the goods be delivered to customers?

List previous vending experience? CITY SEASONAL VENDOR.

PLEASE READ CAREFULLY AND THEN SIGN BELOW

- 1. All applications for Vending Licenses must be approved by the City Commission.
2. Any License issued is valid only for the dates set forth on the license, without regard to any cancellation or postponement of related activities.
3. Licenses are not transferable.
4. An ID badge must be worn by vendor at all times while vending; ID badge may be provided by City or the City will approve badges provided by vendor.
5. Each vendor must post the license issued by the City of St. Joseph in a prominent location.
6. County Health Department Certification required for all food sales; City Vending License must be consistent with County Certificate.
7. If your business requires the use of weighing or measuring devices, you must submit a certificate from the State Inspector of Weights, Scales & Measures.

By signing this application, you affirm that the information provided is accurate and truthful to the best of your knowledge.

Signature of Applicant [Signature] Date 02/04/25

Photo ID: [checked] Stand Photo Location Map Health Department Certificate [checked] Other Certifications

Appl. Fee: [checked] Ch#/cash: 3524 Date: 2/5/25 Comments:

PS Approval [checked] City Clerk Approval City Commission Approval

Original: City Clerk

Copy: Public Safety Director

Copy: Applicant

Attachment: KT Rasoi - Blossomtime Application_Redacted (10658 : Blossomtime Vendors)



Sales Tax License

Michigan Department of Treasury
Business Taxpayer Services
P.O. Box 30778
Lansing, MI 48909
www.michigan.gov/taxes

VICTUALS INC
KTS RASOI
[REDACTED]
SAINT JOSEPH, MI 49085-9156

Notice Date:	November 16, 2024
Account Number:	93-4425673
Letter ID:	10042562965
Contact Us:	517-636-6925

Below is your Sales Tax License. The licensee is required to ensure the sales tax license is displayed or readily available on premises. Treasury will no longer be mailing multiple licenses for businesses with more than one location. To obtain another Sales Tax License and 24/7 access to your business information please visit mto.treasury.michigan.gov.

The account number on the sales tax license is your business Federal Employer Identification Number (FEIN). If you do not have an FEIN, Treasury has assigned you a 9-character account number beginning with "TR".

You must notify the Michigan Department of Treasury of any changes to your business ownership, address or FEIN. To update any existing business information please visit Michigan Treasury Online (MTO) at mto.treasury.michigan.gov.

Note: The expiration date for the sales tax license coincides with the calendar year it is issued for.

CUT ALONG THIS LINE

164 (Rev. 4-19)

STATE OF MICHIGAN

DEPARTMENT OF TREASURY

Sales Tax License

VICTUALS INC
KTS RASOI
[REDACTED]
SAINT JOSEPH, MI 49085-9156



Account Number: 93-4425673
Expiration Date: December 31, 2025

Issued under authority of P.A. 167 of 1933, as amended.



Attachment: KT Rasoi - Blossomtime Application_Redacted (10658 : Blossomtime Vendors)

Expires: 04/30/2025

Issued To: **KT'S RASOI**
[Redacted] 49085-9166

State of Michigan
Department of Agriculture &
Rural Development
Food and Dairy Division

SFE-1111-357366

**FOOD SERVICE - FIXED
ESTABLISHMENT**

Display for Public View

Responsible Party and Address:

THIRIAN KANTA REDDY
[Redacted]
SAINT JOSEPH MI 49085-9142



Dr. Tim Boring
Director

Issued by the Michigan Department of
Agriculture and Rural Development to
operate a Food Service Establishment in
accordance with provisions of Act 92,
P.A. of 2010, as amended.

This license is not transferable.

Failure to post in a conspicuous place in
a restaurant. (See Section 4119)

Notify the Local Health Department
before a change of ownership. (See
Section 4123)

Direct inquiries to the Berrien County
Health Department

Attachment: KT Rasoi - Blossomtime Application_Redacted (10658 : Blossomtime Vendors)



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Abby Bishop, City Clerk

RE: New Board Appointment

MEETING DATE: April 7, 2025

As part of the Consent Agenda, the City Commission is being asked to consider the panel's recommendation to appoint the following resident who is committed to the community and wishes to serve on the respective board.

New Appointment:

BOARD	NAME	EXPIRES ON
Library Board	Meredith Sharwarko	April 30, 2026

Action requested: Motion to approve, as part of the consent agenda, the appointment of the above-listed member to the respective board.

ATTACHMENTS:

- Meredith Sharwarko - Library Board_Redacted (PDF)



CITY OF ST. JOSEPH
CITY CLERK'S OFFICE
700 Broad Street
St. Joseph, MI 49085
Phone (269)983-6325
Fax (269) 985-0347
www.sjcity.com
clerk@sjcity.com

APPLICATION FOR APPOINTMENT TO A BOARD, COMMISSION or COMMITTEE

Thank you for your interest in serving the City of St. Joseph. In order for the City Commission to evaluate Board, Commission or Committee appointments, this application needs to be completed and returned to the City Clerk's Office. For additional space, feel free attach additional pages, if necessary. This application will be kept current for one (1) year from the date it was submitted; a new application is necessary annually.

Name: Meredith Sharwarko Date: 03/20/2025

Home Address: [Redacted] St. Joseph MI 49085

Primary Telephone Number: [Redacted] Secondary Number: _____

E-mail Address: [Redacted]

Please indicate which Board(s), Commission(s) or Committee(s) you are interested in serving as a member. Please indicate your choices with number "1" representing your first choice, number "2" representing your second choice, etc.:

- | | |
|---|--|
| <input type="checkbox"/> Airport Authority Board | <input checked="" type="checkbox"/> Library Board |
| <input type="checkbox"/> Board of Review | <input type="checkbox"/> Municipal Officers Compensation Board |
| <input type="checkbox"/> Brownfield Redevelopment Authority | <input type="checkbox"/> Parks and Recreation Advisory Board |
| <input type="checkbox"/> Cemetery Board | <input type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Construction Board of Appeals AND
Property Maintenance Board of Appeals | <input type="checkbox"/> Recreational Harbor Authority |
| <input type="checkbox"/> Downtown Development Authority | <input type="checkbox"/> Retirement System Board |
| <input type="checkbox"/> Housing Development Authority | <input type="checkbox"/> Sustainability Committee |
| <input type="checkbox"/> Joint Waste Water Treatment Board | <input type="checkbox"/> Water Services Joint Operation Board |
| | <input type="checkbox"/> Zoning Board of Appeals |
| | Other: _____ |

Please provide availability: Morning Afternoon Evening

Mondays Tuesdays Wednesdays Thursdays Fridays

Attachment: Meredith Sharwarko - Library Board_Redacted (10665 : New Board Appointment)

Please explain why you want to serve as member of a Board, Commission or Committee?

Serving on a board is a small way to invest in my community. I'm specifically applying for the library board because I believe access to a safe place to discover, learn, and grow forms engaged citizens and lifelong learners. Public libraries support strong communities.

What training, experience or other qualifications do you have which may help to strengthen the membership of a Board, Commission or Committee?

As an active Maude Preston library patron, mother of a young child and someone with extensive experience in strategic planning, program growth, marketing and non-profit fundraising, I believe I can contribute a unique perspective to the library board.

If you are interested in serving on a particular Board, Commission or Committee, in your own words, what should be the function of that Board, Commission or Committee?

Boards should help advise, guide, and grow the municipality they serve and not hinder operations.

Have you been able to review an agenda packet or attend a meeting?

Yes. (January & February 2025 minutes are

If training is available free of cost to you, would you attend?

Yes.

not available

Please feel free to share additional information or thoughts.

Though I've only been part of this community for a few years, I've come to love it! It would be an honor to have the opportunity to give back in this way. Thank you for your consideration. -Meredith



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Abby Bishop, City Clerk

RE: Board Reappointments

MEETING DATE: April 7, 2025

The City Commission is being asked to consider the reappointment of the following citizens who are currently serving on a City board and have terms that expire on April 30, 2025. They are committed to our City and wish to continue serving on their respective boards.

NAME OF BOARD	NAME OF MEMBER	TERM EXPIRES	FIRST APPOINTED
Board of Review	Michael Lieberman	April 30, 2026	Oct. 12, 2012
Board of Review	Michael Garey	April 30, 2026	Jan. 10, 2022
Board of Review	Robert Judd	April 30, 2026	July 1, 2021
Brownfield Redevelopment Authority	Lorraine Thomas	April 30, 2027	Jul. 1, 2015
Construction Board of Appeals	Robert Andrew	April 30, 2027	June 1, 2000
Construction Board of Appeals	Thomas Bussey	April 30, 2027	April 1, 2017
Construction Board of Appeals	Tim Johnson	April 30, 2027	April 23, 2018
Housing Commission	Deborah Korocho	April 30, 2030	April 22, 2024
Housing Commission	Robert Sykora	April 30, 2030	Sept. 30, 2024
Library Board	Claudia Staude	April 30, 2028	Mar. 25, 2024
Planning Commission	Becky Rice	April 30, 2028	Feb. 1, 2006
Planning Commission	Sean Ebbert	April 30, 2029	Mar. 1, 2007
Planning Commission	Michael Plichta	April 30, 2028	Oct. 9, 2023
Property Maintenance Board of Appeals	Thomas Bussey	April 30, 2029	Apr. 1, 2017
Recreational Harbor Authority	Michael Dumke	April 30, 2027	Aug. 1, 1998
Recreational Harbor Authority	Kenneth Zimmerman	April 30, 2027	May 1, 1999
Zoning Board of Appeals	Sean Ebbert	April 30, 2028	May 1, 2004

If the above reappointments are made, the following vacancies will remain, including both current vacancies and vacancies following the expiration on April 30th of the terms of current members who have elected not to renew their positions:

- Cemetery Board - One position, term ending April 30, 2025
- Joint Wastewater Treatment Board - One position, term ending April 30, 2028
- Library Board - One Position, term ending April 30, 2026

Action Item (ID # 10657)

Meeting of April 7, 2025

- Municipal Officers Compensation Commission - One position, term ending October 31, 2024
- Sustainability Committee - One position, term ending April 30, 2025

Action requested: Motion to approve, as part of the Consent Agenda, the reappointment of the above-listed members to their respective boards.



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Greg Grothous, Director of Public Works

RE: Bluff Stairs Mural Request

MEETING DATE: April 7, 2025

St. Joseph Today has placed a tempera painted mural on the Lake Bluff Park / Broad Street stairs five out of the last six years with 2020 being the exception. Each year the mural has been very well received by the community. Intending to build on that success, St. Joseph Today has once again requested to place a mural on the stairs this year.

St. Joseph Today Executive Director Paul Knapp presented the request to the Parks and Recreation Advisory Board during its March 20 meeting. The Parks and Recreation Advisory Board recommended the City Commission approve St. Joseph Today's request to place a mural on the Lake Bluff Park stairs.

As in the past, the mural would be on the stair risers only, so it would be visible to viewers below the bluff looking toward the downtown. It would not be visible to people looking down from the bluff, and there would be no paint on the stair treads, so it would not distract people going down the stairs and the paint would not change the texture of the stairs or make them slippery.

Action Requested: Motion to approve, as part of the consent agenda, placement of a temporary mural on the stairs in Lake Bluff Park by St. Joseph Today for 2025, as requested.

ATTACHMENTS:

- Stair Mural 2025 (PDF)



Attachment: Stair Mural 2025 (10579 : Bluff Stairs Mural Request - St. Joseph Today)



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Ben Reynnells, Finance Director

RE: St. Joseph Housing Commission Monthly Update

MEETING DATE: April 7, 2025

As part of the consent agenda, please consider approval of the St. Joseph Housing Commission monthly financial update, per the deficit elimination plan requirements.

On February 18, 2025 the St. Joseph Housing Commission approved their deficit elimination plan, per PA 140 of 1971. And on February 24, 2025 the St. Joseph Housing Commission deficit elimination plan was approved by the City Commission to meet the PA 140 of 1971 requirements. On March 14, 2025 the State of Michigan Department of Treasury Local Audit and Finance Division approved the plan as well.

As stipulated in the plan, the Housing Commission will provide monthly financial updates regarding the status of their plan through fiscal years 2025 and 2026.

Attached are the monthly financial reports for the St. Joseph Housing Commission for the month of February 2025. As well as the approval letter from the State of Michigan Department of Treasury Local Audit and Finance Division.

The Current Assets total \$299,207.31
 The Current Liabilities total \$ 95,353.08

To meet the requirements of the deficit elimination plan, the current assets need to be more than the current liabilities at year end, for this year and next. The current year end projections indicate that the yearend current assets will be more than the current liabilities.

Action requested: Motion to approve, as part of the consent agenda, the St. Joseph Housing Commission monthly financial update, per the deficit elimination plan requirements.

ATTACHMENTS:

- 2025 03-14 St. Joseph, City of (11-2-070) DEP Approval (FY 2024) (PDF)
- February 2025 Bank rec (PDF)
- February 2025 Financials (PDF)



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

March 14, 2025

**Deficit Elimination Plan
Approval**

Municipality Code: 11-2-070
APR Form ID Number: 133575
Report ID Number: 164708

Sent Via Email

Chief Administrative Officer
City of St. Joseph
financedirector@sjcity.com

Dear Chief Administrative Officer:

We have evaluated your deficit elimination plan that corrects the deficit condition in one or more of the following funds for the fiscal year ending in 2024:

- Housing Commission

The plan, as submitted under the requirements of the Glenn Steil State Revenue Sharing Act, Public Act 140 of 1971, Section 21(2), is projected to correct the deficit condition of the above-mentioned fund(s).

If you would like to speak with a member of our team, please email our office at Treas_MunicipalFinance@Michigan.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Cary Jay Vaughn".

Cary Jay Vaughn, CPA, Administrator
Local Audit and Finance Division

**St. Joseph Housing Commission
Bank Account Reconciliation Worksheet**

9.b

General Checking

February 1, 2025 - February 28, 2025

Reference	Date	GL Account	Description	Amount
Bank Statement Information				
				Beginning Bank Balance
				262,005.8
Cleared Deposits & Additions				
CR104	02/28/25	Multiple	February Cash Receipts	49,261.8
				Total
				49,261.8
				Statement Total
				49,261.8
				Difference
				0.0
Cleared Checks & Payments				
1034	02/04/25	10195200	SecurAlarm	55.0
1035	02/05/25	10191600	Google	57.8
1036	02/05/25	10193300	Michigan Gas	10,250.4
1037	02/14/25	Multiple	Payroll 1/14/25	6,225.1
1038	02/18/25	10194300.01	Republic Services	989.9
1039	02/25/25	10191600.1	Verizon	120.9
1040	02/27/25	10191600.1	AT&T	184.9
1041	02/28/25	Multiple	Payroll 2/28/25	6,252.1
1042	02/28/25	10191600	Bank Fees	62.7
1043	02/28/25	101321	City of St Joeseph	12,138.2
1044	02/13/25	10193200	American Electric Power	5,573.0
14792	01/10/25	10196110	Housing Insurance Services	2,770.0
14793	01/10/25	10194200	KSS Enterprises	95.9
14794	01/23/25	10194200	Bank of America	146.0
14795	01/23/25	10191600	Doubleday Office Products	44.0
14796	01/23/25	10194300.09	K.A.L. Pest Solutions	518.0
14798	01/23/25	10191600.2	PC Services	150.0
14799	01/23/25	10191400	The Herald	132.0
14800	01/28/25	10196110	Housing Insurance Services	11,154.0
14801	01/28/25	10191600	Doubleday Office Products	2,085.0
14803	02/18/25	10194300.03	Evergreen Lawn Care	5,520.0
14805	02/18/25	10191600.1	Indiana Electronics & Communications	281.7
14806	02/18/25	10191600.2	Parrett Company	108.5
14807	02/18/25	10194300.02	R.W. LaPine, Inc	7,794.2
14809	02/18/25	10196200	Wind, Water, and Energy	1,089.7
				Total
				73,799.3
				Statement Total
				73,799.3
				Difference
				0.0
				Ending Bank Balance
				237,468.3
Reconciled Bank Information				
				Ending Bank Balance
				237,468.3
Open Deposits & Additions				
				Total
				0.0
Open Checks & Payments				
14802	02/18/25	10194200	Enerco Corporation	1,458.0
14804	02/18/25	101142	HDS LLC	5,088.0
14808	02/18/25	10194300.12	Summit Fire Protection	687.0
14810	02/18/25	101341	David Newton	75.0
				Total
				7,308.0
				Reconciled Bank Balance
				230,160.3
General Ledger Information				
				Unadjusted General Ledger Balance
				230,160.3
Adjustments				

Attachment: February 2025 Bank rec (10661 : St. Joseph Housing Commission Monthly Update)

St. Joseph Housing Commission
Bank Account Reconciliation Worksheet

General Checking

February 1, 2025 - February 28, 2025

Reference	Date	GL Account	Description	Amount
				Total _____ 0.0
				Adjusted General Ledger Balance _____ 230,160.3

Bank Account Reconciliation Summary

Bank Statement Information

Beginning Bank Balance	262,005.8
+ Cleared Deposits & Additions	49,261.8
- Cleared Checks & Payments	73,799.3
Ending Bank Balance	237,468.3

Reconciled Bank Information

+ Open Deposits & Additions	0.0
- Open Checks & Payments	7,308.0

Reconciled Bank Balance _____ 230,160.3

General Ledger Information

Unadjusted General Ledger Balance	230,160.3
+/- Total Adjustments	0.0

Adjusted General Ledger Balance _____ 230,160.3

Unreconciled Amount _____ 0.0

- Cleared Deposits & Additions count = 1
- Cleared Checks & Payments count = 25
- Open Deposits & Additions count = 0
- Open Checks & Payments count = 4
- General Ledger Adjustment count = 0

Attachment: February 2025 Bank rec (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
Bank Account Reconciliation Worksheet**

SD Checking
February 1, 2025 - February 28, 2025

Reference	Date	GL Account	Description	Amount
Bank Statement Information				
			Beginning Bank Balance	36,321.00
Cleared Deposits & Additions				
			Total	0.00
			Statement Total	0.00
			Difference	0.00
Cleared Checks & Payments				
			Total	0.00
			Statement Total	0.00
			Difference	0.00
			Ending Bank Balance	0.00
Reconciled Bank Information				
			Ending Bank Balance	0.00
Open Deposits & Additions				
			Total	0.00
Open Checks & Payments				
			Total	0.00
			Reconciled Bank Balance	0.00
General Ledger Information				
			Unadjusted General Ledger Balance	0.00
Adjustments				
			Total	0.00
			Adjusted General Ledger Balance	0.00
Bank Account Reconciliation Summary				
Bank Statement Information				
			Beginning Bank Balance	36,321.00
			+ Cleared Deposits & Additions	0.00
			- Cleared Checks & Payments	0.00
			Ending Bank Balance	0.00
Reconciled Bank Information				
			+ Open Deposits & Additions	0.00
			- Open Checks & Payments	0.00
			Reconciled Bank Balance	0.00
General Ledger Information				
			Unadjusted General Ledger Balance	0.00
			+/- Total Adjustments	0.00
			Adjusted General Ledger Balance	0.00
Unreconciled Amount				
				0.00

Attachment: February 2025 Bank rec (10661 : St. Joseph Housing Commission Monthly Update)

Cleared Deposits & Additions count = 0
 Cleared Checks & Payments count = 0
 Open Deposits & Additions count = 0
 Open Checks & Payments count = 0
 General Ledger Adjustment count = 0

St. Joseph Housing Commission
Bank Account Reconciliation Worksheet

SD Checking
February 1, 2025 - February 28, 2025

Reference	Date	GL Account
-----------	------	------------

Attachment: February 2025 Bank rec (10661 : St. Joseph Housing Commission Monthly Update)

To the Board of Commissioners
And Management:

St. Joseph Housing Commission
Low Rent Public Housing
MI

Enclosed are the following reports for the month ending February 28, 2025. These reports have been compiled in accordance with Generally Accepted Accounting Principles (GAAP):

- I. Financial Statements
- II. Journal Register
- III. General Ledger

A compilation is limited to presenting in the form of financial statements information that is the representation of management. We have not audited or reviewed the accompanying financial statements and, accordingly, do not express an opinion or any other form of assurance on them. This report is offered as a review of your past operations and is a basis for decisions for your future policies. All information included in these financial statements is the representation of the management of St. Joseph Housing Commission.

Respectfully Submitted:

Housing Authority Accounting Specialists, Inc.

**St. Joseph Housing Commission
Low Rent Public Housing
Balance Sheet
As of February 28, 2025**

ASSETS

CURRENT ASSETS

Cash

110 - General Checking	\$ 230,160.32
111 - Cash	2,953.37
114 - Cash-Tenant SD Acct	36,321.05
115 - Petty Cash	<u>250.00</u>

Total Cash 269,684.74

Receivables

126 - Accounts Receivable-Tenants	7,883.87
126.1 - Allowance for Doubtful Accts	<u>(4,362.89)</u>

Total Receivables 3,520.98

Other Current Assets

142 - Prepaid Expenses	5,088.00
143 - Inventories	17,361.77
143.1 - Allowance for Obsolete Inventory	(1,736.18)
144 - Inter program Due From	<u>5,288.00</u>

Total Other Current Assets 26,001.59

TOTAL CURRENT ASSETS 299,207.31

NONCURRENT ASSETS

Capital Assets

161 - Land	19,800.00
162 - Buildings	6,006,512.22
163 - Dwelling Equipment	33,900.00
164 - Administrative Equipment	130,081.27
166 - Accumulated Depreciation	(4,597,093.24)
167 - Construction in Progress	<u>4,875,645.00</u>

Total Capital Assets 6,468,845.25

Other Noncurrent Assets

174 - Other Asset	6,601.10
200 - Deferred Outflow of Resources	<u>30,282.55</u>

Total Other Noncurrent Assets 36,883.65

TOTAL NONCURRENT ASSETS 6,505,728.90

TOTAL ASSETS \$ 6,804,936.21

**St. Joseph Housing Commission
Low Rent Public Housing
Balance Sheet
As of February 28, 2025**

LIABILITIES AND EQUITY

LIABILITIES

Current Liabilities

321 - Accrued Wages/Payroll Taxes	\$	900.00
322 - Accrued Compensated Absences		1,736.61
333 - Accounts Payable-Other Govnt		17,749.22
341 - Tenant Security Deposits		<u>35,387.33</u>

Total Current Liabilities

55,773.16

Noncurrent Liabilities

354 - Accrued Compensated Absences-LT		578.87
357 - Net Pension Liability		29,887.88
400 - Deferred Inflows		<u>9,113.17</u>

Total Noncurrent Liabilities

39,579.92

TOTAL LIABILITIES

95,353.08

EQUITY

508.1 - Net Investment in Capital Assets		<u>5,913,507.95</u>
--	--	---------------------

Unrestricted Net Position

512.1 - Unrestricted Net Position		(56,249.98)
Current Year Profit/(Loss) - Public Housing		297,926.26
Current Year Profit/(Loss) - CFP		<u>554,398.90</u>

Total Unrestricted Net Position

796,075.18

TOTAL EQUITY

6,709,583.13

TOTAL LIABILITIES/EQUITY

\$ 6,804,936.21

**St. Joseph Housing Commission
Low Rent Public Housing
Statement of Revenue & Expense
For the 1 Month and 11 Months Ended February 28, 2025**

	1 Month Ended	11 Months Ended		
	<u>February 28, 2025</u>	<u>February 28, 2025</u>	<u>BUDGET</u>	<u>VARIANCE</u>
Operating Revenue				
Tenant Rental Revenue				
70300 - Tenant Rental Revenue	\$ 36,790.00	\$ 412,762.32	\$ 389,680	\$ (23,082.32)
70400 - Other Tenant Revenue	216.50	2,529.30	4,400	1,870.70
70400.1 - Excess Utilities	<u>0.00</u>	<u>2,771.00</u>	<u>0</u>	<u>(2,771.00)</u>
Total Tenant Rental Revenue	37,006.50	418,062.62	394,080	(23,982.62)
HUD PHA Grant Revenue				
70600 - HUD PHA Operating Grant	<u>10,898.00</u>	<u>312,455.37</u>	<u>208,971</u>	<u>(103,484.37)</u>
Total HUD PHA Grant Revenue	10,898.00	312,455.37	208,971	(103,484.37)
Other Revenue				
71100 - Investment Revenue	50.50	391.84	720	328.16
71500 - Other Revenue	0.00	34,659.96	12,060	(22,599.96)
71500.1 - Nondwelling Rent	<u>1,658.88</u>	<u>18,033.63</u>	<u>19,910</u>	<u>1,876.37</u>
Total Other Revenue	1,709.38	53,085.43	32,690	(20,395.43)
Total Operating Revenue	<u>\$ 49,613.88</u>	<u>\$ 783,603.42</u>	<u>\$ 635,741</u>	<u>\$ (147,862.42)</u>
Operating Expenses				
Administration				
91100 - Administrative Salaries	\$ 7,301.32	\$ 86,304.29	\$ 99,520	\$ 13,215.71
91200 - Auditing	0.00	7,500.00	8,000	500.00
91400 - Advertising	0.00	256.50	1,000	743.50
91500 - Administrative Benefits	523.81	21,553.75	47,750	26,196.25
91600 - Office Expenses	130.30	15,825.51	15,800	(25.51)
91600.1 - Communication Expense	587.61	12,384.23	7,000	(5,384.23)
91600.2 - Administrative Service Contracts	108.58	13,021.95	7,000	(6,021.95)
91700 - Legal	0.00	9,886.00	17,500	7,614.00
91800 - Travel	0.00	0.00	500	500.00
91900 - Other-Accounting	<u>0.00</u>	<u>5,018.00</u>	<u>4,030</u>	<u>(988.00)</u>
Total Administration	8,651.62	171,750.23	208,100	36,349.77
Tenant Services				
92200 - Relocation Costs	0.00	600.00	0	(600.00)
92400 - Tenant Services	<u>0.00</u>	<u>0.00</u>	<u>1,230</u>	<u>1,230.00</u>
Total Tenant Services	0.00	600.00	1,230	630.00

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

St. Joseph Housing Commission
Low Rent Public Housing
Statement of Revenue & Expense
For the 1 Month and 11 Months Ended February 28, 2025

	<u>1 Month Ended</u> <u>February 28, 2025</u>	<u>11 Months Ended</u> <u>February 28, 2025</u>	<u>BUDGET</u>	<u>VARIANCE</u>
Utilities				
93100 - Water	0.00	6,220.84	12,420	6,199.16
93200 - Electricity	5,573.01	51,764.08	52,440	675.92
93300 - Gas	10,250.48	35,989.69	29,400	(6,589.69)
93600 - Sewer	0.00	9,755.07	17,220	7,464.93
93800 - Other Utilities Expense	0.00	4,475.82	17,850	13,374.18
Total Utilities	<u>15,823.49</u>	<u>108,205.50</u>	<u>129,330</u>	<u>21,124.50</u>
Ordinary Maint. & Operations				
94100 - Maintenance Salaries	4,535.00	45,546.63	63,700	18,153.37
94200 - Materials	1,458.00	5,502.30	27,000	21,497.70
94300.01 - Garbage	989.94	10,137.39	7,500	(2,637.39)
94300.02 - Heating & Cooling Contracts	7,794.23	32,043.57	23,000	(9,043.57)
94300.03 - Snow Removal	5,520.00	5,520.00	3,500	(2,020.00)
94300.04 - Elevator Maintenance Contracts	0.00	20,251.53	30,000	9,748.47
94300.05 - Landscape & Grounds	0.00	8,705.44	10,000	1,294.56
94300.07 - Electrical Contracts	0.00	8,662.08	10,000	1,337.92
94300.08 - Plumbing Contracts	0.00	5,770.68	3,000	(2,770.68)
94300.09 - Extermination Contracts	0.00	5,068.00	15,000	9,932.00
94300.10 - Janitorial Contracts	0.00	832.00	0	(832.00)
94300.11 - Routine Maint. Contracts	0.00	0.00	2,000	2,000.00
94300.12 - Misc. Maintenance Contracts	687.00	16,677.71	9,000	(7,677.71)
94500 - Maintenance Benefits	317.15	7,192.11	6,390	(802.11)
95200 - Protective Service Contracts	55.00	528.50	1,380	851.50
Total Ordinary Maint. & Oper	<u>21,356.32</u>	<u>172,437.94</u>	<u>211,470</u>	<u>39,032.06</u>
Insurance & General Expense				
96110 - Property Insurance	0.00	47,386.00	40,000	(7,386.00)
96120 - Liability Insurance	0.00	3,708.76	11,000	7,291.24
96130 - Workers Comp Insurance	0.00	543.81	3,500	2,956.19
96140 - All Other Insurance	0.00	4,624.24	0	(4,624.24)
96200 - Other General Expenses	1,089.73	2,659.21	0	(2,659.21)
96210 - Compensated Absences	0.00	0.00	9,930	9,930.00
96300 - Payments in Lieu of Taxes	0.00	17,749.22	18,590	840.78
96400 - Bad Debt - Tenants	0.00	0.00	1,500	1,500.00
Total Insurance & General Expense	<u>1,089.73</u>	<u>76,671.24</u>	<u>84,520</u>	<u>7,848.76</u>
Total Operating Expenses	<u>46,921.16</u>	<u>529,664.91</u>	<u>634,650</u>	<u>104,985.09</u>
Operating Income (Loss)	<u>2,692.72</u>	<u>253,938.51</u>	<u>1,091</u>	<u>(252,847.51)</u>
Other Expenses				
Total Other Expenses	0.00	0.00	0	0.00
Other Financial Items				
10010 - CFP Operating Transfers	0.00	43,987.75	\$ 0	(43,987.75)
Total Other Financial Items	0.00	43,987.75	0	(43,987.75)
Total Net Income (Loss)	<u>\$ 2,692.72</u>	<u>\$ 297,926.26</u>	<u>\$ 1,091</u>	<u>\$ (296,835.26)</u>
Capital Expenditures				
11620 - Buildings	0.00	698.40	0.00	(698.40)
Total Capital Expenditures	0.00	698.40	0	(698.40)

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
Capital Fund Grants
Statement of Revenue & Expense
For the 1 Month and 11 Months Ended February 28, 2025**

	1 Month Ended	11 Months Ended
	<u>February 28, 2025</u>	<u>February 28, 2025</u>
Operating Revenue		
HUD PHA Grant Revenue		
70600 - HUD PHA Operating Grant	\$ 0.00	\$ 43,987.75
70610 - CFP Capital Grants	<u>0.00</u>	<u>554,398.90</u>
Total HUD PHA Grant Revenue	0.00	598,386.65
Total Operating Revenue	<u>\$ 0.00</u>	<u>\$ 598,386.65</u>
Operating Expenses		
Administration		
Total Administration	0.00	0.00
Ordinary Maint. & Operations		
Total Ordinary Maint. & Oper	0.00	0.00
Total Operating Expenses	<u>0.00</u>	<u>0.00</u>
Other Financial Items		
10010 - CFP Operating Transfers	<u>0.00</u>	<u>43,987.75</u>
Total Other Financial Items	0.00	43,987.75
Net Income/(Loss)	<u>\$ 0.00</u>	<u>\$ 554,398.90</u>
Capital Expenditures		
11620 - Buildings	<u>0.00</u>	<u>554,398.90</u>
Total Capital Expenditures	0.00	554,398.90

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

St. Joseph Housing Commission CAPITAL FUND PROGRAM

	1 Month Ended February 28, 2025	Cumulative February 28, 2025	BUDGET	BALANCE
2023 CFP Grant				
MI28P046501-23				
CFP Expenditures				
1406 - Operations	0.00	42,419.00	42,419	0.00
1480 - General Capital Activity	0.00	127,793.00	127,793	0.00
Total Capital Funds Expended	<u>\$ 0.00</u>	<u>\$ 170,212.00</u>	<u>\$ 170,212</u>	<u>\$ 0.00</u>
Grant Funding	0.00	170,212.00	170,212	0.00
Over/(Under) Funding	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>
2024 CFP Grant				
MI28P046501-24				
CFP Expenditures				
1000 - Reserved	0.00	0.00	433	433.00
1406 - Operations	0.00	43,987.75	43,988	0.00
1480 - General Capital Activity	0.00	0.00	131,963	131,963.00
Total Capital Funds Expended	<u>\$ 0.00</u>	<u>\$ 43,987.75</u>	<u>\$ 176,384</u>	<u>\$ 132,396.00</u>
Grant Funding	0.00	43,987.75	176,384	132,396.00
Over/(Under) Funding	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>	<u>\$ 0.00</u>

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
Journals**

February 1, 2025 - February 28, 2025

Date	Reference	Account	Description	Amount
Journal: Cash Disbursements				
02/04/25	1034	101110	SecurAlarm	(55.00)
02/04/25	1034	10195200	SecurAlarm	55.00
02/05/25	1035	101110	Google	(57.60)
02/05/25	1035	10191600	Google	57.60
02/05/25	1036	101110	Michigan Gas	(10,250.48)
02/05/25	1036	10193300	Michigan Gas	10,250.48
02/14/25	1037	101110	Payroll 1/14/25	(6,225.18)
02/14/25	1037	10191100	Payroll 1/14/25	3,650.66
02/14/25	1037	10191500	Payroll 1/14/25	261.90
02/14/25	1037	10194100	Payroll 1/14/25	2,255.00
02/14/25	1037	10194500	Payroll 1/14/25	157.62
02/14/25	1037	101321	Payroll 1/14/25	(100.00)
02/18/25	1038	101110	Republic Services	(989.94)
02/18/25	1038	10194300.01	Republic Services	989.94
02/25/25	1039	101110	Verizon	(120.90)
02/25/25	1039	10191600.1	Verizon	120.90
02/27/25	1040	101110	AT&T	(184.97)
02/27/25	1040	10191600.1	AT&T	184.97
02/28/25	1041	101110	Payroll 2/28/25	(6,252.10)
02/28/25	1041	10191100	Payroll 2/28/25	3,650.66
02/28/25	1041	10191500	Payroll 2/28/25	261.91
02/28/25	1041	10194100	Payroll 2/28/25	2,280.00
02/28/25	1041	10194500	Payroll 2/28/25	159.53
02/28/25	1041	101321	Payroll 2/28/25	(100.00)
02/28/25	1042	101110	Bank Fees	(62.70)
02/28/25	1042	10191600	Bank Fees	62.70
02/28/25	1043	101110	City of St Joeseph	(12,138.20)
02/28/25	1043	101321	City of St Joeseph	12,138.20
02/13/25	1044	101110	American Electric Power	(5,573.01)
02/13/25	1044	10193200	American Electric Power	5,573.01
02/18/25	14802	101110	Enerco Corporation	(1,458.00)
02/18/25	14802	10194200	Enerco Corporation	1,458.00
02/18/25	14803	101110	Evergreen Lawn Care	(5,520.00)
02/18/25	14803	10194300.03	Evergreen Lawn Care	5,520.00
02/18/25	14804	101110	HDS LLC	(5,088.00)
02/18/25	14804	101142	HDS LLC	5,088.00
02/18/25	14805	101110	Indiana Electronics & Communications	(281.74)
02/18/25	14805	10191600.1	Indiana Electronics & Communications	281.74
02/18/25	14806	101110	Parrett Company	(108.58)
02/18/25	14806	10191600.2	Parrett Company	108.58
02/18/25	14807	101110	R.W. LaPine, Inc	(7,794.23)

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

St. Joseph Housing Commission Journals

February 1, 2025 - February 28, 2025

Date	Reference	Account	Description	Amount
02/18/25	14807	10194300.02	R.W. LaPine, Inc	7,794.23
02/18/25	14808	101110	Summit Fire Protection	(687.00)
02/18/25	14808	10194300.12	Summit Fire Protection	687.00
02/18/25	14809	101110	Wind, Water, and Energy	(1,089.73)
02/18/25	14809	10196200	Wind, Water, and Energy	1,089.73
02/18/25	14810	101110	David Newton	(75.00)
02/18/25	14810	101341	David Newton	75.00
Transaction Balance for Cash Disbursements				0.00
Journal: Cash Receipts				
02/28/25	CR104	101110	February Cash Receipts	49,261.81
02/28/25	CR104	10170600	February Op Subsidy	(10,898.00)
02/28/25	CR104	101126	February TAR Collections	(36,655.00)
02/28/25	CR104	10171500.1	Tower Rent	(1,658.88)
02/28/25	CR104	10171100	Interest on Checking	(49.93)
Transaction Balance for Cash Receipts				0.00
Journal: Journal Entries				
02/28/25	JE307	10171100	To record interest and fees on acct	(0.57)
02/28/25	JE307	10191600	To record interest and fees on acct	10.00
02/28/25	JE307	101111	To record interest and fees on acct	(9.43)
02/28/25	JE308	10170300	To record charges to tenants per MSO	(36,790.00)
02/28/25	JE308	10170400	To record charges to tenants per MSO	(249.00)
02/28/25	JE308	101126	To record charges to tenants per MSO	37,039.00
02/28/25	JE308	101341	To record charges to tenants per MSO	(32.50)
02/28/25	JE308	10170400	To record charges to tenants per MSO	32.50
02/28/25	RT1	1011190	To record units and available and leased for current month	106.00
02/28/25	RT1	1011190.1	To record units and available and leased for current month	(106.00)
02/28/25	RT1	1011191	To record units and available and leased for current month	98.00
02/28/25	RT1	1011191.1	To record units and available and leased for current month	(98.00)
Transaction Balance for Journal Entries				0.00

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

St. Joseph Housing Commission

General Ledger

February 1, 2025 - February 28, 2025

Date	Reference	Journal	Description	Beginning Balance	Current Amount	Period I Balai
101110	General Checking			244,910.87		
02/04/25	1034	1	SecurAlarm		(55.00)	
02/05/25	1035	1	Google		(57.60)	
02/05/25	1036	1	Michigan Gas		(10,250.48)	
02/13/25	1044	1	American Electric Power		(5,573.01)	
02/14/25	1037	1	Payroll 1/14/25		(6,225.18)	
02/18/25	1038	1	Republic Services		(989.94)	
02/18/25	14802	1	Enerco Corporation		(1,458.00)	
02/18/25	14803	1	Evergreen Lawn Care		(5,520.00)	
02/18/25	14804	1	HDS LLC		(5,088.00)	
02/18/25	14805	1	Indiana Electronics & Communications		(281.74)	
02/18/25	14806	1	Parrett Company		(108.58)	
02/18/25	14807	1	R.W. LaPine, Inc		(7,794.23)	
02/18/25	14808	1	Summit Fire Protection		(687.00)	
02/18/25	14809	1	Wind, Water, and Energy		(1,089.73)	
02/18/25	14810	1	David Newton		(75.00)	
02/25/25	1039	1	Verizon		(120.90)	
02/27/25	1040	1	AT&T		(184.97)	
02/28/25	1041	1	Payroll 2/28/25		(6,252.10)	
02/28/25	1042	1	Bank Fees		(62.70)	
02/28/25	1043	1	City of St Joeseph		(12,138.20)	
02/28/25	CR104	2	February Cash Receipts		49,261.81	
			Totals for 101110		<u>(14,750.55)</u>	<u>230,160.</u>
101111	Cash			2,962.80		
02/28/25	JE307	3	To record interest and fees on acct		(9.43)	
			Totals for 101111		<u>(9.43)</u>	<u>2,953.</u>
101114	Cash-Tenant SD Acct			36,321.05		
			Totals for 101114		<u>0.00</u>	<u>36,321.</u>
101115	Petty Cash			250.00		
			Totals for 101115		<u>0.00</u>	<u>250.</u>
101126	Accounts Receivable-Tenants			7,499.87		
02/28/25	CR104	2	February TAR Collections		(36,655.00)	
02/28/25	JE308	3	To record charges to tenants per MSO		37,039.00	
			Totals for 101126		<u>384.00</u>	<u>7,883.</u>
101126.1	Allowance for Doubtful Accts			(4,362.89)		
			Totals for 101126.1		<u>0.00</u>	<u>(4,362.)</u>
101142	Prepaid Expenses			0.00		
02/18/25	14804	1	HDS LLC		5,088.00	
			Totals for 101142		<u>5,088.00</u>	<u>5,088.</u>
101143	Inventories			17,361.77		
			Totals for 101143		<u>0.00</u>	<u>17,361.</u>
101143.1	Allowance for Obsolete Inventory			(1,736.18)		
			Totals for 101143.1		<u>0.00</u>	<u>(1,736.)</u>
101144	Inter program Due From			5,288.00		
			Totals for 101144		<u>0.00</u>	<u>5,288.</u>
101161	Land			19,800.00		
			Totals for 101161		<u>0.00</u>	<u>19,800.00</u>

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
General Ledger**

February 1, 2025 - February 28, 2025

Date	Reference	Journal	Description	Beginning Balance	Current Amount	Period I Balai
101162	Buildings			6,006,512.22		
			Totals for 101162		<u>0.00</u>	<u>6,006,512</u>
101163	Dwelling Equipment			33,900.00		
			Totals for 101163		<u>0.00</u>	<u>33,900</u>
101164	Administrative Equipment			130,081.27		
			Totals for 101164		<u>0.00</u>	<u>130,081</u>
101166	Accumulated Depreciation			(4,597,093.24)		
			Totals for 101166		<u>0.00</u>	<u>(4,597,093</u>
101167	Construction in Progress			4,875,645.00		
			Totals for 101167		<u>0.00</u>	<u>4,875,645</u>
101174	Other Asset			6,601.10		
			Totals for 101174		<u>0.00</u>	<u>6,601</u>
101200	Deferred Outflow of Resources			30,282.55		
			Totals for 101200		<u>0.00</u>	<u>30,282</u>
101321	Accrued Wages/Payroll Taxes			(12,838.20)		
02/14/25	1037	1	Payroll 1/14/25		(100.00)	
02/28/25	1041	1	Payroll 2/28/25		(100.00)	
02/28/25	1043	1	City of St Joeseph		<u>12,138.20</u>	
			Totals for 101321		<u>11,938.20</u>	<u>(900</u>
101322	Accrued Compensated Absences			(1,736.61)		
			Totals for 101322		<u>0.00</u>	<u>(1,736</u>
101333	Accounts Payable-Other Govnt			(17,749.22)		
			Totals for 101333		<u>0.00</u>	<u>(17,749</u>
101341	Tenant Security Deposits			(35,429.83)		
02/18/25	14810	1	David Newton		75.00	
02/28/25	JE308	3	To record charges to tenants per MSO		<u>(32.50)</u>	
			Totals for 101341		<u>42.50</u>	<u>(35,387</u>
101354	Accrued Compensated Absences-LT			(578.87)		
			Totals for 101354		<u>0.00</u>	<u>(578</u>
101357	Net Pension Liability			(29,887.88)		
			Totals for 101357		<u>0.00</u>	<u>(29,887</u>
101400	Deferred Inflows			(9,113.17)		
			Totals for 101400		<u>0.00</u>	<u>(9,113</u>
101508.1	Net Investment in Capital Assets			(5,913,507.95)		
			Totals for 101508.1		<u>0.00</u>	<u>(5,913,507</u>
101512.1	Unrestricted Net Position			56,249.98		
			Totals for 101512.1		<u>0.00</u>	<u>56,249</u>
701110	General Checking			7,797.49		
			Totals for 701110		<u>0.00</u>	<u>7,797.49</u>

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
General Ledger**

February 1, 2025 - February 28, 2025

Date	Reference	Journal	Description	Beginning Balance	Current Amount	Period I Balai
701347	Interprogram due to			(5,288.00)		
			Totals for 701347		<u>0.00</u>	<u>(5,288.</u>
701512.1	Unrestricted Net Position			(2,509.49)		
			Totals for 701512.1		<u>0.00</u>	<u>(2,509.</u>
1011190	Unit Months Available			1,067.00		
02/28/25	RT1	3	To record units and available and leased for current month		<u>106.00</u>	
			Totals for 1011190		<u>106.00</u>	<u>1,173.</u>
1011190.1	Unit Months Available-contra			(1,067.00)		
02/28/25	RT1	3	To record units and available and leased for current month		<u>(106.00)</u>	
			Totals for 1011190.1		<u>(106.00)</u>	<u>(1,173.</u>
1011191	Unit Months Leased			989.00		
02/28/25	RT1	3	To record units and available and leased for current month		<u>98.00</u>	
			Totals for 1011191		<u>98.00</u>	<u>1,087.</u>
1011191.1	Units Leased-Contra			(989.00)		
02/28/25	RT1	3	To record units and available and leased for current month		<u>(98.00)</u>	
			Totals for 1011191.1		<u>(98.00)</u>	<u>(1,087.</u>
5231406	Operations			42,419.00		
			Totals for 5231406		<u>0.00</u>	<u>42,419.</u>
5231480	General Capital Activity			127,793.00		
			Totals for 5231480		<u>0.00</u>	<u>127,793.</u>
5231600	2023 Funding			170,212.00		
			Totals for 5231600		<u>0.00</u>	<u>170,212.</u>
5239800	CFP Contra			(340,424.00)		
			Totals for 5239800		<u>0.00</u>	<u>(340,424.</u>
5241406	Operations			43,987.75		
			Totals for 5241406		<u>0.00</u>	<u>43,987.</u>
5241600	CFP Funding			43,987.75		
			Totals for 5241600		<u>0.00</u>	<u>43,987.</u>
5249800	CFP Contra			(87,975.50)		
			Totals for 5249800		<u>0.00</u>	<u>(87,975.</u>
10110010	CFP Operating Transfers			(43,987.75)		
			Totals for 10110010		<u>0.00</u>	<u>(43,987.</u>
10111620	Buildings			698.40		
			Totals for 10111620		<u>0.00</u>	<u>698.</u>
10111690	Capital Expense - Contra			(698.40)		
			Totals for 10111690		<u>0.00</u>	<u>(698.</u>

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
General Ledger**

February 1, 2025 - February 28, 2025

Date	Reference	Journal	Description	Beginning Balance	Current Amount	Period I Balance
10170300	Tenant Rental Revenue			(375,972.32)		
02/28/25	JE308	3	To record charges to tenants per MSO		(36,790.00)	
			Totals for 10170300		<u>(36,790.00)</u>	<u>(412,762.)</u>
10170400	Other Tenant Revenue			(2,312.80)		
02/28/25	JE308	3	To record charges to tenants per MSO		(249.00)	
02/28/25	JE308	3	To record charges to tenants per MSO		32.50	
			Totals for 10170400		<u>(216.50)</u>	<u>(2,529.)</u>
10170400.1	Excess Utilities			(2,771.00)		
			Totals for 10170400.1		<u>0.00</u>	<u>(2,771.)</u>
10170600	HUD PHA Operating Grant			(301,557.37)		
02/28/25	CR104	2	February Op Subsidy		(10,898.00)	
			Totals for 10170600		<u>(10,898.00)</u>	<u>(312,455.)</u>
10171100	Investment Revenue			(341.34)		
02/28/25	CR104	2	Interest on Checking		(49.93)	
02/28/25	JE307	3	To record interest and fees on acct		(0.57)	
			Totals for 10171100		<u>(50.50)</u>	<u>(391.)</u>
10171500	Other Revenue			(34,659.96)		
			Totals for 10171500		<u>0.00</u>	<u>(34,659.)</u>
10171500.1	Nondwelling Rent			(16,374.75)		
02/28/25	CR104	2	Tower Rent		(1,658.88)	
			Totals for 10171500.1		<u>(1,658.88)</u>	<u>(18,033.)</u>
10191100	Administrative Salaries			79,002.97		
02/14/25	1037	1	Payroll 1/14/25		3,650.66	
02/28/25	1041	1	Payroll 2/28/25		3,650.66	
			Totals for 10191100		<u>7,301.32</u>	<u>86,304.</u>
10191200	Auditing			7,500.00		
			Totals for 10191200		<u>0.00</u>	<u>7,500.</u>
10191400	Advertising			256.50		
			Totals for 10191400		<u>0.00</u>	<u>256.</u>
10191500	Administrative Benefits			21,029.94		
02/14/25	1037	1	Payroll 1/14/25		261.90	
02/28/25	1041	1	Payroll 2/28/25		261.91	
			Totals for 10191500		<u>523.81</u>	<u>21,553.</u>
10191600	Office Expenses			15,695.21		
02/05/25	1035	1	Google		57.60	
02/28/25	1042	1	Bank Fees		62.70	
02/28/25	JE307	3	To record interest and fees on acct		10.00	
			Totals for 10191600		<u>130.30</u>	<u>15,825.</u>
10191600.1	Communication Expense			11,796.62		
02/18/25	14805	1	Indiana Electronics & Communications		281.74	
02/25/25	1039	1	Verizon		120.90	
02/27/25	1040	1	AT&T		184.97	
			Totals for 10191600.1		<u>587.61</u>	<u>12,384.</u>

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
General Ledger**

February 1, 2025 - February 28, 2025

Date	Reference	Journal	Description	Beginning Balance	Current Amount	Period Balance
10191600.2 Administrative Service Contracts				12,913.37		
02/18/25	14806	1	Parrett Company		108.58	
Totals for 10191600.2					<u>108.58</u>	<u>13,021.95</u>
10191700 Legal				9,886.00		
Totals for 10191700					<u>0.00</u>	<u>9,886.00</u>
10191900 Other-Accounting				5,018.00		
Totals for 10191900					<u>0.00</u>	<u>5,018.00</u>
10192200 Relocation Costs				600.00		
Totals for 10192200					<u>0.00</u>	<u>600.00</u>
10193100 Water				6,220.84		
Totals for 10193100					<u>0.00</u>	<u>6,220.84</u>
10193200 Electricity				46,191.07		
02/13/25	1044	1	American Electric Power		5,573.01	
Totals for 10193200					<u>5,573.01</u>	<u>51,764.08</u>
10193300 Gas				25,739.21		
02/05/25	1036	1	Michigan Gas		10,250.48	
Totals for 10193300					<u>10,250.48</u>	<u>35,989.69</u>
10193600 Sewer				9,755.07		
Totals for 10193600					<u>0.00</u>	<u>9,755.07</u>
10193800 Other Utilities Expense				4,475.82		
Totals for 10193800					<u>0.00</u>	<u>4,475.82</u>
10194100 Maintenance Salaries				41,011.63		
02/14/25	1037	1	Payroll 1/14/25		2,255.00	
02/28/25	1041	1	Payroll 2/28/25		2,280.00	
Totals for 10194100					<u>4,535.00</u>	<u>45,546.63</u>
10194200 Materials				4,044.30		
02/18/25	14802	1	Enerco Corporation		1,458.00	
Totals for 10194200					<u>1,458.00</u>	<u>5,502.30</u>
10194300.01 Garbage				9,147.45		
02/18/25	1038	1	Republic Services		989.94	
Totals for 10194300.01					<u>989.94</u>	<u>10,137.39</u>
10194300.02 Heating & Cooling Contracts				24,249.34		
02/18/25	14807	1	R.W. LaPine, Inc		7,794.23	
Totals for 10194300.02					<u>7,794.23</u>	<u>32,043.57</u>
10194300.03 Snow Removal				0.00		
02/18/25	14803	1	Evergreen Lawn Care		5,520.00	
Totals for 10194300.03					<u>5,520.00</u>	<u>5,520.00</u>
10194300.04 Elevator Maintenance Contracts				20,251.53		
Totals for 10194300.04					<u>0.00</u>	<u>20,251.53</u>
10194300.05 Landscape & Grounds				8,705.44		
Totals for 10194300.05					<u>0.00</u>	<u>8,705.44</u>

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

St. Joseph Housing Commission

General Ledger

February 1, 2025 - February 28, 2025

Date	Reference	Journal	Description	Beginning Balance	Current Amount	Period I Balance
10194300.07	Electrical Contracts			8,662.08		
			Totals for 10194300.07		<u>0.00</u>	<u>8,662</u>
10194300.08	Plumbing Contracts			5,770.68		
			Totals for 10194300.08		<u>0.00</u>	<u>5,770</u>
10194300.09	Extermination Contracts			5,068.00		
			Totals for 10194300.09		<u>0.00</u>	<u>5,068</u>
10194300.10	Janitorial Contracts			832.00		
			Totals for 10194300.10		<u>0.00</u>	<u>832</u>
10194300.12	Misc. Maintenance Contracts			15,990.71		
02/18/25	14808	1	Summit Fire Protection		687.00	
			Totals for 10194300.12		<u>687.00</u>	<u>16,677</u>
10194500	Maintenance Benefits			6,874.96		
02/14/25	1037	1	Payroll 1/14/25		157.62	
02/28/25	1041	1	Payroll 2/28/25		159.53	
			Totals for 10194500		<u>317.15</u>	<u>7,192</u>
10195200	Protective Service Contracts			473.50		
02/04/25	1034	1	SecurAlarm		55.00	
			Totals for 10195200		<u>55.00</u>	<u>528</u>
10196110	Property Insurance			47,386.00		
			Totals for 10196110		<u>0.00</u>	<u>47,386</u>
10196120	Liability Insurance			3,708.76		
			Totals for 10196120		<u>0.00</u>	<u>3,708</u>
10196130	Workers Comp Insurance			543.81		
			Totals for 10196130		<u>0.00</u>	<u>543</u>
10196140	All Other Insurance			4,624.24		
			Totals for 10196140		<u>0.00</u>	<u>4,624</u>
10196200	Other General Expenses			1,569.48		
02/18/25	14809	1	Wind, Water, and Energy		1,089.73	
			Totals for 10196200		<u>1,089.73</u>	<u>2,659</u>
10196300	Payments in Lieu of Taxes			17,749.22		
			Totals for 10196300		<u>0.00</u>	<u>17,749</u>
15010010	CFP Operating Transfers			43,987.75		
			Totals for 15010010		<u>0.00</u>	<u>43,987</u>
15011620	Buildings			554,398.90		
			Totals for 15011620		<u>0.00</u>	<u>554,398</u>
15011690	Capital Expense - Contra			(554,398.90)		
			Totals for 15011690		<u>0.00</u>	<u>(554,398)</u>
15070600	HUD CFP Grants			(43,987.75)		
			Totals for 15070600		<u>0.00</u>	<u>(43,987.75)</u>

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
General Ledger**

February 1, 2025 - February 28, 2025

Date	Reference	Journal	Description	Beginning Balance	Current Amount	Period I Balance
15070610	CFP Capital Grants			(554,398.90)		
			Totals for 15070610		<u>0.00</u>	<u>(554,398.90)</u>
			Report Total			<u>0.00</u>
Net Profit/(Loss)						
Current Period			<u>2,692.72</u>			
Year-to-Date			<u>852,325.16</u>			

Distribution count = 65

Attachment: February 2025 Financials (10661 : St. Joseph Housing Commission Monthly Update)

**St. Joseph Housing Commission
State/Local Program
Balance Sheet
As of February 28, 2025**

ASSETS

CURRENT ASSETS

Cash		
110 - General Checking	\$	<u>7,797.49</u>
Total Cash		7,797.49
Receivables		
Total Receivables		0.00
TOTAL CURRENT ASSETS		7,797.49
Capital Assets		
Total Capital Assets		0.00
TOTAL ASSETS	\$	<u><u>7,797.49</u></u>

LIABILITIES

Current Liabilities		
347 - Interprogram due to	5,288.00	
Total Current Liabilities	<u>5,288.00</u>	
Noncurrent Liabilities		
Total Noncurrent Liabilities	<u>0.00</u>	
TOTAL LIABILITIES	<u><u>5,288.00</u></u>	

EQUITY

Unrestricted Net Position		
512.1 - Unrestricted Net Position	2,509.49	
Total Unrestricted Net Position	<u>2,509.49</u>	
TOTAL EQUITY	<u>2,509.49</u>	
TOTAL LIABILITIES/EQUITY	\$	<u><u>7,797.49</u></u>



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Ben Reynnells, Finance Director

RE: Gallagher Health Insurance Consultant Contract Approval

MEETING DATE: April 7, 2025

As part of the consent agenda please consider approving the Gallagher Benefit Service Inc renewal contract.

Starting on July 1 of 2012, and continuing through a merger in 2019, the city has been a client of Gallagher Benefit Services, Inc. Gallagher provides consulting services for our health insurance and benefit package. Gallagher provides renewal analysis and bidding, plan financial reports, annual financial reports, carrier marketing and negotiations, legislative and regulatory compliance support, employee education and communication materials, benefit administration assessment, market benchmarking studies and benefit plan design.

Attached is a renewal contract for the years 2025 through 2027. Gallagher is not paid directly by the city, instead they are paid a flat monthly fee by Blue Cross Blue Shield as a component of our monthly invoice. In addition, they receive a 3.5% commission on stop-loss premiums and a 10% commission on life, AD&D and voluntary insurance coverage.

The proposed fees of the renewal contract are listed below.

2025 Consulting Services \$2,187.50 per month
 2026 Consulting Services \$2,253.13 per month
 2027 Consulting Services \$2,320.72 per month
 Medical, Rx, Stop loss Commission 3.5%
 Retiree Medicare Supplement \$8.00 PEPM
 Life, AD&D, Voluntary Life 10%

Action Requested: Motion to approve, as part of the consent agenda, the Gallagher Benefit Services Inc. contract renewal for the years 2025 through 2027, as presented.

ATTACHMENTS:

- Gallagher Health Consulting Contract - 2025 to 2027 (PDF)

CONSULTING AGREEMENT

This Consulting Agreement (this “**Agreement**”) is made by and between Gallagher Benefit Services, Inc., (“**Gallagher**”) and City of St. Joseph (“**Client**”).

Client wishes to enter into a consulting relationship with Gallagher on the terms and conditions set forth in this Agreement, and Gallagher is willing to accept such a consulting relationship. In consideration of and in reliance upon the terms and conditions contained in this Agreement, Client and Gallagher agree as follows:

1. **Engagement of Services**

Client hereby engages Gallagher as a professional consultant to provide the consulting and/or brokerage services as more fully described in Exhibit A attached to this Agreement and incorporated herein. During the time that Gallagher is performing services for Client under this Agreement, and for all purposes outlined in this document, Gallagher’s status will be that of an independent contractor for Client.

2. **Term and Termination**

The Effective Date of this Agreement is January 1, 2025. The term of Gallagher’s engagement under this Agreement (the “Consulting Period”) will begin as of the Effective Date and will remain in effect for one (1) year from the Effective Date. The Consulting Period will be automatically extended for an additional year on each anniversary of the Effective Date. Either party may terminate this Agreement by giving the other party at least ninety (90) days written notice of its intent to terminate. In the event such termination is effective during the Consulting Period (including any renewed Consulting Period), Client shall be responsible for compensating Gallagher for any services performed prior to the date of termination and Gallagher shall be responsible to Client to continue to provide services until the date of termination of this Agreement.

3. **Compensation**

As compensation for its services under this Agreement, Gallagher will receive carrier commissions and/or direct fees paid by the Client, as set forth in the Compensation Disclosure Statement attached hereto as Exhibit B. Additional information regarding Gallagher compensation can also be found in Exhibit B. Gallagher shall disclose the amount of commissions payable, if any, to it by each insurance company at the time it presents rates to Client. The parties hereby agree that any Direct Client Fees for Consulting Services specified under Exhibit B shall be increased by an amount not to exceed three percent (3%) annually after the initial Consulting Period under this Agreement, unless otherwise agreed to by Gallagher. Client is responsible for payment of Gallagher’s fees (if applicable) within thirty (30) days of invoice receipt. Any amounts not paid when due will accrue interest at the rate of one percent (1%) per month or the highest rate permitted by applicable law, whichever is less. If any amount is not paid in full when due without a good faith basis to withhold, that nonpayment will constitute a material breach of this Agreement.

4. **Performance and Scope**

(a) Representations and Warranties. Each party represents, warrants and covenants to the other that: (i) it has full power and authority to make, execute, deliver and perform its obligations under this Agreement; (ii) the performance of its obligations pursuant to this Agreement shall be in accordance with all applicable laws; (iii) this Agreement has been duly executed and delivered by an authorized representative of such party and constitutes the legal, valid and binding obligation of such party, enforceable against such party in accordance with its terms; and (iv) there are no other agreements presently in force which would encumber or prevent either party’s compliance with any terms of this Agreement.

(b) Standard of Care. Gallagher will perform its duties, responsibilities and obligations with the care, skill, prudence and diligence that a prudent employee benefits consultant or insurance broker

acting in a like capacity and familiar with such matters would use in the conduct of an enterprise of a like character and with like aims under the circumstances then prevailing. As appropriate, Gallagher will coordinate fiduciary review services and other related duties with the plan's claims administrator and/or insurance carrier(s). However, Gallagher generally does not accept any fiduciary duties or obligations with respect to a plan given that these are typically performed by the plan's claims administrator or insurance carriers.

(c) Reliance. In the performance of its duties, Gallagher may rely upon, and will have no obligation to independently verify the accuracy, completeness, or authenticity of, any written instructions or information provided to Gallagher by Client or its designated representatives and reasonably believed by Gallagher to be genuine and authorized by Client.

(d) No Practice of Law. Gallagher will not be obligated to perform, and Client will not request performance of, any services which may constitute the unauthorized practice of law. Client will be solely responsible for obtaining any legal advice, review or opinion as may be necessary to ensure that its own conduct and operations, including the engagement of Gallagher under the scope and terms herein, conform in all respects with applicable State and Federal laws and regulations (including ERISA, the Internal Revenue Code, State and Federal securities laws and implementing regulations) and, to the extent that Client has foreign operations, any applicable foreign laws and regulations.

(e) Subcontractors. Gallagher may cause another person or entity, as a subcontractor to Gallagher, to provide some of the services required to be performed by Gallagher hereunder; provided that Gallagher shall remain responsible for all acts and omissions of any such subcontractors (each of which shall be bound by Gallagher's obligations under this Agreement). Gallagher shall seek prior written approval from Client for any subcontractors providing substantive consulting, professional or managerial services. Prior written approval shall not be required for clerical, office, secretarial, IT back-up, administrative or similar support services.

(f) Conflict of Interest. Gallagher's engagement under this Agreement will not prevent it from taking similar engagements with other clients who may be competitors of Client. Gallagher will, nevertheless, exercise care and diligence to prevent any actions or conditions which could result in a conflict with Client's best interest.

(g) Acknowledgements. In connection with Gallagher's services under this Agreement, Client agrees that:

(i) Although Gallagher will apply its professional judgment to access those insurance companies it believes are best suited to insure Client's risks, there can be no assurance that the insurance companies Gallagher has accessed are the only or are the best suited to insure Client's risks. The final decision to choose any insurance company has been made by Client in its sole and absolute discretion. Client understands and agrees that Gallagher does not take risk, and that Gallagher does not guarantee the financial solvency or security of any insurance company.

(ii) Any compensation of the types described above and disclosed to it does not constitute a conflict of interest and Client expressly waives any claims alleging any such conflict of interest.

(iii) The compensation payable to Gallagher is solely for the services set forth under this Agreement, as detailed in Exhibit A. To the extent any additional administrative, claims representative or other services are required, the parties may enter into a separate agreement covering such additional services.

5. **Confidentiality**

(a) Confidential Information.

(i) As used in this Agreement, "**Confidential Information**" means any nonpublic, proprietary or personal data and information furnished by either party or its agents or representatives to the other party or its agents and representatives, whenever furnished and

regardless of the manner or media in which such information is furnished, which the receiving party knows or reasonably should know to be confidential. Each party shall treat Confidential Information as confidential and only use it in the performance of its obligations under this Agreement. The parties agree that Gallagher may de-identify or aggregate Client's Confidential Information such that no information may reasonably be linked to Client or any specific individual and may use the de-identified or aggregated information for data analytics, benchmarking, service enhancements and similar business purposes.

(ii) The parties acknowledge that Confidential Information includes personal data provided to Gallagher by Client for the benefit of Client and/or its employees to facilitate the performance of services set forth in Exhibit A. Both Parties also agree that the Confidential Information may include information that alone, or in combination with other information, uniquely identifies an individual. Client agrees that Gallagher is permitted to disclose and transfer Client's Confidential Information to Gallagher's affiliates, agents or vendors that have a need to know the Confidential Information in connection with the services provided under this Agreement (including insurance carriers, as necessary, for quoting and/or placing insurance coverages). Gallagher has established security controls to protect Client Confidential Information from unauthorized use or disclosure. For additional information, please review Gallagher's Privacy Policy located at <https://www.aig.com/privacy-policy/>.

(iii) Both Gallagher and Client agree to comply with all state and federal laws, rules, and orders that relate to privacy and data protection which are, or which in the future may be, applicable to Confidential Information, the services or the performance of obligations under this Agreement. Upon request, Gallagher will cooperate with Client pursuant to applicable law(s) to comply with requests from individuals regarding their personal information.

(b) HIPAA Privacy. Gallagher and Client will each comply with any prohibitions, restrictions, limitations, conditions, or other requirements to the extent they apply to them directly or indirectly pursuant to the Health Insurance Portability and Accountability Act of 1996 ("HIPAA") and its implementing regulation concerning privacy of individually identifiable health information as set forth in 45 CFR Parts 160-164, as amended from time to time. When required, Client, as a representative of the health plans, and Gallagher will enter into a separate Business Associate Agreement.

(c) Use of Names; Public Announcements. No party will use, in any commercial manner, the names, logos, trademarks or other intellectual property of the other party without its prior written consent. Except as may be required by law, no party will issue any press releases or make any public announcements of any kind regarding the relationship between the parties without the other party's prior consent.

6. Indemnification Rights and Limitation of Liability

(a) Indemnification. To the extent permissible by law, each party agrees to defend, indemnify and hold the other party and its affiliates and their respective directors, officers, employees and agents harmless from any and all losses, liabilities, exposures, damages and all related costs and expenses, including reasonable legal fees, to the extent arising from or relating to any third party claims, demands, suits, allegations, or causes or threats of action based on the indemnifying party's: (i) breach of any representation, warranty or covenant made by such party hereunder, or (ii) grossly negligent acts or omissions or intentional misconduct; provided, however, that the indemnifying party's indemnification obligations hereunder shall be reduced to the extent that such losses and damages arise from the acts or omissions of the other party or its employees or agents.

(b) Limitation of Liability. Notwithstanding any other term or provision of this Agreement, each party shall only be liable for actual damages incurred by the other party, and shall not be liable for any indirect, special, exemplary, reliance, consequential or punitive damages, or for any attorneys' fees other than as described in Section 6(a) above (whether incurred in a dispute or an action against the other, or as alleged damages that any party incurred in any insurance coverage dispute, or otherwise). Furthermore, unless otherwise noted in Exhibit A, the aggregate liability under this Agreement, if any, of either party to the other for claimed losses or damages shall not exceed \$5,000,000. This provision applies to the fullest extent permitted by applicable law. No claim or cause of action, regardless of form

(tort, contract, statutory, or otherwise), arising out of, relating to or in any way connected with this Agreement or any services provided hereunder may be brought by either party any later than two (2) years after the accrual of such claim or cause of action.

7. Notices

Any notices, requests or other communications pursuant to this Agreement will be addressed to the party at its address listed below. Such notices will be deemed to have been duly given, (i) if delivered in person or by courier, upon delivery; (ii) if sent by an overnight service with tracking capabilities, upon receipt; (iii) if sent by registered or certified mail, postage prepaid, within five (5) days of deposit in the mail; or (iv) if sent by fax or electronic mail, at such time as the party which sent the notice receives confirmation of receipt by the applicable method of transmittal.

If to the Client: City of St. Joseph
Attention: Emily Hackworth
700 Broad Street
St. Joseph, MI 49085

If to Gallagher: Gallagher Benefit Services, Inc.
Attention: Gary Miklosovic
2600 S. Telegraph Rd., Suite 100
Bloomfield Hills, MI 48302

Either party may, by written notice to the other, change the address to which notices to such party are to be delivered or mailed.

8. Miscellaneous

(a) Severability. The various provisions and subprovisions of this Agreement are severable and if any provision or subprovision or part thereof is held to be unenforceable by any court of competent jurisdiction, then such enforceability will not affect the validity or enforceability of the remaining provisions or subprovisions or parts thereof in this Agreement.

(b) Entire Agreement; Amendment. This Agreement, including all exhibits hereto, constitutes the entire agreement between the parties and supersedes all prior agreements and understandings, whether oral or written, between the parties regarding the subject matter hereof. Except for changes in carriers and/or lines of coverage noted in Exhibit B, which may occur upon unilateral approval of Client, this Agreement may be modified or amended only by a written instrument executed by both parties. This Agreement may be executed by the parties in several counterparts, each of which shall be deemed to be an original copy.

(c) Waiver. No covenant, term or condition or the breach thereof will be deemed waived, except by written consent of the party against whom the waiver is claimed. Any waiver by either party hereto of any provision of this Agreement shall not be construed as a waiver of any other provision of this Agreement, nor shall such waiver be construed as a waiver of such provision with respect to any other event or circumstance, whether past, present or future.

(d) Governing Law; Rule of Construction. This Agreement will be construed, interpreted and enforced in accordance with the laws of the State of Michigan without giving effect to the choice of law principles thereof or any canon, custom or rule of law requiring construction against the drafter.

(e) Successors. This Agreement shall be binding upon and shall inure to the benefit of all assigns, transferees and successors in the interest of the parties hereto.

(f) Warranties. Except as expressly set forth in this Agreement, Gallagher makes no other warranties of any kind with respect to the Services, including, without limitation, warranties that may be implied from a course of performance, dealing or trade usage.

(g) Force Majeure. Neither party shall be liable to the other for any delay or failure to perform any of its obligations under this Agreement (other than payment obligations) as a result of flood,

earthquake, storm, other act of God, fire, derailment, accident, labor dispute, explosion, war, act of terrorism, sabotage, insurrection, riot, embargo, court injunction or order, act of government or governmental agency or other similar cause beyond its reasonable control.

(h) Assignment. This Agreement shall apply to and bind the successors and assigns of the parties hereto, including, in the event of a party's insolvency, debtors-in-possession and any appointed trustee or administrator. This Agreement shall not be assignable by either party, except with the prior written consent of the other party; provided, however, that either party may assign this Agreement to an affiliate or in the event of a merger or sale, provided the assignee is willing and able to assume such party's obligations hereunder.

(i) Counterparts. This Agreement may be executed in multiple counterparts (including by scanned image or electronic signature), each of which shall be considered one and the same agreement, and shall become effective when signed by each of the parties hereto and delivered to the other party.

(j) Survival of Provisions. Sections 3, 5, 6, and 8 will survive the termination of this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed on the date first written above.

CITY OF ST. JOSEPH

By: _____
Name: Emily Hackworth
Title: City Manager
Date: _____

GALLAGHER BENEFIT SERVICES, INC.

By: _____
Name: David Kempton
Title: Area President MI / OH
Date: _____

Attachment: Gallagher Health Consulting Contract - 2025 to 2027 (10674 : Gallagher Health Insurance Consultant Contract Approval)

EXHIBIT A SCOPE OF SERVICES

Subject to any changes and additions as may be mutually agreed by the parties in writing, availability and delivery of data from the insurance carrier and other third party vendors, Gallagher will provide the following Services to Client on an “as needed” basis:

RENEWAL ANALYSIS:

- Review and evaluate carrier projections
- Prepare “shadow” renewal projection
- Create financial modeling reports
- Coordinate carrier negotiations
- Create employee contribution modeling reports
- Review identified benchmarks of projected plan costs
- Develop “working” rates for Client analysis and approval
- Assist with budget projections
- Provide renewal alternatives with cost impact of benefit plan changes

PERIODIC PLAN FINANCIAL REPORTS: (FREQUENCY TO BE MUTUALLY AGREED UPON)

- Summary of plan costs
- Analysis of actual vs. budget
- Employee contributions
- Large claims tracking
- Identification of costs for specific line of coverage
- Comparison of plan costs to aggregate stop-loss projections, if applicable
- Utilization review
- Comparison to prior claim period
- Plan trends

ANNUAL FINANCIAL REPORTS (END OF YEAR ACCOUNTING):

- Executive summary of program expenses
- Comparison of current costs to renewal costs
- Incurred But Not Reported (IBNR) claims analysis
- Overview of specific Stop-loss projections
- Future plan costs projections
- Dollars saved by contract negotiation
- Percent of benefit dollars paid by employee
- Claims by size
- Physician visit details
- Benefits paid by type of service
- Plan funding/budget comparison
- Fixed expense comparison

CARRIER MARKETING AND NEGOTIATIONS, AS DIRECTED BY CLIENT:

- Work with Client to develop a strategy to identify goals, analyze program costs and review both current and alternative funding arrangements
- Manage the renewal process with the current carrier to control costs
- Implement carrier renewal strategies with Client
- Develop timeline covering every aspect from RFP preparation to the delivery of employee communications
- Provide analysis of employee disruption report and preparation of geo-access report

- Provide analysis of discounts offered by various carriers by using CPT codes and carrier pricing data
- Manage RFP development that tailors the RFP to the desires, needs and financial directions provided by Client
- Explore alternative funding solutions
- Evaluate vendor responses to track variations in coverage and costs as they are identified
- Conduct finalist interviews to investigate and document intangibles such as personalities, service orientation and responsiveness
- Draft renewal analysis report, based on renewal negotiation, covers program and claims cost projections as well as complete information on benefit designs
- Facilitate decision process by coordinating close collaboration and discussions among the Gallagher team and Client

LEGISLATIVE AND REGULATORY COMPLIANCE SUPPORT:

- Provide legislative updates, including Compliance Alerts, Webinars, Technical Bulletins and Directions newsletter
- Evaluate plan design to assist with compliance with state and federal regulations
- Provide general information and guidance to assist with compliance with ERISA, ACA, COBRA, HIPAA and other Federal legislation that directly affects the administration of plan benefits
- Provide template or sample compliance notices and enrollment forms as reasonably requested by Client

DAY TO DAY ADMINISTRATIVE ASSISTANCE:

- Provide assistance to Client's HR/benefits contacts to help with resolving carrier service issues
- Coordinate and participate in annual service meetings with Client and select carriers

EMPLOYEE EDUCATION PROGRAMS:

- Facilitate focus groups
- Monthly benefit communication directed to employees
- Educational meetings on coverage and trends

COMMUNICATION MATERIALS:

- Assist with the drafting and distribution of participant Satisfaction Surveys
- Assist with the drafting and distribution of Open Enrollment-New Member Orientation summary information and any other communications pertaining to the health and welfare program
- Provide annual open enrollment guidance and employee meeting materials
- Assist with marketing and oversight of Customized Enrollment Materials (if elected)
- Assist with participant wellness initiatives, as directed by Client

BENEFIT ADMINISTRATION ASSESSMENT:

- Periodic evaluation of internal plan enrollment and benefit termination processes
- Review, coordinate and implement Client agreed upon plan "best practices" to help limit plan liability and increase participant satisfaction
- Help identify opportunities for streamlining and improving administration procedures

MARKET BENCHMARKING STUDIES:

- Local Area Surveys
- Industry Surveys

BENEFIT PLAN DESIGN (OR REDESIGN):

- Help Client identify business and HR objectives that impact benefits
- Review with Client possible benefit strategies to meet their objectives
- Help Client evaluate/review current scope of benefits package – e.g., types & levels of coverage

- Work with Client to develop funding and contribution strategies
- Assist with budget projections for design alternatives

MERGER AND ACQUISITION:

- Project claim liability and cost implications of active employee health & welfare benefits plan integration or consolidation, as requested by Client
- Provide coverage comparison analysis and recommendations as to plan design, carrier selections and funding mechanisms
- Provide disruption analysis reports
- Assist with employee meetings to introduce integrated program(s) or plan changes

**EXHIBIT B
COMPENSATION DISCLOSURE STATEMENT**

Line of Coverage / Service	Company	Commission ¹	Third Party Compensation	Direct Client Fees ²	Effective Date
Consulting Services	Gallagher	n/a	n/a	\$2,187.50 per month	1/1/2025 – 12/31/2025
Consulting Services	Gallagher	n/a	n/a	\$2,253.13 per month	1/1/2026 – 12/31/2026
Consulting Services	Gallagher	n/a	n/a	\$2,320.72 per month	1/1/2027 – 12/31/2027
Medical, Rx, Stop Loss	Blue Cross Blue Shield of MI	3.5%	n/a	n/a	1/1/2025
Retiree Medicare Supplement	VariPro	\$8.00 PEPM	n/a	n/a	1/1/2025
Dental, Vision	Blue Cross Blue Shield of MI	0%	n/a	n/a	1/1/2025
Life AD&D, Voluntary Life	Reliance Standard	10%	n/a	n/a	1/1/2025

It should also be noted that:

- Gallagher is not an affiliate of the insurer or vendor whose contract is recommended. This means the insurer or vendor whose contract is recommended does not directly or indirectly have the power to exercise a controlling influence over the management or policies of Gallagher.
- Gallagher's ability to recommend other insurance contracts or vendors is not limited by an agreement with any insurance carrier or vendor and Gallagher is affecting the transaction for applicable plan(s) in the ordinary course of Gallagher business. Thus, pertinent transaction(s) are at least as favorable to the applicable plan(s) as an arm's length transaction with an unrelated party.
- Gallagher is not a trustee of the plan(s) and is neither the Plan Administrator of the plan(s), a Named Fiduciary of the plan(s), nor an employer which has employees in the plan(s).
- Gallagher may receive supplemental compensation from insurance carriers and vendors, normally calculated at the end of each calendar year, that are contingent on a number of factors including the overall number of employer plans represented, plan retention rates, and overall premium growth. Historically, supplemental compensation has ranged, on average, between 0-3% based on specific carrier programs. These plans have no effect on premiums. Further, Gallagher may receive non-cash compensation from plan vendors or service providers that are not in connection with any particular client. If you have any questions regarding direct or indirect compensation received by Gallagher, contact your dedicated Gallagher advisor or refer to the Gallagher Global Standards of Business Conduct.

For Employers and Plan Sponsors Subject to ERISA: This Disclosure Statement is being given to the Client (1) to make sure Client knows about Gallagher's and Gallagher affiliates' income before purchasing the insurance product and/or vendor services and (2) for plans subject to ERISA, to comply with the disclosure, acknowledgment and approval requirement of Prohibited Transaction Class Exemption No. 84-24³, which protects both Client and Gallagher⁴, and the disclosure requirements under ERISA §408(b)(2), as amended by Div. BB, Title II, §202 of the Consolidated Appropriations Act, 2021. Disclosure must be made to responsible plan fiduciary for the ERISA Plan(s), and Client acknowledges and confirms that this is a reasonable transaction in the best interest of participants in its ERISA Plan(s).

For more information on Gallagher's compensation arrangements, please visit www.ajg.com/us/about-us/disclosures. In the event a client wishes to register a formal complaint regarding compensation Gallagher receives, please send an email to Compensation_Complaints@ajg.com.

¹ Commissions include all commissions/fees paid to Gallagher that are attributable to a contract or policy between a plan and an insurance company, or insurance service. This includes indirect fees that are paid to Gallagher paid by a third party, and includes, among other things, the payment of "finders' fees" or other fees to Gallagher for a transaction or service involving the plan.

² Direct Fees include compensation to Gallagher paid for directly by the plan sponsor/Client.

³ Which allows an exemption from a prohibited transaction under Section 408(a) of the Employee Retirement Income Security Act of 1974 (ERISA).

⁴ In making these disclosures, no position is taken, nor is one to be inferred, regarding the use of assets of a plan subject to ERISA to purchase such insurance.



Agenda Item

TO: Members of the St. Joseph City Commission
FROM: Ben Reynnells, Finance Director
RE: Invoice and Tax Disbursements
MEETING DATE: April 7, 2025

As part of the consent agenda, please consider approval of the following invoices and disbursements from March 15, 2025, through April 2, 2025.

Regular invoices: \$1,458,065.86

Tax disbursements: \$150,580.00

Total disbursed: \$1,608,645.86

Action requested: Motion to approve, as part of the consent agenda, cash disbursements, as presented.

ATTACHMENTS:

- EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (PDF)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
Fund 101 General Fund			
Dept 000.000			
101-000.000-123.000	PYROTECNICO FIREWORKS, INC	FIREWORKS DEPOSIT	7,500.00
101-000.000-204.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	64.00
	Total For Dept 000.000		7,564.00
Dept 101.000 City Commission			
101-101.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	95.00
	Total For Dept 101.000 City Commission		95.00
Dept 172.000 City Manager			
101-172.000-790.000	FIRST NATIONAL BANK OF OMAHA	EMILY HACKWORTH	19.99
101-172.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	570.00
101-172.000-805.000	FOSTER SWIFT COLLINS & SMITH	LEGAL SERVICES	525.00
101-172.000-805.000	FOSTER SWIFT COLLINS & SMITH	LEGAL SERVICES	825.00
	Total For Dept 172.000 City Manager		1,939.99
Dept 215.000 City Clerk			
101-215.000-740.000	FIRST NATIONAL BANK OF OMAHA	ABBY BISHOP	257.02
101-215.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	285.00
101-215.000-888.000	HOLT BOSSE	PROFESSIONAL SERVICES	2,535.20
101-215.000-888.000	HOLT BOSSE	PROFESSIONAL SERVICES	11,730.89
101-215.000-889.000	HOLT BOSSE	PROFESSIONAL SERVICES	97.42
	Total For Dept 215.000 City Clerk		14,905.53
Dept 235.000 Central Purchasing			
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	688.74
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	98.00
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	98.00
101-235.000-740.000	QUILL CORPORATION	OFFICE SUPPLIES	35.07
101-235.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	1,194.98
101-235.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	290.90
	Total For Dept 235.000 Central Purchasing		2,405.69
Dept 253.000 City Treasurer			
101-253.000-728.000	QUADIENT FINANCE USA, INC	MARCH BILLING - POSTAGE	718.59
101-253.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	475.00
101-253.000-860.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	629.00
	Total For Dept 253.000 City Treasurer		1,822.59
Dept 257.000 City Assessor			
101-257.000-801.000	GAREY, MICHAEL	MARCH 2025 BOARD OF REVIEW	300.00

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
101-257.000-801.000	JUDD, ROBERT	MARCH 2025 BOARD OF REVIEW	250.00
101-257.000-801.000	LEONARD, JOSHUA	MARCH 2025 BOARD OF REVIEW	50.00
101-257.000-801.000	LIEBERMAN, MICHAEL	MARCH 2025 BOARD OF REVIEW	250.00
101-257.000-805.000	CLARK HILL P.L.C.	24-002443-TT/24-002445-TT	165.00
101-257.000-860.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	98.00
	Total For Dept 257.000 City Assessor		1,113.00
Dept 262.000 Elections			
101-262.000-728.000	QUADIENT FINANCE USA, INC	MARCH BILLING - POSTAGE	117.25
	Total For Dept 262.000 Elections		117.25
Dept 265.000 Buildings & Grounds			
101-265.000-740.000	ACE HARDWARE	HOLE SAW AND JIGSAW BLADES	17.98
101-265.000-740.000	GREAT LAKES ELECTRIC	LIGHT REPAIRS	400.00
101-265.000-802.000	FIRST NATIONAL BANK OF OMAHA	MIKE CHRISTENSEN	212.98
101-265.000-850.000	TELNET WORLDWIDE	BILL DATE 03-15-2025	706.80
101-265.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	81.51
101-265.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	127.51
101-265.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00006	1,590.29
101-265.000-931.000	ALLIED MECHANICAL SERVICES, INC.	CONTRACT PAYMENT	116.00
101-265.000-931.000	ALLIED MECHANICAL SERVICES, INC.	CONTRACT PAYMENT	889.00
	Total For Dept 265.000 Buildings & Grounds		4,142.07
Dept 266.000 City Attorney			
101-266.000-790.000	FIRST NATIONAL BANK OF OMAHA	LAURIE SCHMIDT	21.19
101-266.000-860.000	SCHMIDT, LAURIE	REIMBURSE REGISTRATION FEES AND PARKING	185.00
101-266.000-860.000	SCHMIDT, LAURIE	MILEAGE REIMBURSEMENT - MAMA CONFERENCE LANSING	188.22
	Total For Dept 266.000 City Attorney		394.41
Dept 270.000 Personnel			
101-270.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	332.50
101-270.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	46.11
101-270.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	72.37
	Total For Dept 270.000 Personnel		450.98
Dept 336.000 Fire Department			
101-336.000-740.000	ZBATTERY.COM, INC.	BATTERIES	15.00
101-336.000-740.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	109.78
101-336.000-776.000	DINGES FIRE COMPANY	FIRE HELMET	484.00
101-336.000-776.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	1,451.04
101-336.000-850.000	AT&T MOBILITY	CELL PHONES AND TABLETS	198.02
101-336.000-860.000	BERRIEN COUNTY FIRE FIGHTERS	COURSE BOOK	80.00
101-336.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00003	1,022.00

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
101-336.000-930.000	MACQUARIE EQUIPMENT CAPITAL INC.	MONTHLY MAINTENANCE	78.99
	Total For Dept 336.000 Fire Department		3,438.83
Dept 345.000 Public Safety Department			
101-345.000-740.000	AMAZON CAPITAL SERVICES	ADAPTERS AND MOUNTING TAPE	49.99
101-345.000-740.000	NYE UNIFORM COMPANY	UNIFORM	1,454.57
101-345.000-740.000	QUILL CORPORATION	OFFICE SUPPLIES	238.53
101-345.000-740.000	QUILL CORPORATION	OFFICE SUPPLIES	49.49
101-345.000-740.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	1,707.54
101-345.000-790.000	FIRST NATIONAL BANK OF OMAHA	PUBLIC SAFETY DEPARTMENT	21.19
101-345.000-801.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	551.01
101-345.000-850.000	AT&T MOBILITY	CELL PHONES AND TABLETS	1,012.99
101-345.000-860.000	FIRST NATIONAL BANK OF OMAHA	PUBLIC SAFETY DEPARTMENT	555.00
101-345.000-860.000	PSTGP, LLC	TRAINING	398.00
101-345.000-860.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	1,322.15
101-345.000-930.000	MACQUARIE EQUIPMENT CAPITAL INC.	MONTHLY MAINTENANCE	104.00
101-345.000-930.000	MACQUARIE EQUIPMENT CAPITAL INC.	MONTHLY MAINTENANCE	79.00
101-345.000-930.000	TELE-RAD INC.	MONTHLY MAINTENANCE	346.40
	Total For Dept 345.000 Public Safety Department		7,889.86
Dept 371.000 Building Inspection Department			
101-371.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	190.00
101-371.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	128.23
101-371.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	200.49
101-371.000-860.000	BOGDANOVA, GALINA	MILEAFE REIMBURSEMENT	207.70
	Total For Dept 371.000 Building Inspection Department		726.42
Dept 372.000 Code Enforcement Department			
101-372.000-740.000	RIETZ, EMILY	CLOTHING REIMBURSEMENT	149.00
101-372.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	95.00
101-372.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	82.12
101-372.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	108.38
	Total For Dept 372.000 Code Enforcement Department		434.50
Dept 441.000 Public Works Department			
101-441.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - PUBLIC WORKS	292.98
101-441.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES	69.58
101-441.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00001	1,935.21
101-441.000-930.000	FIRST NATIONAL BANK OF OMAHA	GREG GROTHOUS	19.99
	Total For Dept 441.000 Public Works Department		2,317.76
Dept 442.000 Asset Management			
101-442.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	216.06

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
101-442.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	268.31
101-442.000-870.000	AUSTIN, ALEX	REIMBURSEMENT FOR GIS PROFESSIONAL MEMBERSHIP DUES	470.00
	Total For Dept 442.000 Asset Management		954.37
Dept 447.000 City Engineer			
101-447.000-728.000	FIRST NATIONAL BANK OF OMAHA	TIFFANY MITCHELL	23.08
101-447.000-804.000	ABONMARCHE CONSULTANTS INC	GEN. ENG. SERVICES FEB. 2025	500.00
101-447.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	137.11
101-447.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	215.89
101-447.000-860.000	FIRST NATIONAL BANK OF OMAHA	TIM ZEBELL	30.00
	Total For Dept 447.000 City Engineer		906.08
Dept 466.000 Paid Parking - Downtown			
101-466.000-740.000	FIRST NATIONAL BANK OF OMAHA	EMILY HACKWORTH	76.36
	Total For Dept 466.000 Paid Parking - Downtown		76.36
Dept 721.000 Community Development			
101-721.000-860.000	FIRST NATIONAL BANK OF OMAHA	KRISTEN GUNDERSEN	361.20
101-721.000-900.000	HERALD-PALLADIUM	NOTICE OF PUBLIC HEARING	207.00
	Total For Dept 721.000 Community Development		568.20
Dept 728.000 Economic Development			
101-728.000-860.000	FIRST NATIONAL BANK OF OMAHA	TIFFANY MITCHELL	380.00
101-728.000-941.100	FIRST NATIONAL BANK OF OMAHA	SAMANTHA WINNELL	13.77
	Total For Dept 728.000 Economic Development		393.77
Dept 751.000 Parks/Recreation			
101-751.000-740.000	ACE HARDWARE	HARDWARE	6.99
101-751.000-740.000	ACE HARDWARE	PAINT	32.39
101-751.000-740.000	ACE HARDWARE	DOOR HARDWARE	6.82
101-751.000-740.000	ACE HARDWARE	IRRIGATION SUPPLIES/PAINT	16.17
101-751.000-740.000	ACE HARDWARE	ZIP TIES	8.09
101-751.000-740.000	FIRST NATIONAL BANK OF OMAHA	JEFFREY RECHNER	322.32
101-751.000-740.000	LOWE'S HOME CENTERS, LLC	MISC SHOP TOOLS	96.78
101-751.000-740.000	LOWE'S HOME CENTERS, LLC	HARDWARE	27.51
101-751.000-740.000	LOWE'S HOME CENTERS, LLC	RATCHET SETS	73.09
101-751.000-740.000	MID-COUNTY LAWN & GARDEN	BLADE/CHEST STRAPS	91.95
101-751.000-740.000	MID-COUNTY LAWN & GARDEN	MIX OIL	264.00
101-751.000-740.000	ACE HARDWARE	ALLEN WRENCHES	16.19
101-751.000-740.000	MID-COUNTY LAWN & GARDEN	BLADES/PARTS	57.92
101-751.000-740.000	SHERWIN-WILLIAMS	PAINT	52.45
101-751.000-740.000	TRAFFIC & SAFETY CONTROL SYSTEM INC	PAYSTATION PAPER	470.00
101-751.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	173.73

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
101-751.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	252.51
101-751.000-860.000	FIRST NATIONAL BANK OF OMAHA	JEFFREY RECHNER	110.00
101-751.000-860.000	STATE OF MICHIGAN MDARD	LICENSING FEE FOR COMMERCIAL PESTICIDE LICENSE	75.00
101-751.000-900.000	HERALD-PALLADIUM	NOTICE OF PUBLIC HEARING	195.75
101-751.000-930.000	HASSE'S CRANE SERVICE, L.L.C.	CRANE SERVICE	500.00
	Total For Dept 751.000 Parks/Recreation		2,849.66
Dept 756.000 Recreation Programs			
101-756.000-790.000	FIRST NATIONAL BANK OF OMAHA	CAMERON WELCH	19.99
101-756.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	45.50
101-756.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	44.57
101-756.000-860.000	FIRST NATIONAL BANK OF OMAHA	CAMERON WELCH	207.50
	Total For Dept 756.000 Recreation Programs		317.56
Dept 757.000 Ice Arena Operations			
101-757.000-740.000	FIRST NATIONAL BANK OF OMAHA	CAMERON WELCH	408.91
101-757.000-740.000	ACE HARDWARE	ICE ARENA SUPPLIES	29.30
101-757.000-740.000	LINDE GAS & EQUIPMENT INC.	PROPANE PICKUP	112.45
101-757.000-740.000	LINDE GAS & EQUIPMENT INC.	PROPANE SERVICES	161.80
101-757.000-860.000	FIRST NATIONAL BANK OF OMAHA	CAMERON WELCH	207.50
101-757.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00009	466.27
101-757.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00010	1,340.14
101-757.000-930.000	ACE HARDWARE	MOP BUCKET	67.49
	Total For Dept 757.000 Ice Arena Operations		2,793.86
Dept 890.000 Extraordinary Expenditures			
101-890.000-801.000	FIRST NATIONAL BANK OF OMAHA	EMILY HACKWORTH	557.89
101-890.000-956.000	FIRST NATIONAL BANK OF OMAHA	TIFFANY MITCHELL	399.66
	Total For Dept 890.000 Extraordinary Expenditures		957.55
Dept 905.000 Debt Service			
101-905.000-991.000	STURGIS BANK & TRUST CO	LOAN PAYMENT	58,564.67
101-905.000-995.000	STURGIS BANK & TRUST CO	LOAN PAYMENT	7,061.25
	Total For Dept 905.000 Debt Service		65,625.92
	Total For Fund 101 General Fund		125,201.21
Fund 202 Major Street Fund			
Dept 449.000 Roads, Streets, Bridges - ACT 51			
202-449.000-740.000	ADENT'S LANDSCAPE & SUPPLY	GRASS SEED	100.00
202-449.000-740.000	CONCRETE CENTRAL, INC.	REBAR PINS FOR TRUNKLINE	275.00
202-449.000-740.000	CORMIER, LIAM	WORK BOOTS	212.00
202-449.000-740.000	HAMMERSMITH EQUIPMENT COMPANY	CONCRETE DRILL BITS	275.00

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
202-449.000-740.000	LOWE'S HOME CENTERS, LLC	TOOLS	141.55
202-449.000-740.000	RIETH-RILEY CONSTRUCTION CO., INC.	COLD PATCH	1,350.00
202-449.000-801.000	CHOP	TREE WORK	390.00
	Total For Dept 449.000 Roads, Streets, Bridges - ACT 51		2,743.55
Dept 474.000 Traffic Services			
202-474.000-740.000	DORNBOS SIGN & SAFETY INC	SIGN BLANKS	329.40
202-474.000-740.000	LOWE'S HOME CENTERS, LLC	BARRICADE MATERIALS	92.88
	Total For Dept 474.000 Traffic Services		422.28
Dept 903.205 Main St			
202-903.205-801.000	ABONMARCHE CONSULTANTS INC	TAP GRANT ASSISTANCE	5,000.00
	Total For Dept 903.205 Main St		5,000.00
Dept 903.207 Cleveland Ave			
202-903.207-801.000	ABONMARCHE CONSULTANTS INC	CLEVELAND RESURFACING PROJECT DESIGN SERVICES	645.87
	Total For Dept 903.207 Cleveland Ave		645.87
	Total For Fund 202 Major Street Fund		8,811.70
Fund 203 Local Street Fund			
Dept 449.000 Roads, Streets, Bridges - ACT 51			
203-449.000-740.000	ACE HARDWARE	MARKING PAINT	26.97
203-449.000-740.000	DRAKE, ROBERT	EMPLOYEE CLOTHING REIMBURSEMENT	129.78
203-449.000-740.000	ACE HARDWARE	MARKING PAINT	21.58
203-449.000-740.000	ACE HARDWARE	TOOL	39.98
203-449.000-740.000	ADENT'S LANDSCAPE & SUPPLY	GRASS SEED	90.00
203-449.000-740.000	HAMMERSMITH EQUIPMENT COMPANY	CONCRETE DRILL BITS	112.00
203-449.000-801.000	CHOP	TREE WORK	7,570.00
203-449.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	91.61
203-449.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	91.61
	Total For Dept 449.000 Roads, Streets, Bridges - ACT 51		8,173.53
Dept 474.000 Traffic Services			
203-474.000-740.000	ACE HARDWARE	SUPPLY FOR SIGN SHOP	22.47
203-474.000-740.000	ACE HARDWARE	PARTS FOR SIGN JOB	16.52
203-474.000-740.000	DORNBOS SIGN & SAFETY INC	REFLECTIVE TAPE FOR BARRICADES	1,033.64
203-474.000-740.000	LOWE'S HOME CENTERS, LLC	TOOLS FOR SIGN SHOP	54.59
203-474.000-740.000	SHERWIN-WILLIAMS	BLUE PAINT FOR HANDICAP PARKING	279.50
203-474.000-740.000	SHARE CORPORATION	SIGN MATERIALS	545.05
	Total For Dept 474.000 Traffic Services		1,951.77
Dept 903.160 Botham Avenue Reconstruction			

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
203-903.160-801.000	CHOP	TREE WORK	1,070.00
	Total For Dept 903.160 Botham Avenue Reconstruction		1,070.00
	Total For Fund 203 Local Street Fund		11,195.30
Fund 204 Municipal Street Fund			
Dept 449.000 Roads, Streets, Bridges - ACT 51			
204-449.000-801.000	ABONMARCHE CONSULTANTS INC	LAKE BLVD & BROAD ST RESURFACE CONST. ADMIN	444.07
	Total For Dept 449.000 Roads, Streets, Bridges - ACT 51		444.07
Dept 903.194 Anchors Way Drainage			
204-903.194-801.000	WADE TRIM	AW HWI DESIGN SVCS	265.00
	Total For Dept 903.194 Anchors Way Drainage		265.00
	Total For Fund 204 Municipal Street Fund		709.07
Fund 209 Cemetery Fund			
Dept 567.000 Cemetery Operatings			
209-567.000-740.000	ACE HARDWARE	SHOP ITEMS	20.30
209-567.000-740.000	KENDALL ELECTRIC INC	RELOCATE ELECTRIC SERVICE	68.81
209-567.000-740.000	KENDALL ELECTRIC INC	NEW ELECTRIC SERVICE	48.79
209-567.000-801.000	CHOP	TREE WORK	1,355.00
209-567.000-850.000	TELNET WORLDWIDE	BILL DATE 03-15-2025	14.72
209-567.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	166.85
209-567.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0504619643-00001	248.50
	Total For Dept 567.000 Cemetery Operatings		1,922.97
	Total For Fund 209 Cemetery Fund		1,922.97
Fund 226 Rubbish Collection Fund			
Dept 521.000 Sanitation/Solid Waste			
226-521.000-804.200	STEVENSVILLE TRANSFER STATION-3246	TRASH DUMPING	1,770.36
226-521.000-804.200	STEVENSVILLE TRANSFER STATION-3246	TRASH DUMPING	2,117.88
	Total For Dept 521.000 Sanitation/Solid Waste		3,888.24
	Total For Fund 226 Rubbish Collection Fund		3,888.24
Fund 271 Library Fund			
Dept 790.000 Library			
271-790.000-728.000	QUADIENT FINANCE USA, INC	MARCH BILLING - POSTAGE	96.78
271-790.000-740.000	AMAZON CAPITAL SERVICES	DVDS, OFFICE SUPPLIES, ETC.	112.13
271-790.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	11.90
271-790.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	178.37

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
271-790.000-780.000	AMAZON CAPITAL SERVICES	DVDS, OFFICE SUPPLIES, ETC.	14.95
271-790.000-780.000	INFOUSA MARKETING, INC.	POLK DIRECTORY	408.10
271-790.000-780.000	BAKER & TAYLOR BOOKS	ADULT FIC COLLECTION	63.17
271-790.000-780.000	BAKER & TAYLOR BOOKS	ADULT NFIC COLLECTION	87.63
271-790.000-780.000	COLOMA NEWS AGENCY	NEWSPAPER SUBSCRIPTIONS	992.28
271-790.000-780.000	GALE	ADULT FIC COLLECTION - LARGE PRINT	32.79
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT FIC COLLECTION	95.55
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT NFIC COLLECTION	94.50
271-790.000-780.000	INGRAM LIBRARY SERVICES	YOUNG ADULT COLLECTION	15.11
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN'S FIC COLLECTION	135.72
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN'S NFIC COLLECTION	173.15
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT NFIC COLLECTION	93.05
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT FIC COLLECTION	62.26
271-790.000-780.000	INGRAM LIBRARY SERVICES	YOUNG ADULT COLLECTION	10.79
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT FIC COLLECTION	143.62
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT NFIC COLLECTION	137.85
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN'S FIC COLLECTION	22.49
271-790.000-801.000	COASTLINE TIMBER	PODIUM DOWNPAYMENT	350.00
271-790.000-850.000	FIRST NATIONAL BANK OF OMAHA	PAULA STAKLEY	314.85
271-790.000-850.000	TELNET WORLDWIDE	BILL DATE 03-15-2025	161.98
271-790.000-885.000	AMAZON CAPITAL SERVICES	DVDS, OFFICE SUPPLIES, ETC.	725.96
271-790.000-885.000	STRONG, ADELLA	REIMBURSEMENT FOR TEEN EVEN SUPPLIES	25.26
271-790.000-885.000	DAWALT, SARA	REIMBURSEMENT FOR SPECIAL PROGRAMS	50.89
271-790.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00005	1,106.52
271-790.000-930.000	VESTIS SERVICES, LLC	SEASONAL RUG RENTAL	34.65
271-790.000-930.000	CITY PLUMBING & HEATING	CONTRACT INVOICE	3,425.00
271-790.000-930.000	VESTIS SERVICES, LLC	SEASONAL RUG RENTAL	34.65
271-790.000-941.100	FIRST NATIONAL BANK OF OMAHA	PAULA STAKLEY	204.22
271-790.000-956.000	ST CLAIR COUNTY LIBRARY	LOST BOOK CHARGE	6.95
	Total For Dept 790.000 Library		9,423.12
	Total For Fund 271 Library Fund		9,423.12
Fund 301 General Debt Service Fund			
Dept 905.000 Debt Service			
301-905.000-991.000	BANK OF NEW YORK MELLON TRUST CO.	LOAN PAYMENT 03-04-2025	320,000.00
301-905.000-995.000	BANK OF NEW YORK MELLON TRUST CO.	LOAN PAYMENT 03-04-2025	20,521.88
	Total For Dept 905.000 Debt Service		340,521.88
	Total For Fund 301 General Debt Service Fund		340,521.88
Fund 401 Capital Projects Fund			
Dept 265.121 Facilities Maintenance Items			

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
401-265.121-967.000	SUMMIT FIRE PROTECTION	FINAL CONTRACT PAYMENT	8,750.00
	Total For Dept 265.121 Facilities Maintenance Items		8,750.00
Dept 265.150 Facility Card Access			
401-265.150-967.000	CONTROLNET, LLC	CONTRACT PAYMENT	4,797.00
401-265.150-967.000	KENDALL ELECTRIC INC	MATERIALS FOR CARD ACCESS	214.27
401-265.150-967.000	KENDALL ELECTRIC INC	MATERIALS FOR CARD ACCESS	94.05
401-265.150-967.000	KENDALL ELECTRIC INC	CABINET FOR CARD ACCESS SYSTEM	435.61
	Total For Dept 265.150 Facility Card Access		5,540.93
Dept 466.000 Paid Parking - Downtown			
401-466.000-974.000	ACE HARDWARE	IRRIGATION SUPPLIES/PAINT	27.43
401-466.000-974.000	ACE HARDWARE	IRRIGATION PARTS	6.29
401-466.000-974.000	LEEP'S SUPPLY CO., INC.	IRRIGATION PARTS	61.65
401-466.000-974.000	ACE HARDWARE	MODULAR MEDIAN HARDWARE	58.49
401-466.000-974.000	DORNBOS SIGN & SAFETY INC	PARKING SIGNS DDA	1,240.00
401-466.000-974.000	DORNBOS SIGN & SAFETY INC	DDA PARKING SIGNS	628.00
401-466.000-974.000	HIGH GRADE MATERIALS CO.	DDA PARKING METER PADS	691.25
401-466.000-974.000	HIGH GRADE MATERIALS CO.	DDA PARKING KIOSK PADS	603.00
401-466.000-974.000	HIGH GRADE MATERIALS CO.	DDA PARKING KIOSK PADS	691.25
	Total For Dept 466.000 Paid Parking - Downtown		4,007.36
Dept 728.100 Downtown Plan Implementation			
401-728.100-967.000	JONES PETRIE RAFINSKI	STREETSCAPE	1,788.75
	Total For Dept 728.100 Downtown Plan Implementation		1,788.75
Dept 751.591 WCF Restroom Facility			
401-751.591-975.000	KENDALL ELECTRIC INC	PLUMBING SUPPLIES	2,374.94
401-751.591-975.000	KENDALL ELECTRIC INC	PUMP SUPPLIES	3,413.70
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PLUMBING SUPPLIES	48.24
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PLUMBING SUPPLIES	98.00
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PLUMBING SUPPLIES	55.18
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PLUMBING SUPPLIES	531.16
401-751.591-975.000	SENSATIONAL SPAS	SAND FOR NEW SAND FILTER	2,245.50
401-751.591-975.000	ADAMS & SON, INC	CONTRACT PAYMENT	6,370.00
401-751.591-975.000	CONSUMERS CONCRETE CO.	MATERIALS FOR PROJECT	2,380.50
401-751.591-975.000	DAVE COLE DECORATORS, INC.	ALL PAINTING PER CONTRACT	7,560.00
401-751.591-975.000	KENDALL ELECTRIC INC	PROJECT MATERIALS	968.48
401-751.591-975.000	KENDALL ELECTRIC INC	PROJECT MATERIALS	23.52
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PLUMBING MATERIALS	587.01
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PUMPS	191.32
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PUMPS	105.99
401-751.591-975.000	MARTELL ELECTRIC, LLC	CONTRACT PAYMENT	41,000.00

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EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
401-751.591-975.000	UNITED RENTALS (NORTH AMERICA) INC.	FENCE RENTAL	243.00
	Total For Dept 751.591 WCF Restroom Facility		68,196.54
	Total For Fund 401 Capital Projects Fund		88,283.58
Fund 441 UPTON RECONSTRUCTION			
Dept 441.000 Public Works Department			
441-441.000-801.000	ABONMARCHE CONSULTANTS INC	UPTON DR CONST. ADMIN	1,383.35
	Total For Dept 441.000 Public Works Department		1,383.35
	Total For Fund 441 UPTON RECONSTRUCTION		1,383.35
Fund 590 Sewer Fund			
Dept 000.000			
590-000.000-211.000	KALIN CONSTRUCTION	CSO EA CONSTRUCTION	(2,343.71)
590-000.000-256.000	ROGERS, KARLEE	UB REFUND FOR ACCOUNT: 759162	242.39
590-000.000-256.000	GATZ CONSTRUCTION	UB REFUND FOR ACCOUNT: 020450	48.14
	Total For Dept 000.000		(2,053.18)
Dept 527.000 Sewer System			
590-527.000-740.000	THE SAFETY COMPANY LLC, DBA MTECH	REPAIR PARTS SEWER CAMERA	562.73
590-527.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	36.01
590-527.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	36.01
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00011	51.91
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00007	44.54
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00008	37.25
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT # 0506740475-00001	43.85
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0503619446-00001	44.55
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0614144879-00001	41.67
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0614144879-00002	37.25
590-527.000-930.000	THE SAFETY COMPANY LLC, DBA MTECH	SEWER CAMERA REPAIRS	1,740.08
	Total For Dept 527.000 Sewer System		2,675.85
Dept 527.500 CSO storage project			
590-527.500-801.000	WADE TRIM	CSO STORAGE DESIGN	2,952.50
590-527.500-801.000	WADE TRIM	PROFESSIONAL SERVICES	43,016.47
590-527.500-956.000	WADE TRIM	INSPECTOR DAYS	16,115.00
590-527.500-973.000	KALIN CONSTRUCTION	CSO EA CONSTRUCTION	751,343.33
	Total For Dept 527.500 CSO storage project		813,427.30
	Total For Fund 590 Sewer Fund		814,049.97
Fund 591 Water Fund			

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EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount

Dept 000.000			
591-000.000-256.000	GATZ CONSTRUCTION	UB REFUND FOR ACCOUNT: 020450	36.98
	Total For Dept 000.000		----- 36.98
Dept 530.000 Water Treatment Plant			
591-530.000-740.000	FIRST NATIONAL BANK OF OMAHA	GREG ALIMENTI	21.19
591-530.000-740.000	USA BLUE BOOK	LABRARTORY SUPPLIES	1,508.96
591-530.000-740.000	USA BLUE BOOK	SUMP PUMP	489.90
591-530.000-740.000	USA BLUE BOOK	HYDRANT ADAPTER	64.24
591-530.000-740.000	USA BLUE BOOK	CLEANING BRUSH	24.95
591-530.000-801.000	CORNWELL ENGINEERING GROUP, INC.	CCT STUDY	4,320.00
591-530.000-801.000	CORNWELL ENGINEERING GROUP, INC.	CCT STUDY - LEAD ANALYSIS	1,440.00
591-530.000-801.000	EUROFINS EATON ANALYTICAL LLC	ANALYSIS-LAB SUITABILITY	453.20
591-530.000-801.000	EUROFINS EATON ANALYTICAL LLC	ANALYSIS-TOC	108.16
591-530.000-801.000	EUROFINS EATON ANALYTICAL LLC	ANALYSIS-STAGE 2 CITY 1ST QUARTER	432.60
591-530.000-801.000	EUROFINS EATON ANALYTICAL LLC	ANALYSIS - METALS SCAN	67.98
591-530.000-801.000	BOELCKE, DAVE	WSJOB ATTENDANCE JULY-DECEMBER 2024	250.00
591-530.000-801.000	CITY OF ST JOSEPH	WSJOB ATTENDANCE JULY-DECEMBER 2024	900.00
591-530.000-801.000	COOK, DENISE	WSJOB ATTENDANCE JULY-DECEMBER 2024	300.00
591-530.000-801.000	EISENHART, MICHAEL	WSJOB ATTENDANCE JULY-DECEMBER 2024	250.00
591-530.000-850.000	TELNET WORLDWIDE	BILL DATE 03-15-2025	73.63
591-530.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	238.92
591-530.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	45.50
591-530.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	71.76
591-530.000-860.000	FIRST NATIONAL BANK OF OMAHA	MONICA HERRICK	80.00
591-530.000-860.000	FIRST NATIONAL BANK OF OMAHA	GREG ALIMENTI	2,421.96
591-530.000-870.000	AMERICAN WATER WORKS ASSOC	MEMBERSHIP - PEDEN	91.00
591-530.000-870.000	FIRST NATIONAL BANK OF OMAHA	MONICA HERRICK	70.00
591-530.000-870.000	FIRST NATIONAL BANK OF OMAHA	GREG ALIMENTI	9.99
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00012	40.22
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0504619643-00002	38.58
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0504619643-00003	77.16
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0507486606-00001	40.39
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00004	4,838.92
591-530.000-930.000	ANDY J. EGAN CO., INC.	REPAIR NORTH BOILER #2	820.17
591-530.000-930.000	FRANKLIN HOLWERDA COMPANY	REPLACE HEATING VALVES	203.87
591-530.000-930.000	PEERLESS MIDWEST INC	REINSTALL HIGH SERVICE #3	2,750.00
591-530.000-930.000	SHORELINE BUILDING SERVICES LLC	JANITOR	1,450.00
591-530.000-930.000	VESTIS SERVICES, LLC	RUGS AND RAGS	19.34
591-530.000-930.000	VESTIS SERVICES, LLC	RUGS AND RAGS	156.96
591-530.000-930.000	VESTIS SERVICES, LLC	RUGS AND RAGS	19.34
591-530.000-930.000	VESTIS SERVICES, LLC	RUGS AND RAGS	156.96
	Total For Dept 530.000 Water Treatment Plant		----- 24,345.85

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EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
Dept 536.000 Water Distribution System			
591-536.000-740.000	FIRST NATIONAL BANK OF OMAHA	MONICA HERRICK	201.47
591-536.000-740.000	RIETH-RILEY CONSTRUCTION CO., INC.	COLD PATCH	1,350.00
591-536.000-801.000	BERRIEN COUNTY ROAD DEPARTMENT	ROW PERMIT	35.00
591-536.000-801.000	BERRIEN COUNTY ROAD DEPARTMENT	ROW PERMIT	35.00
591-536.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	245.75
591-536.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	265.28
591-536.000-860.000	FIRST NATIONAL BANK OF OMAHA	DAVID LINDERMAN	1,266.00
	Total For Dept 536.000 Water Distribution System		3,398.50
Dept 540.000 Water Administration			
591-540.000-728.000	QUADIENT FINANCE USA, INC	MARCH BILLING - POSTAGE	67.38
591-540.000-728.000	SBF ENTERPRISES	MAR DELINQUENT NOTICES FOR LCT	382.38
591-540.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	85.00
591-540.000-801.000	SBF ENTERPRISES	MAR DELINQUENT NOTICES FOR LCT	144.72
	Total For Dept 540.000 Water Administration		679.48
	Total For Fund 591 Water Fund		28,460.81
Fund 592 City System Development Fund			
Dept 000.000			
592-000.000-256.000	GATZ CONSTRUCTION	UB REFUND FOR ACCOUNT: 020450	58.06
	Total For Dept 000.000		58.06
Dept 536.000 Water Distribution System			
592-536.000-801.000	TRACE ANALYTICAL LABORATORIES, INC.	ANALYSIS-LEAD	768.00
592-536.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	45.57
592-536.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	71.83
	Total For Dept 536.000 Water Distribution System		885.40
	Total For Fund 592 City System Development Fund		943.46
Fund 594 Marina Fund			
Dept 597.000 Marina Operations			
594-597.000-740.000	FIRST NATIONAL BANK OF OMAHA	ANDREW PETERS	783.65
594-597.000-740.000	LOWE'S HOME CENTERS, LLC	MAINTENANCE SUPPLIES	120.87
594-597.000-740.000	AMAZON CAPITAL SERVICES	MAINTENANCE SUPPLIES	149.23
594-597.000-740.000	HULL LIFT TRUCK, INC.	FORK LIFT PARTS	1,068.53
594-597.000-740.000	LOWE'S HOME CENTERS, LLC	MAINTENANCE SUPPLIES	63.28
594-597.000-740.000	O' REILLY AUTO PARTS	MAINTENANCE SUPPLIES	75.43
594-597.000-740.000	ULINE	MAINTENANCE SUPPLIES	1,720.49
594-597.000-742.000	FIRST NATIONAL BANK OF OMAHA	ANDREW PETERS	135.90

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
594-597.000-742.000	QUEST CAR CARE PRODUCTS INC.	RESALE - STORE	248.00
594-597.000-801.000	FIRST NATIONAL BANK OF OMAHA	ANDREW PETERS	7.15
594-597.000-801.000	EDGEWATER RESOURCES, LLC	ENGINEERING FOR DREDGING	3,312.00
594-597.000-850.000	TELNET WORLDWIDE	BILL DATE 03-15-2025	29.45
594-597.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	314.85
594-597.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	81.51
594-597.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	107.77
594-597.000-919.000	BEST WAY DISPOSAL INC	TRASH SERVICE	267.60
594-597.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00002	39.92
594-597.000-930.000	OSCAR W. LARSON CO.	DIESEL TAN REPAIR	2,995.38
	Total For Dept 597.000 Marina Operations		11,521.01
	Total For Fund 594 Marina Fund		11,521.01
Fund 661 Motor Pool Fund			
Dept 000.000			
661-000.000-001.000	FIRST NATIONAL BANK OF OMAHA	GREG ALIMENTI	8.79
	Total For Dept 000.000		8.79
Dept 345.000 Public Safety Department			
661-345.000-930.000	FIRST NATIONAL BANK OF OMAHA	GREG GROTHOUS	160.00
661-345.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TIRES	398.98
661-345.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TIRES	838.20
	Total For Dept 345.000 Public Safety Department		1,397.18
Dept 441.000 Public Works Department			
661-441.000-740.000	FAMILY FARM & HOME	PARTS	129.98
661-441.000-740.000	FIRST NATIONAL BANK OF OMAHA	GREG GROTHOUS	180.00
661-441.000-740.000	MICHIANA SUPPLY INC.	PART	12.99
661-441.000-740.000	VALLEY TRUCK PARTS, INC	PART	41.44
661-441.000-740.000	ACE HARDWARE	SUPPLIES	34.18
661-441.000-740.000	CONNECTION SERVICE COMPANY	HARDWARE	37.50
661-441.000-740.000	FISHER AUTO PARTS, INC.	OIL FILTER	4.84
661-441.000-740.000	LOWE'S HOME CENTERS, LLC	TRAILER PLANKS	193.95
661-441.000-740.000	MICHIANA SUPPLY INC.	PART	22.24
661-441.000-740.000	MICHIANA SUPPLY INC.	PARTS	295.95
661-441.000-740.000	MICHIANA SUPPLY INC.	PART	14.50
661-441.000-740.000	MICHIANA SUPPLY INC.	PARTS	55.88
661-441.000-740.000	THE SAFETY COMPANY LLC, DBA MTECH	PARTS	552.54
661-441.000-741.000	PRI MAR PETROLEUM	FUEL - CEMETERY	895.90
661-441.000-801.000	COREWELL HEALTH CLIENT BILLING	DOT RE-CERT 1976663	123.00
661-441.000-850.000	VERIZON WIRELESS	BILL PERIOD 01-24-2025 TO 02-23-2025	72.02
661-441.000-850.000	VERIZON WIRELESS	BILL PERIOD 12-24-2024 TO 01-23-2025	91.76

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
661-441.000-930.000	FIRST NATIONAL BANK OF OMAHA	GREG GROTHOUS	120.00
661-441.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TPMS REPAIR	260.00
661-441.000-930.000	GOOD YEAR TIRE & RUBBER CO.	FLAT REPAIR	72.49
661-441.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TIRES	6,708.06
	Total For Dept 441.000 Public Works Department		9,919.22
	Total For Fund 661 Motor Pool Fund		11,325.19
Fund 703 Current Tax Collection Fund			
Dept 000.000			
703-000.000-956.000	BERRIEN COUNTY BROWNFIELD AUTHORITY	TAX DISBURSEMENT - BROWNFIELD AUTHORITY	45.36
703-000.000-956.000	BERRIEN COUNTY TREASURER	TAX DISBURSEMENT - BHS & SJPS SET	9,046.29
703-000.000-956.000	BERRIEN COUNTY TREASURER	TAX DISBURSEMENT - COUNTY GENERAL	12,577.84
703-000.000-956.000	BERRIEN COUNTY TREASURER	TAX DISBURSEMENT - COUNTY 911	23,489.17
703-000.000-956.000	BERRIEN COUNTY TREASURER	TAX DISBURSEMENT - COUNTY LAW EN	18,268.56
703-000.000-956.000	BERRIEN COUNTY TREASURER	TAX DISBURSEMENT - COUNTY SR CENTER	15,660.50
703-000.000-956.000	BERRIEN COUNTY TREASURER	TAX DISBURSEMENT - COUNTY PARKS	5,224.91
703-000.000-956.000	BERRIEN COUNTY TREASURER	TAX DISBURSEMENT - COUNTY DRAIN 225	245.65
703-000.000-956.000	BERRIEN COUNTY INTERMEDIATE	TAX DISBURSEMENT - RESA GENERAL	262.76
703-000.000-956.000	BERRIEN COUNTY INTERMEDIATE	TAX DISBURSEMENT - RESA SPECIAL	3,306.97
703-000.000-956.000	LAKE MICHIGAN COLLEGE	TAX DISBURSEMENT - LAKE MI COLLEGE	3,415.51
703-000.000-956.000	SOUTHWEST MI REGIONAL AIRPORT	TAX DISBURSEMENT - AIRPORT	368.41
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	TAX DISBURSEMENT - SJPS OPERATING	51,594.76
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	TAX DISBURSEMENT - SJPS SCH-2014BLDGS	(4,771.83)
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	TAX DISBURSEMENT - SJPS SCH-2010DEBT	10,925.48
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	TAX DISBURSEMENT - SJPS SCH-2016DEBT	919.66
	Total For Dept 000.000		150,580.00
	Total For Fund 703 Current Tax Collection Fund		150,580.00
Fund 731 Retirement System Fund			
Dept 000.000			
731-000.000-860.000	FIRST NATIONAL BANK OF OMAHA	TIM ZEBELL	425.00
	Total For Dept 000.000		425.00
	Total For Fund 731 Retirement System Fund		425.00
Fund Totals:			
	Fund 101 General Fund		125,201.21
	Fund 202 Major Street Fund		8,811.70
	Fund 203 Local Street Fund		11,195.30
	Fund 204 Municipal Street Fund		709.07

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 03/15/2025 - 04/02/2025

GL Number	Vendor	Invoice Description	Amount
		Fund 209 Cemetery Fund	1,922.97
		Fund 226 Rubbish Collection Fund	3,888.24
		Fund 271 Library Fund	9,423.12
		Fund 301 General Debt Service Fund	340,521.88
		Fund 401 Capital Projects Fund	88,283.58
		Fund 441 UPTON RECONSTRUCTION	1,383.35
		Fund 590 Sewer Fund	814,049.97
		Fund 591 Water Fund	28,460.81
		Fund 592 City System Development Fund	943.46
		Fund 594 Marina Fund	11,521.01
		Fund 661 Motor Pool Fund	11,325.19
		Fund 703 Current Tax Collection Fund	150,580.00
		Fund 731 Retirement System Fund	425.00
		Total For All Funds:	1,608,645.86

Attachment: EXP CHECK RUN DATES 03-15-2025 TO 04-02-2025 (10676 : Invoice and Tax Disbursements)



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Laurie Schmidt, City Attorney

RE: Broadband Equity Access and Deployment Program (BEAD)

MEETING DATE: April 7, 2025

The Broadband Equity, Access, and Deployment (BEAD) Program is a \$42.45 billion federal initiative aimed at expanding high-speed internet access across all US states and territories by funding broadband infrastructure deployment, mapping, adoption programs, and community outreach. The State of Michigan has been allocated \$1.559 billion as part of the program. Project applications are due by April 9th and providers are asking for letters of support from local communities within the applicant's project area to include with their application. Letters of support enhance an application's rating.

Berrien County Commissioner Teri Freehling presented this information to the CEO Council on behalf of the Berrien County Broadband Internet Task Force and encouraged local communities to provide applicants with letters of support to assist in expanding internet access across the State and local communities. There are five (5) internet service providers (ISP) in the County seeking support statements: Comcast, Surf, MEC, 123, and Frontier.

There is a ZERO local match requirement from local units of government. The BEAD is important, as this grant program has the potential to connect a total of 2,603 addresses in Berrien County.

To date, the City has received requests for letters of support from Comcast and Manager Hackworth responded in support.

Mayor Thomas and City staff recommend supporting the internet service providers' applications as requested.

Action Requested: Motion to approve, as part of the consent agenda, letters of support from the City of St. Joseph for grant applications from Comcast, Surf, Midwest Energy and Communications, 123, and Frontier for the Broadband Equity Access and Deployment Program, ratify and authorize the City Manager and Mayor to sign letters of support on the City's behalf.

ATTACHMENTS:

- BEAD_SupportLetter_Template MEC (003) (DOTX)
- Broadband Equity Access and Deployment Support ltr_20250313 (PDF)

Action Item (ID # 10672)

Meeting of April 7, 2025

- BEAD BOC COW V3(PPTX)

TO: Michigan High-Speed Internet Office (MIHI)

FROM:

DATE:

SUBJECT: Broadband Equity Access and Deployment Program (BEAD) Application Support for MEC

Please accept this letter of support from Berrien County and _____ for the Broadband Equity Access and Deployment (BEAD) grant application from **Midwest Energy & Communications (MEC)**.

We are acutely aware that access to and use of the Internet has become an integral component of everyday life in the 21st century, where digital information has reshaped how individuals participate in nearly every dimension of society. It is imperative that communities leverage broadband network access to eliminate the homework gap and improve education, socioeconomic equality, telemedicine, public safety, agriculture, and economic development to maintain and grow the quality of life for our residents, visitors, community anchor institutions, and businesses.

The Berrien County Broadband Internet Task Force (BCBIT), along with community leaders, have identified gaps in broadband coverage that the awarding of this grant will address. The result will be improved digital equity throughout the County and a direct economic impact through enhanced entrepreneurship, business development, educational opportunities, and health outcomes.

We respectfully ask for your consideration of this grant application with the intent to increase the attractiveness of the area, encourage existing entities to maintain their presence, and improve broadband and digital equity for all of the citizens and guests of Berrien County.

Space for Individual Comments

Sincerely,



Attachment: BEAD_SupportLetter_Template MEC (003) (10672 : Broadband Equity Access and Deployment Program (BEAD))



700 Broad Street • St. Joseph, Michigan 49085 • www.sjcity.com

DEPARTMENTS

ASSESSOR
269-983-1231

ATTORNEY
269-983-5541

CLERK
269-983-6325

COMMUNICATIONS
& MARKETING
269-985-0349

ENGINEER
269-983-5541

FINANCE/TREASURER
269-983-4731

HOWARD ICE ARENA
269-983-8795

INSPECTIONS &
CODE ENFORCEMENT
269-983-1212

MANAGER
269-983-5541

PERSONNEL
269-983-0443

PLANNING & ZONING
269-983-1212

PUBLIC SAFETY:
EMERGENCY 9-1-1

DISPATCHER
269-983-3060

POLICE
ADMINISTRATION
269-985-0300

FIRE
ADMINISTRATION
269-983-4641

PUBLIC WORKS:

PARKS & CEMETERY
STREETS & SANITATION
269-983-6341

WATER/SEWER BILLING
269-983-6324

WATER TREATMENT
PLANT
269-983-1240

WEST BASIN MARINA
269-983-5432

TO: Michigan High-Speed Internet Office (MIHI)

FROM: Emily Hackworth, City of St. Joseph City Manager

DATE: March 13, 2025

SUBJECT: Broadband Equity Access and Deployment Program (BEAD) Application Support

Please accept this letter of support from the City of St. Joseph for the Broadband Equity Access and Deployment (BEAD) grant application from Comcast.

We are acutely aware that access to and use of the Internet has become an integral component of everyday life in the 21st century, where digital information has reshaped how individuals participate in nearly every dimension of society. It is imperative that communities leverage broadband network access to eliminate the homework gap and improve education, socioeconomic equality, telemedicine, public safety, agriculture, and economic development to maintain and grow the quality of life for our residents, visitors, community anchor institutions, and businesses.

The Berrien County Broadband Internet Task Force (BCBIT), along with community leaders, have identified gaps in broadband coverage that the awarding of this grant will address. The result will be improved digital equity throughout the County and a direct economic impact through enhanced entrepreneurship, business development, educational opportunities, and health outcomes.

We respectfully ask for your consideration of this grant application with the intent to increase the attractiveness of the area, encourage existing entities to maintain their presence, and improve broadband and digital equity for all of the citizens and guests of Berrien County.

We fully support the Broadband Equity Access and Deployment Program (BEAD) application for grant funding to implement this program.

Sincerely,

Emily Hackworth
City Manager

• • *A Special Place on the Lake* • •

Attachment: Broadband Equity Access and Deployment Support ltr_20250313 (10672 : Broadband Equity Access and Deployment Program



**Berrien County
Broadband
Internet Task Force**

Attachment: BEAD BOC COW V3 (10672 : Broadband Equity Access and Deployment Program (BEAD))



Berrien County Board of Commissioners Committee of the Whole

BEAD Program & Community Support March 23, 2025



What is BEAD?

**\$45.45
billion**

Funding Provided by the Broadband Equity, Access, and Deployment (BEAD) Program

Funding Goes To...

-  All 50 States and Washington, D.C.
-  Puerto Rico
-  U.S. Virgin Islands
-  Guam
-  American Samoa
-  Northern Mariana Islands

Broadband Equity, Access, and Deployment (BEAD) Program is a \$42.45 billion federal initiative aimed at **expanding high-speed internet** access across all US states and territories by funding broadband **infrastructure deployment, mapping, adoption programs, and community outreach.**



BEAD Program Overview

- 📶 The primary goal of BEAD is **bridging the digital divide** by connecting **unserved** and **underserved** locations, this includes community anchor institutions (CAIs) and geographically remote locations.
- 📶 The BEAD program is funded by the federal government through the National Telecommunications and Information Administration (NTIA) of the US Department of Commerce.
- 📶 **The State of Michigan has been allocated \$1.559 billion** as part of the Broadband Equity Access and Deployment (BEAD) Program. The 4th largest allocation in the Nation.
- 📶 The Michigan High-Speed Internet Office (MIHI) is the State Office Administrator of the BEAD Program and will manage the competitive grant process, subgrantee selection process and awardee monitoring and compliance.



BEAD Program & Michigan

- 📶 The **State of Michigan** has been allocated **\$1.559 billion** as part of the Broadband Equity Access and Deployment (BEAD) Program. **The 4th largest allocation in the Nation.**
- 📶 The **Michigan High Speed Internet Office (MIHI)** is the administrator of BEAD Program funding for the State.

Key Locations for the BEAD Program

- 1 Unserved Locations (below 25Mbps / 3Mbps)
- 2 Underserved Locations (below 100Mbps / 20Mbps)
- 3 Community Anchor Institutions (CAIs)

MIHI's Key Objectives for the BEAD Program

- Expand high-speed broadband infrastructure to reach unserved and underserved areas
- Increase digital skills
- Promote affordable broadband services
- Support equitable access to devices
- Empower consumers with applications and online content

Key Milestones

- Initial Proposal Volume I Approved
- Challenge Process Carried out
- Initial Proposal Volume II Approved
- Challenge Process Results Approved
- Preregistration Submission Window Opened
- Round 1 Project Application Window



BEAD Application for Michigan is OPEN!

<p>\$1.559 B BEAD funding available in MI</p>	<p>248,252 Locations BEAD will connect</p>	<p>April 9 Project applications close</p>
<p>47 Entities pre-registered for BEAD</p>	<p>MICHIGAN'S BEAD PROJECT APPLICATION WINDOW OPEN NOW</p> <p>Join us to close Michigan's digital divide</p> <p>More information available: michigan.gov/mihi</p>	
<p>March 10 Pre-registration closes</p>		

ISPs Application Window is January 9th, 2025 – April 9th, 2025.



Berrien County BEAD Eligible Locations

2,603

Every Municipality Except Eau Claire Village

City, Village, or Township	MiHI BEAD Map - Berrien County
Bainbridge Township	44
Baroda Township	28
Benton Charter Township	116
Berrien Township	36
Bertrand Township	78
Buchanan Township	389
Chikaming Township	280
City of Benton Harbor	21
City of Bridgman	19
City of Buchanan	7
City of Coloma	5
City of New Buffalo	18
City of Niles	10
City of St. Joseph	47
City of Watervliet	5
Coloma Charter Township	50
Galien Township	16
Hagar Township	38
Lake Charter Township	450
Lincoln Charter Township	154
New Buffalo Township	163
Niles Charter Township	245
Oronoko Charter Township	59
Pipestone Township	4
Royalton Township	50
Sodus Township	83
St. Joseph Charter Township	31
Three Oaks Township	15
Village of Baroda	1
Village of Berrien Springs	1
Village of Galien	12
Village of Grand Beach	6
Village of Shoreham	2
Village of Stevensville	13
Village of Three Oaks	11
Watervliet Charter Township	27
Weesaw Township	69
	2603
Total	2603



What is Needed from BCBIT/County/Local Units to Support BEAD?

Letters of Support from all elected bodies that intersect the applicant's proposed Project Area (Hexabins).

www.MichiganBroadbandMap.com

Local Support and Community Engagement – 8 points

This criteria assesses a prospective subgrantee's support from local units of government and/or Tribal Nations that intersect the proposed Project Area. If an Applicant receives letters of support from all elected bodies that intersect the Project Area (e.g. cities, villages, townships, and counties) (or letters of consent from all Tribal nations that intersect the Project Area), ten or more letters of support from other entities (e.g. Non-Profit Advocacy Organizations and CAIs) within the Project Area, and a letter of support, resolution, or other official document received from the elected body of the county(ies) intersecting the Project Area the Applicant will receive the full 8 points allocation. If an Applicant has no letters of support, they will be deducted a point resulting in a negative score for this category.

If an Applicant receives letters of support/consent from all elected bodies that intersect the Project Area (cities, townships, counties) and ten or more letters of support from other entities within the Project Area, and a letter of support, resolution, or other official document received from the elected body of the county(ies) intersecting the Project Area, the Applicant will receive the full 8 points allocation. If an Applicant has no letters of support, they will be deducted a point resulting in a negative score for this category.

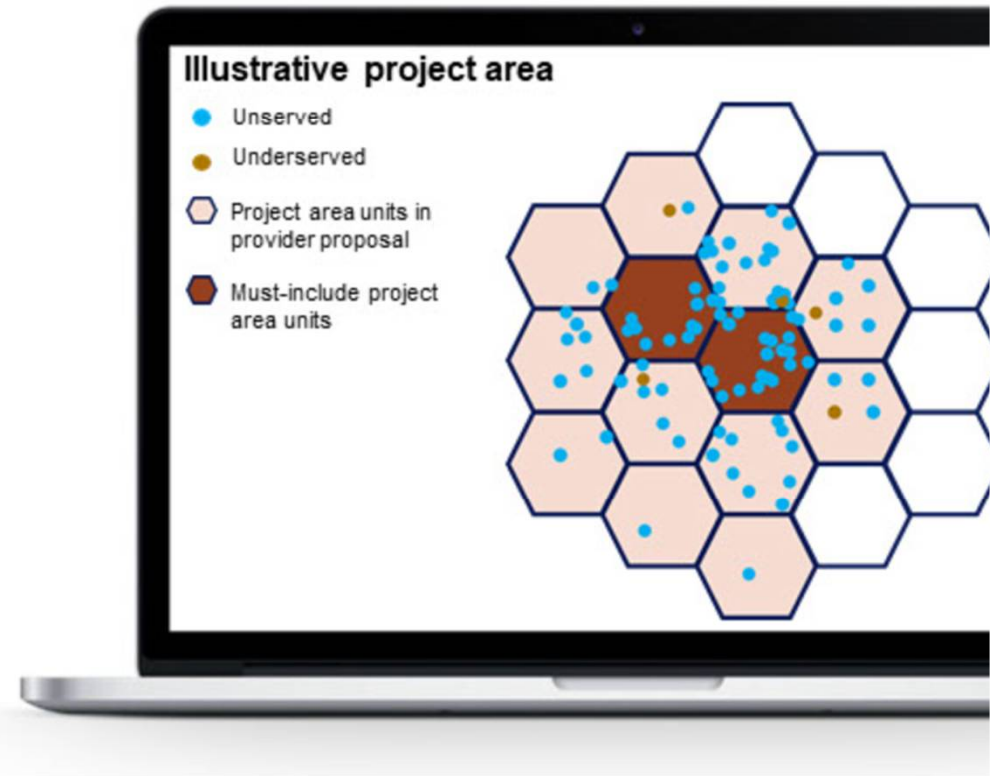
Criteria	Points
No letters of support are provided	-1
Letters of support received from all the elected bodies of each township, Tribal entity, city, county, and village intersecting the Project Area.	4
Letters of support received from some of the elected bodies of each township, Tribal entity, city, and village intersecting the Project Area.	2
Letter of support, resolution, or other official document received from the elected body of the county(ies) intersecting the Project Area	2
Ten or more letters of support received from other entities within Project Area	2
Fewer than ten letters of support received from other entities within Project Area	0.5
Total	8





Guidelines for selecting project areas

- Applicants may pick any number of project area units to form a project area, but cannot use any fractional project area unit
- Project area units within a project area are not required to be contiguous
- Potential subgrantees must select which project area units are “**must-include**” when they submit their application



ISPs bid on Hexabins. There are 309 Hexabins in Berrien County.



MAPPING TOOL



PROJECT AREA DATA ADDRESS

Project Area: HH-183, HH-184, HD-183, 8124, 8282, 7962 366 Total Serviceable Locations

Locations Eligible for Funding: None <20% 20% - 40% 40% - 60% 60% - 80% >80%

Broadband & Digital Equity Indicators

Coverage Speed Eligibility

Eligible (E) Eligible Served (ES) Eligible Focused (EF) Ineligible Planned Service (I)

Northwest Prosperity Region
Average Match Rate: 81%

Proposed Scoring for Cost Model Estimate based on Average cost per location	<20%	+20% to +20%	+20% to +18%	+18% to +0%	+0% to + -18%	+ -18% to + -20%	+ -20% to + -25%	>25%
Proposed Plan Score	0	2	4	6	8	10	12	14

DOWNLOAD DATA

GeoJSON
CSV

- Michigan Project Areas added in the Eligibility Map
 - Select multiple by holding "shift" and view aggregated information in the data pane
- Prosperity Region Match Table
 - View the Prosperity Region Match Table for your selected Project Area(s)
- Download Project Area information
 - Log in and select a Project Area or multiple by holding the "shift" key
 - Select "Download Data"
 - Option to download CSV
 - A CSV of all the BSLs in selected Project Area(s)
 - Option to download GeoJSON
 - A GeoJSON of the physical boundary of the selected Project Area(s)

www.MichiganBroadbandMap.com



The screenshot displays the Michigan Broadband Map interface. The top navigation bar includes 'SERVICEABILITY', 'ELIGIBILITY', 'ABOUT', 'HELP', and 'SIGN IN'. The main area is divided into a left sidebar and a central map. The sidebar shows state-level data for Michigan, including 'Total Serviceable Locations: 4,076,672' and 'Locations Eligible for Funding' with a bar chart. The map shows a 'PERCENTAGE ELIGIBLE' overlay with various project areas marked by orange circles. A detailed view of a project area at '650 BROADWAY ST, MARINE CITY 48039' is shown below, listing providers like Xfinity, AT&T Inc, Verizon, and T-Mobile US with their respective service statuses (Available or Downgraded).

www.MichiganBroadbandMap.com

The Michigan Broadband Map:

- Has been Updated to reflect BEAD Eligible locations
- Allows Applicants to easily access location and Project Area level data

MIHI BEAD Eligibility Map:

- Toggle between maps
- View **BEAD Eligibility** information at the BSL Level by selecting BSL or searching.
- Updated provider table (Status field)

Access the Serviceability Map

- The same familiar map and symbology for served and un/underserved
- Updated post-challenge data
- Status of each provider's service at the BSL
- Challenge process history





Similar to our ROBIN Grant Community Support

ROBIN GRANT MATCH REQUIREMENT + FINANCIAL COMMITMENT BY COMMUNITY:

[Berrien County Board of Commissioners ROBIN Funding Resolution F2302154 \\$675 Per Parcel - \\$4.5M](#)

[BARODA Township ROBIN Grant Financial Commitment \\$197,944](#)

[CHIKAMING Township Support Letter + Financial Commitment Resolution \\$200K](#)

[GALIEN Township ROBIN Grant Financial Commitment Resolution \\$205 Per Parcel - \\$100K Max](#)

[HAGAR Township ROBIN Grant Financial Letter of Support \\$650 Per Parcel + Resolution \\$372K Max](#)

[LAKE Charter Township ROBIN Support Letters + Financial Commitment Resolution \\$162.5K Max](#)

[LINCOLN Charter Township ROBIN Support + Financial Match \(25% Max\) Resolution \\$200K Max](#)

[NEW BUFFALO Township ROBIN Grant Support + Financial Commitment Resolution \\$300K](#)

[NILES Charter Township ROBIN Grant Financial Commitment Resolution \\$73.4K](#)

[PIPESTONE Township ROBIN Grant Financial Commitment Resolution \\$200K](#)

[SODUS Township ROBIN Grant Support + Financial Commitment Resolution \\$5K Max](#)

[VILLAGE of GALIEN ROBIN Financial Support Resolution \\$97 Per Parcel Allocation - \\$28K Max](#)

[WATERVLIET Charter Township ROBIN & MEC Financial Commitment Resolution \\$323,426](#)

[WEESAW Township ROBIN Financial Support Resolution \\$41.27 Per Parcel - \\$30K Max](#)

MUNICIPALITY - ROBIN GRANT - COMMUNITY SUPPORT DOCUMENTATION:

[BERRIEN Township ROBIN Grant Project Support Letter - Bryan Bixby - Township Supervisor](#)

[BERTRAND Charter Township ROBIN Grant Project Support Letter - Steve Hicks - Township Supervisor](#)

[BUCHANAN Charter Township ROBIN Support Letter - Malinda Cole-Crocker - Township Supervisor](#)

[WATERVLIET Charter Township ROBIN Grant Support Letter - Joe Stepich - Township Supervisor](#)

COMMUNITY ANCHOR INSTITUTIONS - ROBIN GRANT ENDORSEMENT:

[BERRIEN Regional EDUCATION Service AGENCY \(RESA\) - Equity-Accessibility-Affordability](#)

[BRIDGMAN Schools - Students/Families Reliable Connectivity-Equitable Opportunities-Accessibility](#)

[COREWELL Health \(Lakeland Hospital\) ROBIN Support - HEALTH EQUITY - President Dr. Loren Hamel](#)

[GALIEN Township FIRE Dept ROBIN Grant-Emergency Services Real-time Reporting-Reliable Connectivity](#)

[LAKE MICHIGAN COLLEGE \(LMC\) ROBIN Support - CRITICAL NEED - President Dr. Trevor Kubatzke](#)

[PALISADES POWER PLANT \(Holtec International\) ROBIN Grant Support - GLOBAL CONNECTIVITY](#)

[POKAGON BAND of POTAWATOMI Indians ROBIN Grant - Rural Connectivity-Limitless Opportunities](#)

ECONOMIC IMPACT - ROBIN GRANT:

[BCBIT-Berrien County Broadband-Internet-TF-ROBIN Equity-Accessibility-Affordability-is Essential](#)

[Berrien County Farm Bureau ROBIN - Healthy, Successful, Innovative, Thriving Agricultural Economy](#)

[SW MI Regional CHAMBER of COMMERCE ROBIN Support for MEC - BRIDGING DIGITAL DIVIDE](#)

[Southwestern MI Association of Realtors \(SWMAR\) ROBIN Live, Work, & Play in Berrien County](#)

CONGRESSIONAL SUPPORT - ROBIN GRANT:

[Michigan State Senator ARIC NESBITT 20th District - State of Michigan Senate](#)

[Michigan State Senator JOHNATHON Lindsey 17th District - State of Michigan Senate](#)

[State Representative BRAD PAQUETTE 37th District - Michigan House of Representatives](#)

[State Representative JOEY ANDREWS 38th District - Michigan House of Representatives](#)

[State Representative PAULINE WENZEL 39th District - Michigan House of Representatives](#)

[U.S. Congressman BILL HUIZENGA 4th District Michigan U.S. Congress-House of Representatives](#)

[U.S. Congressman TIM WALBERG 5th District Michigan U.S. Congress-House of Representatives](#)



File Locations & Program Information

BERRIEN COUNTY BROADBAND INTERNET TASK FORCE



CURRENT Status of Broadband Funding by PARCEL

NEW - Broadband Deployment Dashboard

Michigan B.E.A.D. Funding Eligibility Map

B.E.A.D. Community & Local Support Template

*****B.E.A.D GRANT PROGRAM RESOURCES*****

In November 2021, a \$1 trillion bipartisan Infrastructure Investment and Jobs Act (IIJA) was signed into Law. Congress appropriated \$42.45 billion to the National Telecommunications and Information Administration (NTIA) to administer the Broadband Equity, Access, and Deployment (BEAD) Program. This federal funding will be distributed to states and territories to finance broadband deployment projects. The State of Michigan will receive \$1.559 billion in BEAD funding to close the digital divide. Application window is opened January 9, 2025 for ISPs to apply by Project-Hexabin. Application closes April 9th, 2025.



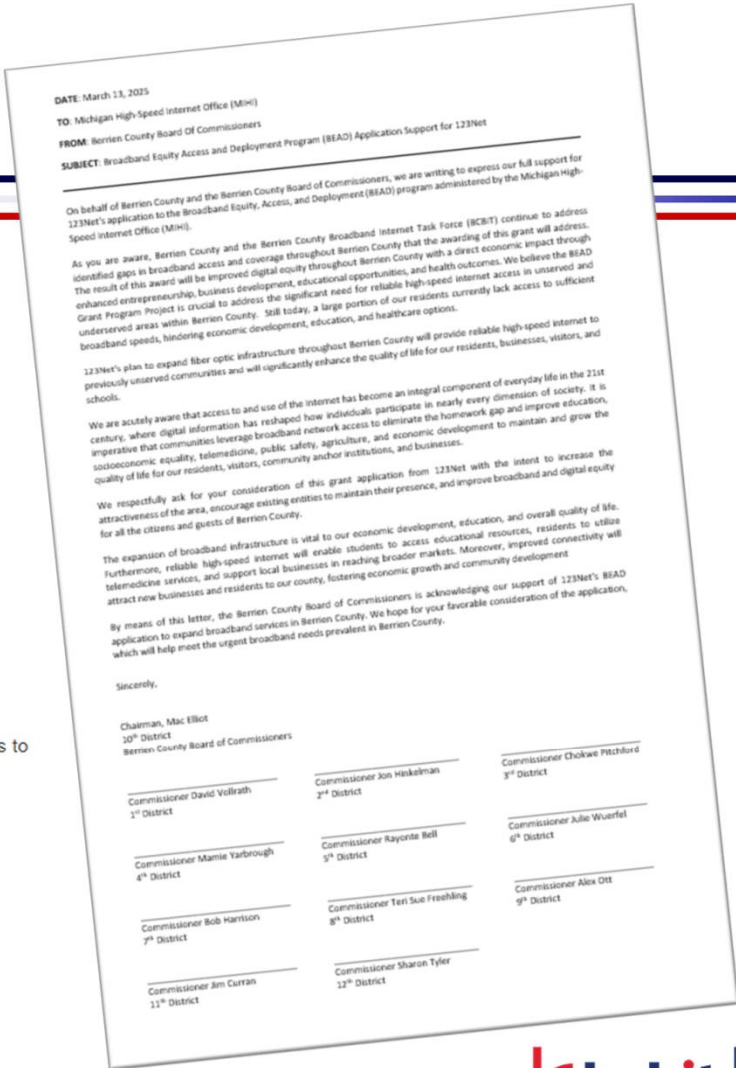
Attachment: BEAD BOC COW V3 (10672 : Broadband Equity Access and Deployment Program (BEAD))



Broadband Equity, Access, and Deployment (BEAD) Program

In November 2021, a \$1 trillion bipartisan Infrastructure Investment and Jobs Act (IIJA) was signed into Law. Congress appropriated \$42.45 billion to the National Telecommunications and Information Administration (NTIA) to administer the Broadband Equity, Access, and Deployment (BEAD) Program. This federal funding will be distributed to states and territories to finance broadband deployment projects.

B.E.A.D. Community & Local Support Template



Attachment: BEAD BOC COW V3 (10672 : Broadband Equity Access and Deployment Program (BEAD))



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Tim Zebell, City Engineer

RE: Category B Grant & 2025 Resurfacing Project Bids

MEETING DATE: April 7, 2025

City staff is requesting the City Commission to award the Category B Grant Project and the 2025 Resurfacing Project to Michigan Paving & Materials (MPM), the low bidder for both projects. On March 25, 2025, the City received and opened two bids for the Category B Grant Project and two bids for the 2025 Resurfacing Project. A general summary of the bid results are shown in the table below, and detailed bid tabulations are attached.

March 25, 2025 Bid Results				
Contractor	2025 Resurfacing Project		Category B Grant (50% Grant)	
	Bid	% Over (Under)	Bid	% Over (Under)
Engineer's Estimate	\$488,857.00	0.0%	\$171,025.00	0.0%
Michigan Paving & Materials	\$350,000.00	-36.1%	\$100,699.00	-59.8%
Rieth-Riley	\$384,676.00	-27.1%	\$117,516.25	-45.5%

The scope of the work on the two projects are essentially the same with milling the asphalt pavement and resurfacing to the depth of pavement removed. The projects were bid as two separate contracts to make the Category B Grant easier to administer. The Category B grant funding will cover 50% of the eligible construction cost up to a cap of \$97,800; the balance is budgeted in the local street fund. The 2025 Resurfacing Project is budgeted in the City major and local street funds. The limits of the two projects are as follows.

Category B Grant

- Midway Avenue from Niles Avenue to South State Street
- St. Joseph Drive from Niles Avenue/Washington Avenue to South State Street

2025 Resurfacing Project

- Golden Bear Court - Harry Gast Parkway (M63) to the southerly dead end
- Pleasant Street – Lake Boulevard to Court Street (excluding State Street & Main Street)
- Pearl Street – Court Street to Wayne Street (excluding Church Street)
- Olive Street – Market Street to Pearl Street

- Anchors Way – Anchors Court south to the cul-de-sac (Island Point Condominiums entrance)
- Morton Ave – Van Brunt Avenue to Botham Avenue, Highland Avenue to St. Joseph Drive

The Category B Grant Project progress clause allows the work to occur within a window from mid-April through the end of October. The 2025 Resurfacing Project work is required to be completed prior to Memorial Day or after Labor Day. Once work commences the Contractor has 15 working days to complete construction. City staff has requested a schedule from the MPM and will provide additional details on the schedule as soon as they inform us of their plans.

Action Requested: Staff requests, as part of the consent agenda, a motion to approve awarding the 2025 Resurfacing Project and Category B Grant Project to the low bidder, Michigan Paving & Materials in the amounts of \$100,699 and \$350,000 respectively and authorizing the City Manager to sign the contracts on behalf of the City.

ATTACHMENTS:

- 2025 Resurfacing Project Bid Tabulation (PDF)
- Category B Grant Bid Tabulation (PDF)



**City of St. Joseph
Engineering Department
2025 Resurfacing Project
Bid Tabulation**

Item #	Work Item	Qty	Unit	Engineer's Estimate		Michigan Paving & Materials Co			Rieth-Riley Construction Co		
				Unit Price	Total	Unit Price	Total	% of Eng. Est.	Unit Price	Total	% of Eng. Est.
1	Mobilization, Max 10%	1	LSUM	\$ 44,500.00	\$ 44,500.00	\$5,860.00	\$5,860.00	13%	\$38,000.00	\$38,000.00	85%
2	Dr Structure Cover, Adj, Case 1, Modified	3	EA	\$ 1,500.00	\$ 4,500.00	\$1,350.00	\$4,050.00	90%	\$900.00	\$2,700.00	60%
3	Cold Milling HMA Surface, Modified	23,930	SYD	\$ 3.50	\$ 83,755.00	\$3.00	\$71,790.00	86%	\$2.20	\$52,646.00	63%
4	HMA, 5EL	2,640	TON	\$ 100.00	\$ 264,000.00	\$84.75	\$223,740.00	85%	\$80.00	\$211,200.00	80%
5	HMA, 4EL	230	TON	\$ 100.00	\$ 23,000.00	\$78.00	\$17,940.00	78%	\$97.00	\$22,310.00	97%
6	HMA, Hand Patch	50	TON	\$ 200.00	\$ 10,000.00	\$100.00	\$5,000.00	50%	\$120.00	\$6,000.00	60%
7	Sanitary Structure Cover, Modified	1	EA	\$ 1,500.00	\$ 1,500.00	\$750.00	\$750.00	50%	\$800.00	\$800.00	53%
8	Storm Structure Cover, Modified	1	EA	\$ 1,500.00	\$ 1,500.00	\$750.00	\$750.00	50%	\$800.00	\$800.00	53%
9	Water Structure Cover, Modified	1	EA	\$ 1,500.00	\$ 1,500.00	\$750.00	\$750.00	50%	\$800.00	\$800.00	53%
10	Pavt Mrkg, Preformed Thermopl, Accessible Sym	3	EA	\$ 300.00	\$ 900.00	\$200.00	\$600.00	67%	\$200.00	\$600.00	67%
11	Pavt Mrkg, Waterborne, for Rest Areas, Parks, & Lots, 4 inch, White	2,110	FT	\$ 0.40	\$ 844.00	\$1.00	\$2,110.00	250%	\$1.00	\$2,110.00	250%
12	Pavt Mrkg, Waterborne, 4 inch, Yellow	1,270	FT	\$ 0.40	\$ 508.00	\$1.00	\$1,270.00	250%	\$1.00	\$1,270.00	250%
13	Pavt Mrkg, Ovly Cold Plastic, 24 inch, Stop Bar	25	FT	\$ 18.00	\$ 450.00	\$12.00	\$300.00	67%	\$12.00	\$300.00	67%
14	Pavt Mrkg, Ovly Cold Plastic, 12 inch, Crosswalk	190	FT	\$ 10.00	\$ 1,900.00	\$6.00	\$1,140.00	60%	\$6.00	\$1,140.00	60%
15	Maintaining Traffic	1	LSUM	\$ 50,000.00	\$ 50,000.00	\$13,950.00	\$13,950.00	28%	\$44,000.00	\$44,000.00	88%
				TOTAL	\$ 488,857.00		\$ 350,000.00	72%		\$ 384,676.00	79%

Attachment: 2025 Resurfacing Project Bid Tabulation (10656 : Category B Grant & 2025 Resurfacing

DATE March 26, 2025

BID TABULATION

PARTICIPATING			ESTIMATED/PROPOSED			MICHIGAN PAVING & MATERIALS CO			RIETH-RILEY CONSTRUCTION CO				
ITEM NUMBER	DESCRIPTION	UNIT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	UNIT PRICE	AMOUNT		
	Midway Avenue												
1	Mobilization, Max 10%	EA	0.50	\$15,550.00	\$7,775.00	0.50	\$3,500.00	\$1,750.00	0.50	\$1,100.00	\$550.00		
2	Dr Structure Cover, Adj, Case 1, Modified	EA	8.00	\$2,000.00	\$16,000.00	8.00	\$900.00	\$7,200.00	8.00	\$900.00	\$7,200.00		
3	Cold Milling, HMA Surface, Modified	SYD	3245.00	\$3.00	\$9,735.00	3245.00	\$3.48	\$11,292.60	3245.00	\$2.75	\$8,923.75		
4	HMA, 5EL	TON	270.00	\$135.00	\$36,450.00	270.00	\$89.00	\$24,030.00	270.00	\$80.00	\$21,600.00		
5	HMA, Hand Patch	EA	5.00	\$350.00	\$1,750.00	5.00	\$150.00	\$750.00	5.00	\$100.00	\$500.00		
6	Sanitary Structure Cover, Modified	EA	1.00	\$1,500.00	\$1,500.00	1.00	\$610.00	\$610.00	1.00	\$610.00	\$610.00		
7	Storm Structure Cover, Modified	EA	3.00	\$1,500.00	\$4,500.00	3.00	\$610.00	\$1,830.00	3.00	\$610.00	\$1,830.00		
8	Water Structure Cover, Modified	EA	4.00	\$1,500.00	\$6,000.00	4.00	\$610.00	\$2,440.00	4.00	\$610.00	\$2,440.00		
9	Pavt Mrkg, Waterborne, for Rest Areas, Parking, & Lots, 4 inch, White	FT	200.00	\$2.00	\$400.00	200.00	\$3.00	\$600.00	200.00	\$3.00	\$600.00		
10	Maintaining Traffic	LS	0.50	\$10,000.00	\$5,000.00	0.50	\$7,500.00	\$3,750.00	0.50	\$25,500.00	\$12,750.00		
	St. Joseph Drive												
1	Mobilization, Max 10%	EA	0.50	\$15,550.00	\$7,775.00	0.50	\$3,500.00	\$1,750.00	0.50	\$1,100.00	\$550.00		
2	Dr Structure Cover, Adj, Case 1, Modified	EA	8.00	\$2,000.00	\$16,000.00	8.00	\$900.00	\$7,200.00	8.00	\$900.00	\$7,200.00		
3	Cold Milling, HMA Surface, Modified	SYD	1430.00	\$3.00	\$4,290.00	1430.00	\$3.48	\$4,976.40	1430.00	\$2.75	\$3,932.50		
4	HMA, 5EL	TON	260.00	\$135.00	\$35,100.00	260.00	\$89.00	\$23,140.00	260.00	\$80.00	\$20,800.00		
5	HMA, Hand Patch	EA	5.00	\$350.00	\$1,750.00	5.00	\$150.00	\$750.00	5.00	\$100.00	\$500.00		
6	Sanitary Structure Cover, Modified	EA	1.00	\$1,500.00	\$1,500.00	1.00	\$610.00	\$610.00	1.00	\$610.00	\$610.00		
7	Storm Structure Cover, Modified	EA	4.00	\$1,500.00	\$6,000.00	4.00	\$610.00	\$2,440.00	4.00	\$610.00	\$2,440.00		
8	Water Structure Cover, Modified	EA	3.00	\$1,500.00	\$4,500.00	3.00	\$610.00	\$1,830.00	3.00	\$610.00	\$1,830.00		
9	Pavt Mrkg, Waterborne, for Rest Areas, Parking, & Lots, 4 inch, White	FT	0.00	\$2.00	\$0.00	0.00	\$3.00	\$0.00	0.00	\$3.00	\$0.00		
10	Maintaining Traffic	LS	0.50	\$10,000.00	\$5,000.00	0.50	\$7,500.00	\$3,750.00	0.50	\$25,500.00	\$12,750.00		
Participating Total					\$171,025.00	Participating Total			\$100,699.00	Participating Total			\$107,616.25

Attachment: Category B Grant Bid Tabulation (10656 : Category B Grant & 2025 Resurfacing Project Bids)



Agenda Item

TO: Members of the St. Joseph City Commission
FROM: Steve Neubecker, Public Safety Director
RE: Community Ambulance Echo Units
MEETING DATE: April 7, 2025

Community Ambulance (Medic 1) would like to pilot the use of echo units for its members in Berrien County. An echo unit is a specialized ambulance or vehicle with advanced life support (ALS) equipment and staffed by paramedics for critical or life threatening calls.

Director Jason Wiley of Community Ambulance is requesting an additional \$1 per capita to implement the echo units.

The population used for this calculation is 7,856 and it would cost the City an additional \$7,856 annually starting March 1, 2025, moving our total annual cost from \$78,560 to \$86,516.

Action Requested: Motion to approve the 2025/2026 Community Ambulance (Medic1) echo units at \$7,856 and amend the general fund budget by increasing the 101-651-801 line item to \$31,424 for this fiscal year.



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Emily Hackworth, City Manager

RE: Downtown Parking Program: Overview

MEETING DATE: April 7, 2025

As part of the development of the City's Downtown Vision Master Plan, residents identified challenges parking downtown as a key issue. The plan ultimately recommended that the City explore paid parking to "help create parking turnover, better distribute parking, and fund necessary maintenance and improvements."

Since the Downtown Vision Master Plan was adopted in 2020, City Commissioners and the Downtown Development Authority (DDA) have shown their support for adding paid parking downtown. They jointly formed a Parking Subgroup, comprised of two City Commissioners and three members of the DDA, which has been exploring a strategy to implement a new downtown parking program.

The City hired a parking consultant to advise on a strategy that would support the objectives laid out in the Downtown Vision Master Plan. Walker Consultants worked with the Parking Subgroup and presented their recommendations as part of a study session at the May 29, 2024 City Commission Meeting. The Parking Subgroup's recommendations were then shared - and the concepts adopted by the City Commission - in the June 24, 2024 City Commission meeting. At that time the Commission directed staff to begin the implementation process, while also exploring some of the concerns raised through public comment.

The Parking Subgroup shared a subsequent update during the September 30, 2024 City Commission meeting, with a revised proposal based on continued data gathering. In that meeting, the City Commission voted to approve the revised concepts, to allocate funds for the purchase of pay stations, and to direct staff to continue conducting research, especially to explore the impact of the parking program on residents.

Following additional work with Walker Consultants, and discussions with residents, business owners, and employees, the Parking Subgroup revised its recommended concepts for the Downtown Parking Program and presented these changes during the February 24, 2025 City Commission meeting. During the meeting, the City Commission voted in support of the changes and approved the first reading of changes to the City ordinance.

Staff will provide an update on the current plan for the Downtown Paid Parking program, as developed by the Parking Subgroup. There are no requested changes from the previously presented concepts.

ATTACHMENTS:

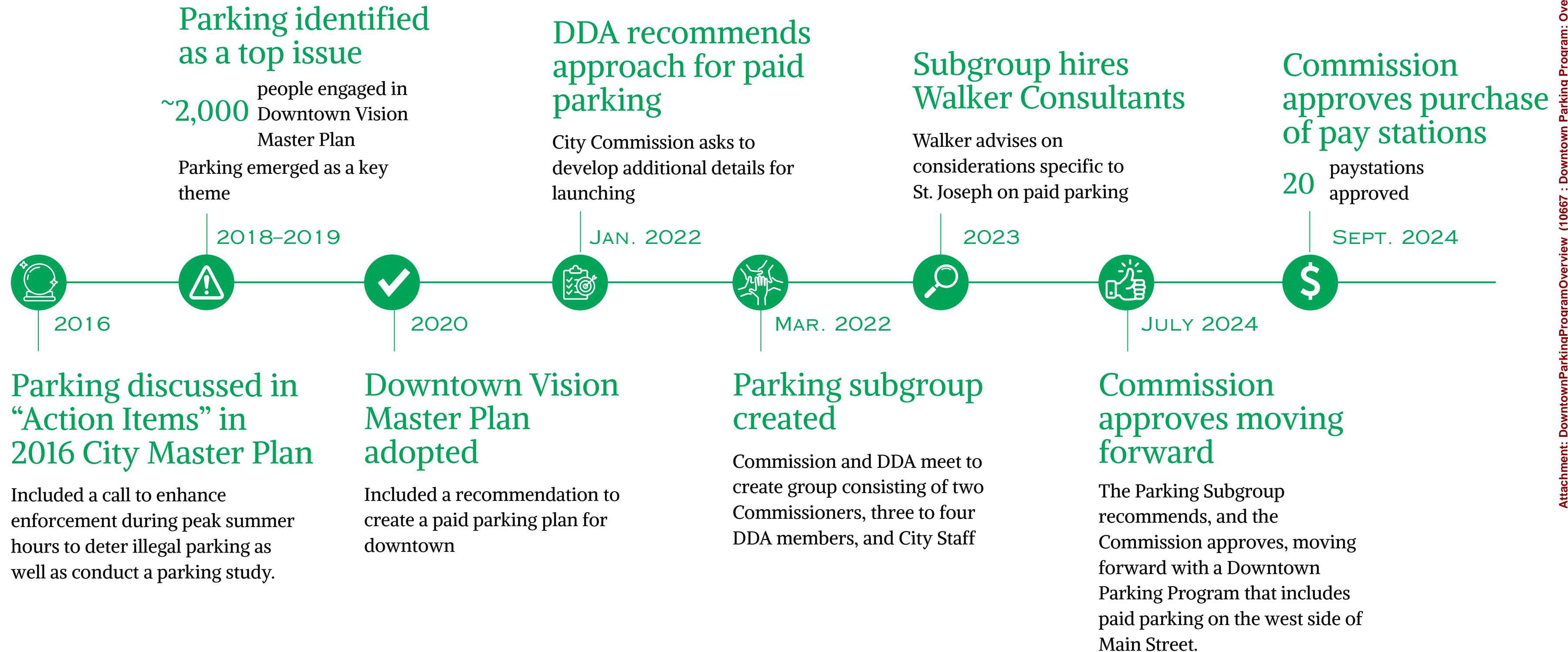
- DowntownParkingProgramOverview (PDF)



Downtown Parking Program

MONDAY, APRIL 7, 2025

How we arrived here

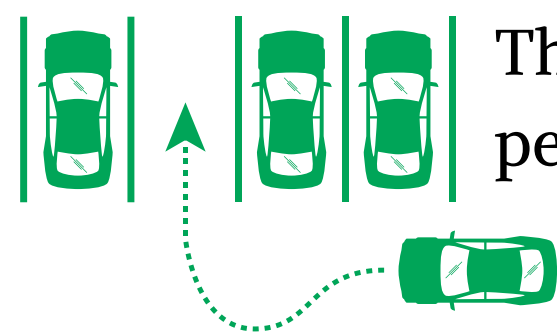




STUDY COMPLETED JULY 2019

Parking Study

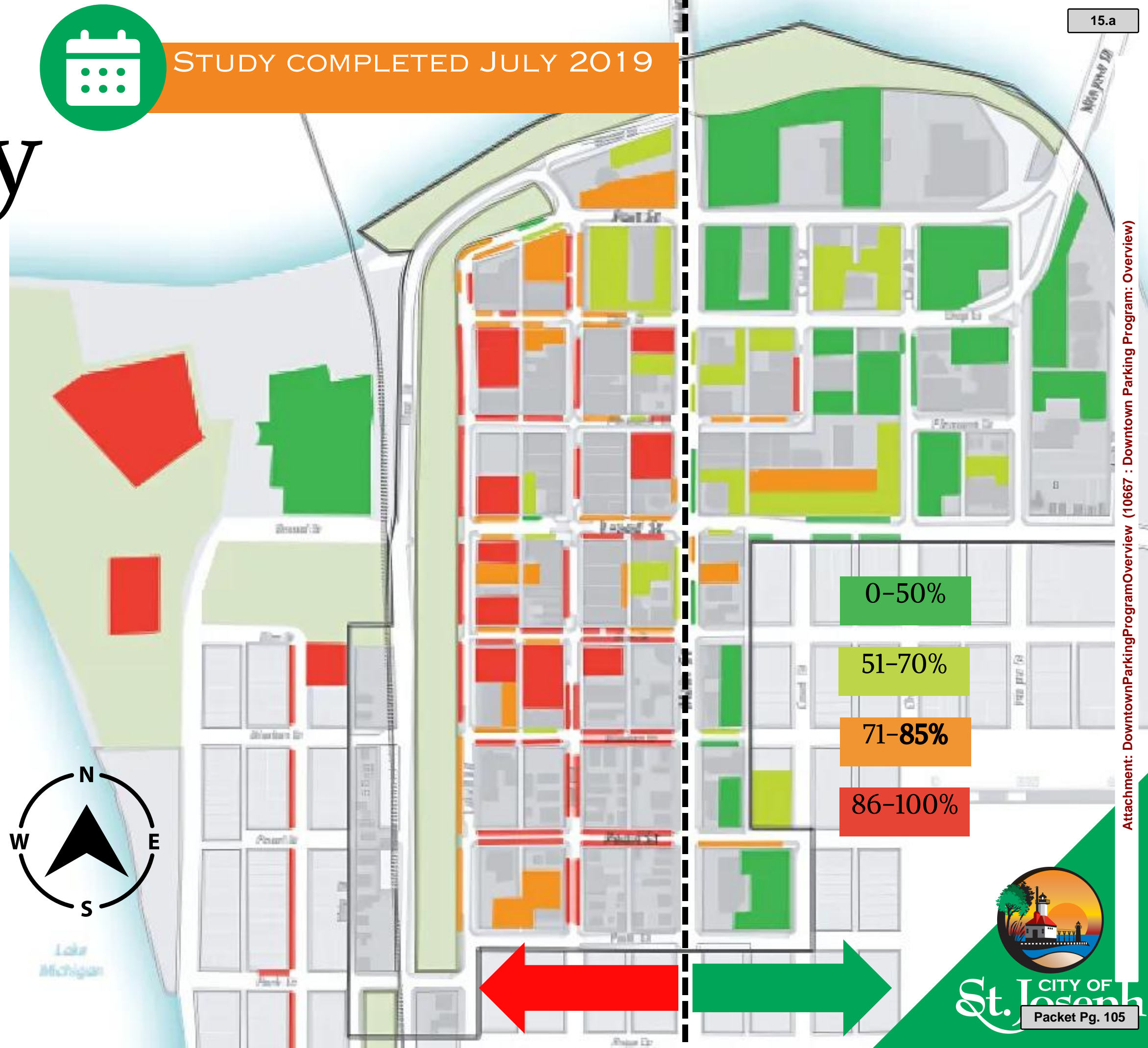
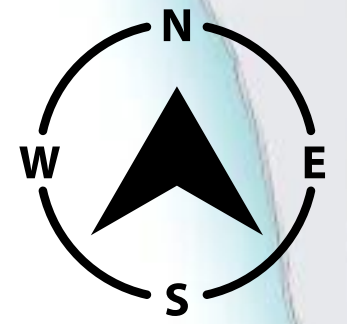
The ideal parking utilization is around **85% capacity**



That's about **one available spot** per block at any given time

On a mid-July Saturday (non-special event), **only 60% of parking capacity was used at once**

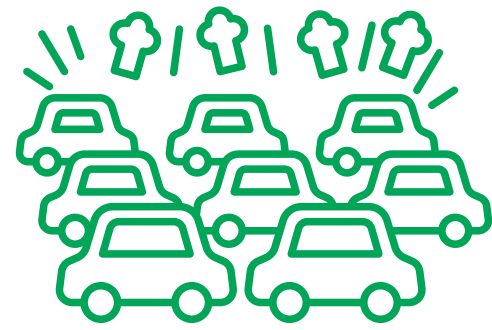
Parking **west** of Main Street was near capacity, and parking **east** of Main Street had significant availability



Attachment: DowntownParkingProgramOverview (10667 : Downtown Parking Program: Overview)



Other Challenges



Parking downtown has been an issue in the summer for years



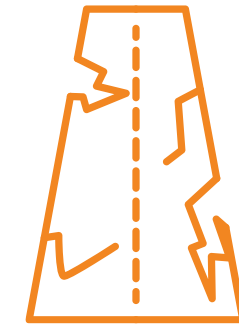
Downtown parking is often occupied by beachgoers or employees



The 2-hour time limit is too short for many visitors.



Main Street is a barrier for pedestrians, making parking east of Main less desirable, increasing demand for parking west of Main



City parking lots and other infrastructure in downtown is in need of repair



Objectives

FOR TRAFFIC

FOR BUSINESSES

FOR LOCALS

FOR ALL

Reduce traffic created by drivers searching for parking

Increase turnover, improving access to downtown businesses

Move public parking to a system funded by users

Improve the experience of visiting downtown



Up to **30%**

of cars in traffic cruising for parking

Available parking attracts more customers to the downtown, increasing foot traffic and sales

City residents pay for parking through taxes: downtown parking would be paid by the users, including visitors

Creates a downtown with less traffic and more improvements

Encourage longer-term parkers to use lower-demand locations

Extend on-street time limits to address business concerns

The parking system and downtown maintenance become user supported

Streamlines the parking system

Encourage the use of alternative modes of transportation

Maintain 30-minute spaces for quick needs

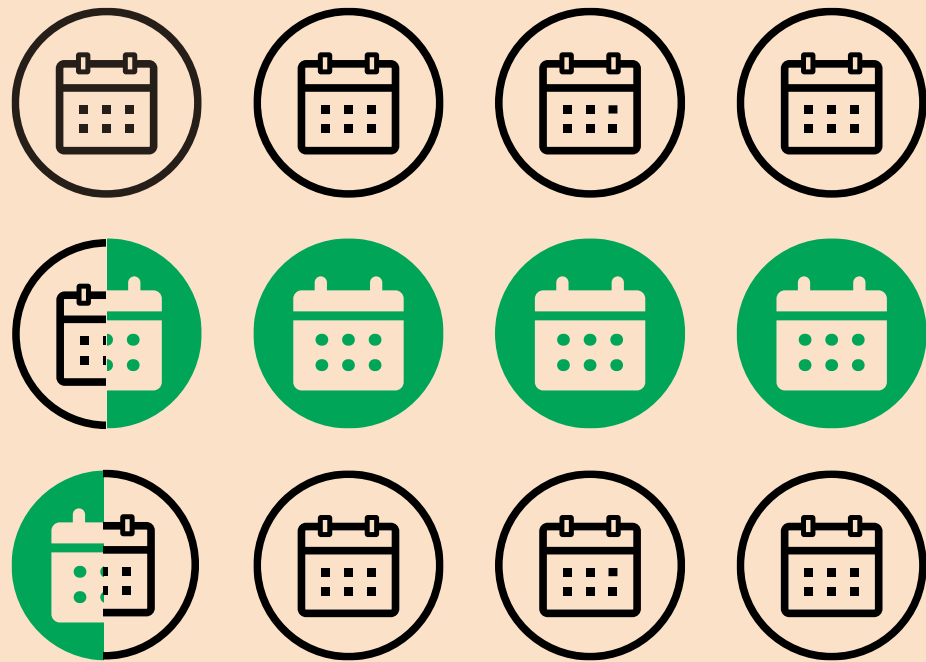
Frees up taxpayer dollars for other City needs

Improves downtown with dedicated investments



Our Downtown Parking Program

Paid parking will **be in effect from May 15–Sept. 15** during our busiest season.



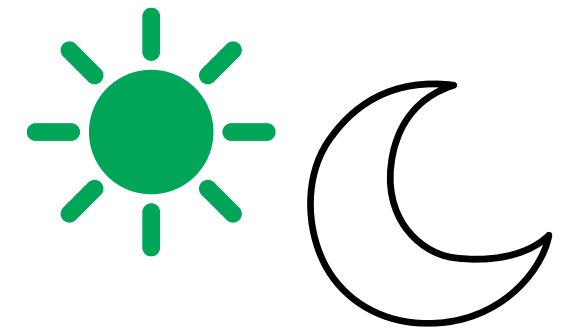
Parking downtown is free the rest of the year.

MAY 15–SEPTEMBER 15:



Paid parking will only be in effect west of Main Street. **All parking east of Main Street is free year-round.**

Paid parking will **only be in effect from 9:00 a.m. to 9:00 p.m.** Overnight or parking outside of these hours is free.



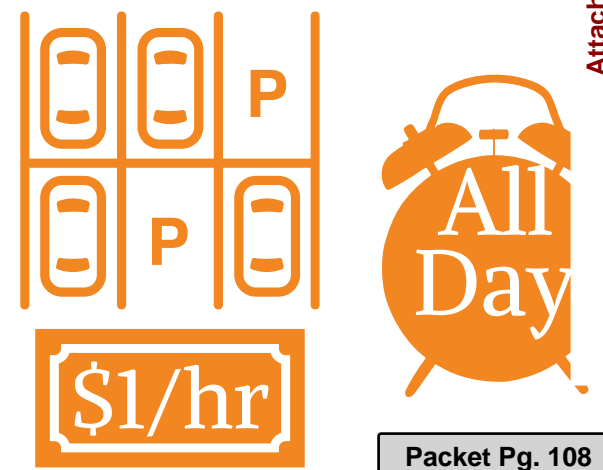
ON-STREET PARKING WEST OF MAIN STREET:

\$2/hour
Time limit raised to 3 hours
Max parking cost: \$6



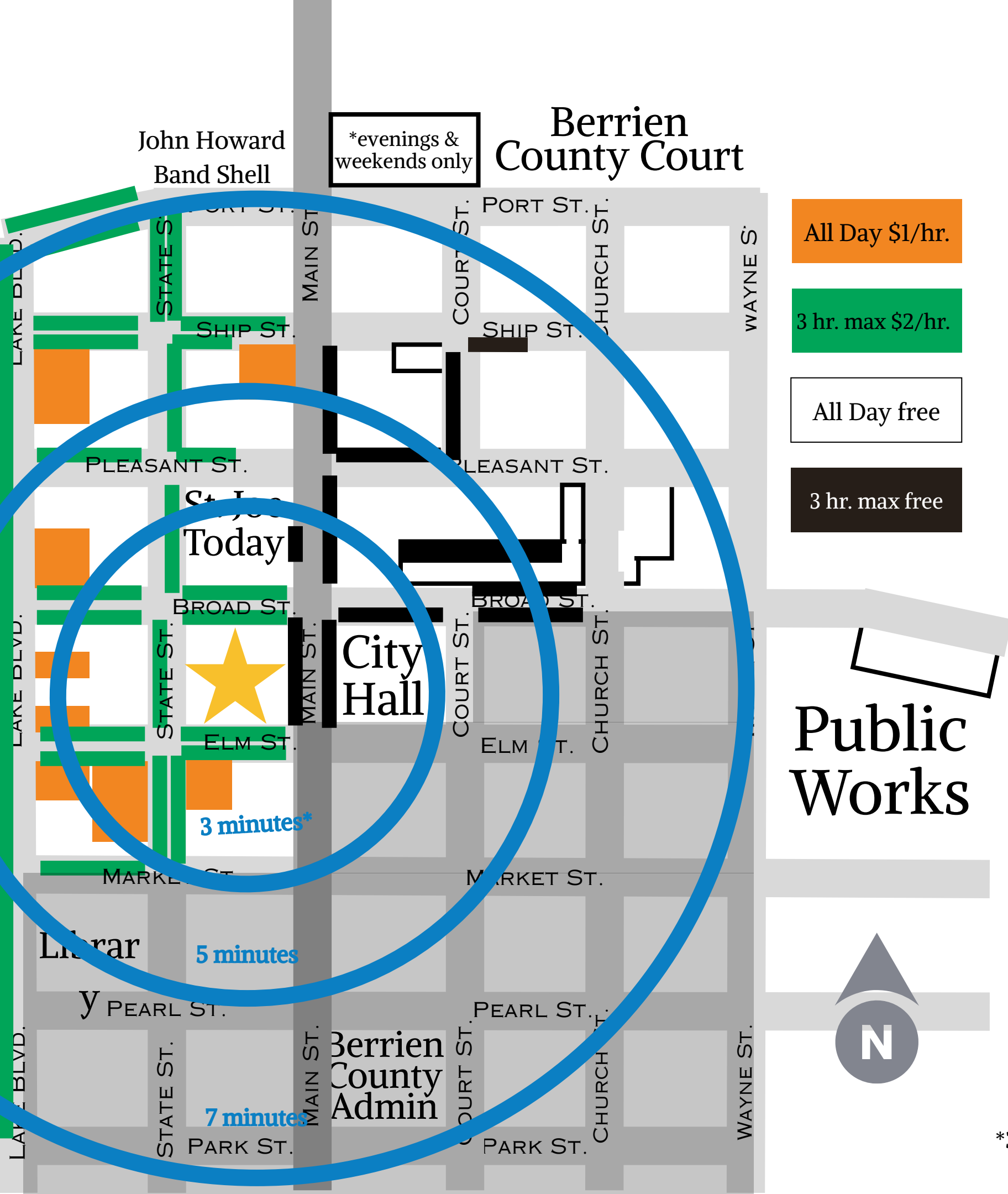
LOT PARKING WEST OF MAIN STREET:

\$1/hour
All lots are now all-day parking
Max parking cost: \$12 per day



Feedback has been essential

- ✓ Shortened the paid **parking season**
- ✓ Increased **free parking** spaces east of Main Street
- ✓ Created a free **waiver for Downtown residents**
- ✓ Created a free **waiver for Downtown employees** with mobility and financial limitations
- ✓ Created an **ambassador program to help** introduce the new process and interfaces
- ✓ Reserved **free parking for Library** guests
- ✓ Ensured **multiple days worth of parking** could be purchased at one time for guests staying Downtown
- ✓ Ensured time could be purchased in increments as **short as 15 minutes**
- ✓ Ensured the **program is flexible** and able to be quickly adapted to the needs of Downtown via Resolution
- ✓ Planning for **bike racks** for residents who would rather find an alternate way to travel Downtown



Total Parking

Above the bluff within a 10-minute walk of State & Broad

FREE PARKING

- 29 3-hour parking
- ~704 All-day parking**
- 191 Evenings & weekends
- 15 (13 W, 2 E) 30-minute parking
- 1,039 Total free parking spaces

PAID PARKING

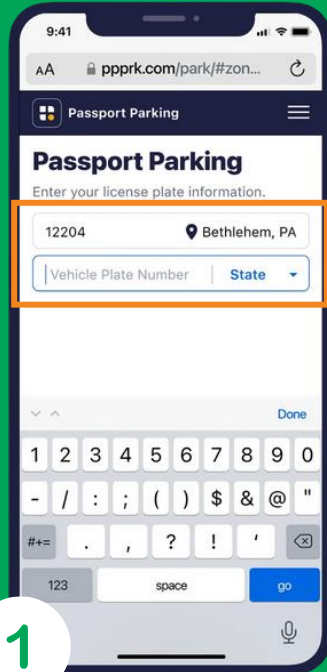
- 371 3-hour parking
- 436 All-day parking
- 807 Total paid parking spaces

*3 minutes is approximately the time it takes to cross from the far edge of the Meijer parking lot to the store

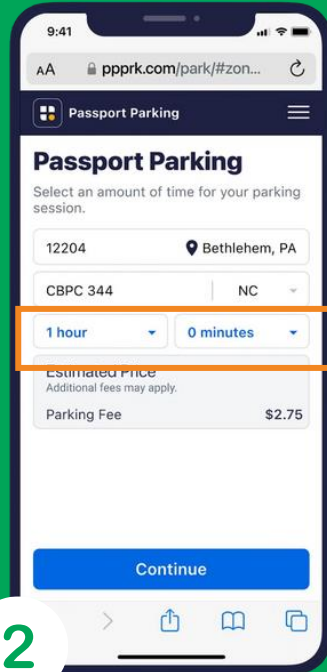


Two ways VIA MOBILE

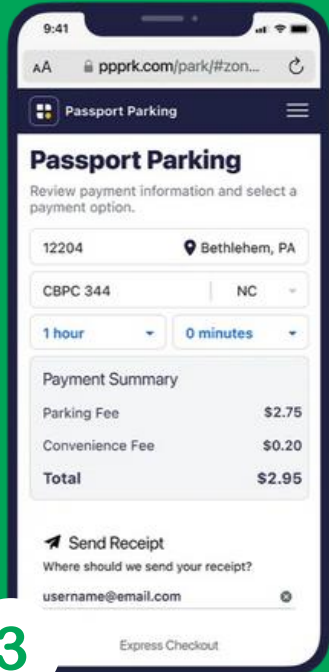
Tip: this is the same app we use for our City Parks!



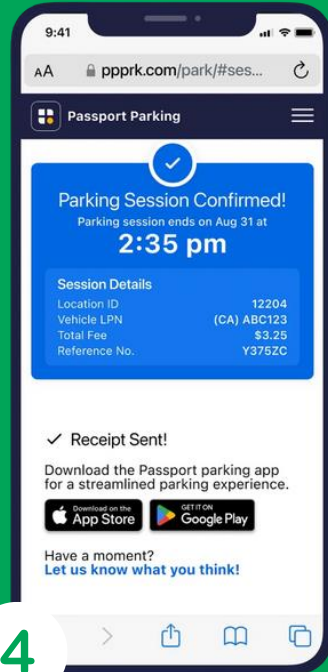
1 You'll need your **license plate** and **zone number**



2 Select the amount of time for your parking session



3 Enter and review payment information



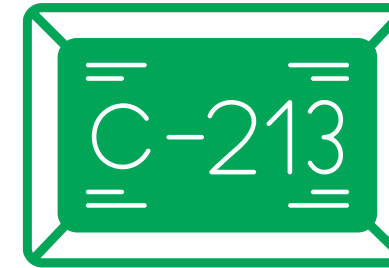
4 Pay and your session is confirmed! **No need for a physical receipt or tag.**

Save time! The passport mobile app can save your pay information and license plates to take the hassle out of pay-to-park.

The Passport app will also send you automatic notifications when your time is close to expiring.



Download **Passport Parking** from your app store



Make sure you know your license plate number before going to the pay station!



Pay Station Tips

When locating the nearest pay station, make sure to go to an **on-street** station if you parked on-street, or **your lot's** station if you parked in a lot.

Pay stations are **card only** and do not accept cash payments.

You **do not** need to display your receipt in your car; all parking is tracked by license plate.



to pay VIA PAY STATION



Fair Trade + Social Justice

Parking Benefits District



Ensures that revenue generated from paid parking is reinvested into the downtown, providing tangible benefits to downtown residents and visitors

All operating expenses of the parking system should be paid from parking revenues first
The remaining net revenue should be split 80/20 between the PBD and the General Fund

Attachment: DowntownParkingProgramOverview (10667 : Downtown Parking Program: Overview)



Anticipated Revenue & Expenses

ESTIMATED REVENUE		ESTIMATED OPERATING EXPENSES	
On-Street Parking	\$619,000	Recurring Pay Station Fees	\$18,000
Surface Lot Parking	\$213,000	Equipment/Signage Maintenance	\$20,000
<i>Gross Parking Revenue</i>	<i>\$832,000</i>	Additional Enforcement/Ambassador Personnel	\$50,000
Credit Card Fees	(\$67,000)	Recurring Enforcement Equipment Costs	\$15,000
Net Parking Revenue	\$765,000	Total Operating Expenses	\$103,000
Estimated Annual Net Income		\$662,000	

Attachment: DowntownParkingProgramOverview (10667 : Downtown Parking Program: Overview)



Bringing the Downtown Vision Master Plan to life



PARKING BENEFIT DISTRICT REVENUE COULD BE USED TO:

- Offset current downtown expenses
- Fund future enhancements to downtown:
 - Streetscape improvements
 - Parking lot improvements
 - Lake Bluff Park redevelopment
 - Alley improvements
 - Pleasant Street and Court Place Plaza development
 - Improved downtown amenities
 - Catalyze new development
 - Support tourism
 - Improve ongoing maintenance and management





Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Laurie Schmidt, City Attorney

RE: Downtown Parking Program: Ordinance Amendment-Parking Regulations, Second Reading

MEETING DATE: April 7, 2025

On February 24th, following the presentation of the Downtown Parking Program updates, the City Commission approved amendments to the parking regulations in Chapter 29, Article II of the Code of Ordinances.

The amended ordinance reorganizes and updates references, such as removing the references to police department and police officers and replacing them with public safety department and public safety officers, updates the structure and cost of fines, and retains most of the City's current parking regulations and the method of enforcement. It also changes the framework for implementing parking regulations by requiring the City Commission to approve the scope of parking regulations, such as the locations, time restrictions, and rates for parking vehicles on city streets and in city-owned and city-regulated parking lots, by resolution. The City Manager would then carry out the administration and detailed planning of the parking regulations.

Two minor edits were made to the proposed Ordinance, in Section 29-38(b), adding the word "streets" and "area" as shown in the redline copy included in the packet. In addition, Section 29-21(b) which restricted all-night street parking downtown on Saturday and Sunday was removed to be consistent with the long-standing practice of allowing all-night street parking on Saturday and Sunday throughout the City.

If the City Commission continues to support the ordinance amendments, as presented with the edits, a second reading of the ordinance amendment is requested. The ordinance amendment would become effective 10 days from the second reading.

Action Requested: Motion to approve the second reading of the Ordinance to Amend Chapter 29, Article II, Sections 29-21 through 29-45 of the City of St. Joseph Code of Ordinances as presented.

ATTACHMENTS:

- Ordinance to Amend Parking_Ch 29 Art. II Secs 29-21 through 29-45 (02) FIN (002) (PDF)
- Ordinance to Amend Parking_Ch 29, Art. II, Secs 29-21 through 29-45 (02) Redlined Rev03 (PDF)

**CITY OF ST. JOSEPH
BERRIEN COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND CHAPTER 29 “TRAFFIC AND MOTOR VEHICLES”
ARTICLE II “PARKING, STOPPING AND STANDING” OF THE CODE OF
ORDINANCES OF THE CITY OF ST. JOSEPH, MICHIGAN**

THE CITY OF ST. JOSEPH ORDAINS that Chapter 29, Art. II, Secs. 29-21 through 29-45 of the Code of Ordinances is amended to read as follows:

ARTICLE II. PARKING, STOPPING AND STANDING

DIVISION 1. GENERALLY

Sec. 29-21. All night street parking.

(a) No person shall park a vehicle on any paved street between the hours of 2:30 a.m. and 6:00 a.m., Monday through Friday.

(b) Any vehicle parked in violation of this section may be towed to some other place by an authorized agent or servant of the city, in which event the owner of such vehicle shall be charged with all towing fees and storage charges in addition to any other penalty imposed by or under this Code.

Sec. 29-22. Parking on tree lawns.

No person shall park a vehicle on any tree lawn in the city except with permission from the public safety director. The words "tree lawn" shall mean the unimproved portion of a street between the roadway and the sidewalk or edge of the street.

Sec. 29-23. Overlapping lines.

No person shall park a vehicle in such a manner as to straddle or overlap the limit lines of parking spaces marked upon the street.

Sec. 29-24. Truck parking.

No person shall park or leave any truck tractor, trailer or semitrailer detached from its tractor on any street, alley or public place or in any public parking lot within the city except in cases of emergency.

Sec. 29-25. Front or side yard parking.

No person shall park a vehicle in or on a front or side yard as defined in the zoning ordinance, except in a driveway or designated parking area (hard surface), without a written permit from the public safety director.

Sec. 29-26. Interference with enforcement of parking ordinances and regulations.

(a) No person shall interfere with or hinder the enforcement of the parking, standing or stopping ordinances and regulations of the City of St. Joseph by removing, erasing, altering, concealing or in any manner modifying any tags, stickers, chalk or other marks or symbols placed on a vehicle by a parking control officer or police officer, or by any other act designed or intended to prevent such enforcement.

(b) Violation of this section shall be a misdemeanor.

Sec. 29-27. Unpaid parking violations; towing of vehicle.

(a) No person shall park a vehicle on any street or public parking lot if the vehicle's owner has failed to answer six or more parking violation notices or citations regarding illegal parking. For the purposes of this section, an "answer" shall be defined as taking either of the following actions within seven days of the issuance of the notice or citation; (i) paying the appropriate fine, or (ii) giving the city public safety department written notice that the notice or citation is contested.

(b) Any vehicle parked in violation of this section may be towed to some other place by a licensed towing service registered with the city upon direction of any public safety officer, parking enforcement officer or other authorized agent or servant of the city, in which event the vehicle shall not be released until all accrued fines are paid in full, and the owner of such vehicle shall have paid all towing fees and storage charges.

Secs. 29-28—29-32. Reserved.

DIVISION 2. PARKING LOTS AND STREETS

Sec. 29-33. Designation by manager.

The city manager shall have authority to lay out and designate the use of parking spaces on city owned or operated parking lots, and all persons parking any vehicle therein shall park the same within designated limit lines and spaces, and no person shall park any vehicle in any driveway or other portion of such lot where parking is forbidden by signs duly posted.

Sec. 29-34. Liability.

All parking shall be at the owner's risk, and the city shall not be responsible for the theft of or damage to any vehicle or the loss of any articles left in any vehicle while parked in any publicly owned or operated parking lot or street.

Sec. 29-35. Maximum length.

No vehicle which exceeds 18 feet in length shall be parked in any public parking lot for any period.

Sec. 29-36. Overnight parking; exception.

(a) No person shall park or leave any vehicle overnight in any public parking lot, except as described below.

(b) Residents of dwelling units located in the Downtown zoning district, as established and defined by the City of St. Joseph Zoning Ordinance, may park vehicles overnight in public parking lots located in the Downtown and the adjacent Commercial Office zoning districts, subject to all other ordinances and regulations of the city. Any vehicle so parked must be currently registered, bear valid license plates and be in operating condition. However, this exception does not apply to residents of dwelling units that are otherwise required to provide dedicated off-street parking under the Zoning Ordinance.

(c) The city commission may by resolution authorize the issuance of parking permits to Downtown residents in accordance with subsection (b), set fees for such permits, and establish and amend rules and guidelines for the issuance, administration and cancellation of such permits.

Sec. 29-37. Use for repair or sale of vehicles or for trade or business prohibited.

No person shall use any public parking lot to sell or repair vehicles or carry on any trade or business therein.

Sec. 29-38. Established time limits and rates.

(a) The city commission may establish, by resolution, spaces or zones within the city where parking on streets or in city-owned or city-operated off-street parking lots shall be regulated by time limits, parking meters, or other controls, and shall establish by resolution, any time limits or rates to be charged for parking of vehicles in those locations. Regulations may be seasonal.

(b) In determining time limits, parking meters, rates, and other controls, the city commission shall consider the general public health, welfare, and safety; the need for safely expediting traffic; the maximum use of available on-street and off-street parking areas; the need to place parking meters in appropriate areas where the meters will serve to regulate and control the parking; and the need to encourage turnover of parking in those areas where rapid turnover is desired and to encourage long-term parking in those areas where long-term parking is desired. Parking revenues shall provide for the operation and improvement of the city's parking lots, streets, and parking system in addition to other improvements to the downtown area.

(c) The city commission may also establish by resolution, regulations and exceptions to time and rate regulations, including but not limited to permits and waivers. The city manager is authorized to administer the parking regulations and exception processes as directed by the city commission.

(d) When the city commission establishes spaces or zones limiting the length of time that vehicles may be parked during certain hours on designated streets, or portions thereof, or in

city-owned or city-operated off-street parking facilities, or establishes rates for the same, the city manager shall place proper signs on such streets or city-owned or city-operated off-street parking lots. A map or a listing of streets, or portions thereof, and city-owned or city-operated parking lots where parking time is limited, and the rates that apply to the same, shall be maintained in the offices of the public safety director and the city clerk.

Sec. 29-39. Parking meters.

(a) Upon resolution of the city commission as described in this division, the city manager is authorized to install, regulate, control, and maintain parking meters and to enter into contracts for the purchase or installation of parking meters and parts and equipment for the maintenance of the same. The city manager is authorized to utilize technology and multiple payment options in designated parking spaces and zones.

(b) The city manager shall install signage for each designated parking zone stating how rates may be paid in lieu of a physical parking meter.

(c) Whenever a vehicle is parked in a parking space designated by signage for payment the operator of the vehicle shall complete a transaction as identified by the posted signage. The operator of the vehicle shall use the vehicle's license plate to activate a paid parking session. Then, the parking space may be lawfully occupied by the vehicle during the period of parking time not to exceed the maximum time purchased. If the operator fails to activate a parking session or if the vehicle is or remains parked in the parking space or parking zone beyond the time limit purchased for the parking space or parking zone, it shall be a violation of this Chapter.

Sec. 29-40. Violations of time limits or rates.

No person shall park or leave any vehicle on a street or in city-owned or city-operated off-street parking lot for a period longer than that established and identified by posted signage for such parking space or parking zone or for a period beyond the time limit purchased for the parking space or parking zone.

Unless otherwise provided, a violation of a parking ordinance is a civil infraction and subject to the fines and costs provided in section 29-2 and any additional penalties imposed in Sec. 21-45. Each violation is a separate and distinct offense.

Secs. 29-41—29-43. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 29-44. Notice of parking violation.

(a) Whenever a public safety officer shall observe a violation of any ordinance pertaining to parking, they shall notify the owner or driver of the vehicle involved in the alleged violation by the issuance of a traffic ticket or notice of violation in the usual manner. Such traffic ticket or notice of violation shall indicate the time limit in which the person to whom the same was issued must respond, the address of where the person shall respond, the hours during which the person shall respond, the amount of the penalty scheduled for the offense for which the ticket was issued and advise that a civil infraction citation will be issued and brought before the Berrien County Trial Court, Traffic Division if such person fails to respond within the time limit. The issuance of a traffic ticket or notice of violation shall be deemed an allegation of a parking violation.

(b) In any proceeding for a violation of this division relating to the standing or parking of a vehicle, proof that the particular vehicle described in the traffic ticket or notice of violation was parked in violation of said division, together with proof that the person, corporation, partnership or company named in the traffic ticket or notice of violation was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person, corporation, partnership or company who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Sec. 21-45. Establishment of fines.

Fines for parking violations shall be as follows, and may include an administrative fee of no more than Five Dollars (\$5.00) or the actual cost of administration, whichever is less:

(a) Overnight parking:

- (1) Payment made within 7 days of violation \$10.00
- (2) Payment made within 8 to 30 days of violation \$20.00
- (3) Payment made after 30 days of violation \$30.00

(b) Handicapped parking:

- (1) Payment made within 7 days of violation \$170.00
- (2) Payment made within 8 to 30 days of violation \$255.00
- (3) Payment made after 30 days of violation \$340.00

(c) **Hourly parking:** The schedule of fines for this violation shall be dependent upon the cumulative number of notices or citations issued to a vehicle, as identified by its license plate, for all hourly parking violations that occurred on the same day and within the preceding 13 calendar days.

First or second notice or citation:

- (1) Payment made within 7 days of violation \$20.00
- (2) Payment made within 8 to 30 days of violation \$35.00
- (3) Payment made after 30 days of violation \$50.00

Third notice or citation:

- (1) Payment made within 7 days of violation \$60.00
- (2) Payment made within 8 to 30 days of violation \$100.00
- (3) Payment made after 30 days of violation \$140.00

Fourth or more:

- (1) Payment made within 7 days of violation \$80.00
- (2) Payment made within 8 to 30 days of violation \$125.00
- (3) Payment made after 30 days of violation \$170.00

In addition to fines, upon four or more hourly parking violations within the same time period, the city may cause the vehicle to be towed to some other place, and the owner of the vehicle shall be charged with all towing and storage fees and costs.

(d) **Other parking violations:**

- (1) Payment made within 7 days of violation \$40.00
- (2) Payment made within 8 to 30 days of violation \$60.00
- (3) Payment made after 30 days of violation \$80.00

If the owner or driver of any vehicle involved in a violation of this section fails to pay the fine imposed by this section or shall deny that they are responsible for the alleged violation, it shall be the duty of the public safety officer having knowledge of the facts to make a complaint before the court charging such owner or driver with the alleged violation.

All provisions of Chapter 29 not hereby amended remain in full force and effect.

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

This Ordinance shall take effect ten (10) days after its final passage.

**CITY OF ST. JOSEPH
BERRIEN COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND CHAPTER 29 “TRAFFIC AND MOTOR VEHICLES”
ARTICLE II “PARKING, STOPPING AND STANDING” OF THE CODE OF
ORDINANCES OF THE CITY OF ST. JOSEPH, MICHIGAN**

THE CITY OF ST. JOSEPH ORDAINS that Chapter 29, Art. II, Secs. 29-21 through 29-45 of the Code of Ordinances is amended to read as follows:

ARTICLE II. PARKING, STOPPING AND STANDING

DIVISION 1. GENERALLY

Sec. 29-21. All night street parking.

(a) No person shall park a vehicle on any paved street between the hours of 2:30 a.m. and 6:00 a.m., Monday through Friday.

~~(b) In addition to the restriction noted above, no person shall park a vehicle on any paved street within the following designated area between the hours of 2:30 a.m. and 6:00 a.m. on Saturday or Sunday:~~

~~Port Street to the north; Main Street to the east; Lake Boulevard to the west; and Elm Street to the south, except that Elm Street between State Street and Lake Boulevard is excluded from this area.~~

~~This prohibition shall apply to both sides of those streets.~~

(~~b~~e) Any vehicle parked in violation of this section may be towed to some other place by an authorized agent or servant of the city, in which event the owner of such vehicle shall be charged with all towing fees and storage charges in addition to any other penalty imposed by or under this Code.

Sec. 29-22. Parking on tree lawns.

No person shall park a vehicle on any tree lawn in the city except with permission from the public safety director. The words "tree lawn" shall mean the unimproved portion of a street between the roadway and the sidewalk or edge of the street.

Sec. 29-23. Overlapping lines.

No person shall park a vehicle in such a manner as to straddle or overlap the limit lines of parking spaces marked upon the street.

Sec. 29-24. Truck parking.

No person shall park or leave any truck tractor, trailer or semitrailer detached from its tractor on any street, alley or public place or in any public parking lot within the city except in cases of emergency.

Sec. 29-25. Front or side yard parking.

No person shall park a vehicle in or on a front or side yard as defined in the zoning ordinance, except in a driveway or designated parking area (hard surface), without a written permit from the public safety director.

Sec. 29-26. Interference with enforcement of parking ordinances and regulations.

(a) No person shall interfere with or hinder the enforcement of the parking, standing or stopping ordinances and regulations of the City of St. Joseph by removing, erasing, altering, concealing or in any manner modifying any tags, stickers, chalk or other marks or symbols placed on a vehicle by a parking control officer or police officer, or by any other act designed or intended to prevent such enforcement.

(b) Violation of this section shall be a misdemeanor.

Sec. 29-27. Unpaid parking violations; towing of vehicle.

(a) No person shall park a vehicle on any street or public parking lot if the vehicle's owner has failed to answer six or more parking violation notices or citations regarding illegal parking. For the purposes of this section, an "answer" shall be defined as taking either of the following actions within seven days of the issuance of the notice or citation; (i) paying the appropriate fine, or (ii) giving the city public safety department written notice that the notice or citation is contested.

(b) Any vehicle parked in violation of this section may be towed to some other place by a licensed towing service registered with the city upon direction of any public safety officer, parking enforcement officer or other authorized agent or servant of the city, in which event the vehicle shall not be released until all accrued fines are paid in full, and the owner of such vehicle shall have paid all towing fees and storage charges.

Secs. 29-28—29-32. Reserved.

DIVISION 2. PARKING LOTS AND STREETS

Sec. 29-33. Designation by manager.

The city manager shall have authority to lay out and designate the use of parking spaces on city owned or operated parking lots, and all persons parking any vehicle therein shall park the same within designated limit lines and spaces, and no person shall park any vehicle in any driveway or other portion of such lot where parking is forbidden by signs duly posted.

Sec. 29-34. Liability.

All parking shall be at the owner's risk, and the city shall not be responsible for the theft of or damage to any vehicle or the loss of any articles left in any vehicle while parked in any publicly owned or operated parking lot or street.

Sec. 29-35. Maximum length.

No vehicle which exceeds 18 feet in length shall be parked in any public parking lot for any period.

Sec. 29-36. Overnight parking; exception.

(a) No person shall park or leave any vehicle overnight in any public parking lot, except as described below.

(b) Residents of dwelling units located in the Downtown zoning district, as established and defined by the City of St. Joseph Zoning Ordinance, may park vehicles overnight in public parking lots located in the Downtown and the adjacent Commercial Office zoning districts, subject to all other ordinances and regulations of the city. Any vehicle so parked must be currently registered, bear valid license plates and be in operating condition. However, this exception does not apply to residents of dwelling units that are otherwise required to provide dedicated off-street parking under the Zoning Ordinance.

(c) The city commission may by resolution authorize the issuance of parking permits to Downtown residents in accordance with subsection (b), set fees for such permits, and establish and amend rules and guidelines for the issuance, administration and cancellation of such permits.

Sec. 29-37. Use for repair or sale of vehicles or for trade or business prohibited.

No person shall use any public parking lot to sell or repair vehicles or carry on any trade or business therein.

Sec. 29-38. Established time limits and rates.

(a) The city commission may establish, by resolution, spaces or zones within the city where parking on streets or in city-owned or city-operated off-street parking lots shall be regulated by time limits, parking meters, or other controls, and shall establish by resolution, any time limits or rates to be charged for parking of vehicles in those locations. Regulations may be seasonal.

(b) In determining time limits, parking meters, rates, and other controls, the city commission shall consider the general public health, welfare, and safety; the need for safely expediting traffic; the maximum use of available on-street and off-street parking areas; the need to place parking meters in appropriate areas where the meters will serve to regulate and control the parking; and the need to encourage turnover of parking in those areas where rapid turnover is desired and to encourage long-term parking in those areas where long-term parking is desired. Parking revenues shall provide for the operation and improvement of the city's

parking lots, streets, and parking system in addition to other improvements to the downtown area.

(c) The city commission may also establish by resolution, regulations and exceptions to time and rate regulations, including but not limited to permits and waivers. The city manager is authorized to administer the parking regulations and exception processes as directed by the city commission.

(d) When the city commission establishes spaces or zones limiting the length of time that vehicles may be parked during certain hours on designated streets, or portions thereof, or in city-owned or city-operated off-street parking facilities, or establishes rates for the same, the city manager shall place proper signs on such streets or city-owned or city-operated off-street parking lots. A map or a listing of streets, or portions thereof, and city-owned or city-operated parking lots where parking time is limited, and the rates that apply to the same, shall be maintained in the offices of the public safety director and the city clerk.

Sec. 29-39. Parking meters.

(a) Upon resolution of the city commission as described in this division, the city manager is authorized to install, regulate, control, and maintain parking meters and to enter into contracts for the purchase or installation of parking meters and parts and equipment for the maintenance of the same. The city manager is authorized to utilize technology and multiple payment options in designated parking spaces and zones.

(b) The city manager shall install signage for each designated parking zone stating how rates may be paid in lieu of a physical parking meter.

(c) Whenever a vehicle is parked in a parking space designated by signage for payment the operator of the vehicle shall complete a transaction as identified by the posted signage. The operator of the vehicle shall use the vehicle's license plate to activate a paid parking session. Then, the parking space may be lawfully occupied by the vehicle during the period of parking time not to exceed the maximum time purchased. If the operator fails to activate a parking session or if the vehicle is or remains parked in the parking space or parking zone beyond the time limit purchased for the parking space or parking zone, it shall be a violation of this Chapter.

Sec. 29-40. Violations of time limits or rates.

No person shall park or leave any vehicle on a street or in city-owned or city-operated off-street parking lot for a period longer than that established and identified by posted signage for such parking space or parking zone or for a period beyond the time limit purchased for the parking space or parking zone.

Unless otherwise provided, a violation of a parking ordinance is a civil infraction and subject to the fines and costs provided in section 29-2 and any additional penalties imposed in Sec. 21-45. Each violation is a separate and distinct offense.

Secs. 29-41—29-43. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 29-44. Notice of parking violation.

(a) Whenever a public safety officer shall observe a violation of any ordinance pertaining to parking, they shall notify the owner or driver of the vehicle involved in the alleged violation by the issuance of a traffic ticket or notice of violation in the usual manner. Such traffic ticket or notice of violation shall indicate the time limit in which the person to whom the same was issued must respond, the address of where the person shall respond, the hours during which the person shall respond, the amount of the penalty scheduled for the offense for which the ticket was issued and advise that a civil infraction citation will be issued and brought before the Berrien County Trial Court, Traffic Division if such person fails to respond within the time limit. The issuance of a traffic ticket or notice of violation shall be deemed an allegation of a parking violation.

(b) In any proceeding for a violation of this division relating to the standing or parking of a vehicle, proof that the particular vehicle described in the traffic ticket or notice of violation was parked in violation of said division, together with proof that the person, corporation, partnership or company named in the traffic ticket or notice of violation was, at the time of such parking, the registered owner of such vehicle, shall constitute in evidence a presumption that the registered owner of such vehicle was the person, corporation, partnership or company who parked or placed such vehicle at the point where, and for the time during which, such violation occurred.

Sec. 21-45. Establishment of fines.

Fines for parking violations shall be as follows, and may include an administrative fee of no more than Five Dollars (\$5.00) or the actual cost of administration, whichever is less:

(a) Overnight parking:

- (1) Payment made within 7 days of violation \$10.00
- (2) Payment made within 8 to 30 days of violation \$20.00
- (3) Payment made after 30 days of violation \$30.00

(b) Handicapped parking:

- (1) Payment made within 7 days of violation \$170.00
- (2) Payment made within 8 to 30 days of violation \$255.00
- (3) Payment made after 30 days of violation \$340.00

(c) **Hourly parking:** The schedule of fines for this violation shall be dependent upon the cumulative number of notices or citations issued to a vehicle, as identified by its license plate, for all hourly parking violations that occurred on the same day and within the preceding 13 calendar days.

First or second notice or citation:

- (1) Payment made within 7 days of violation \$20.00
- (2) Payment made within 8 to 30 days of violation \$35.00
- (3) Payment made after 30 days of violation \$50.00

Third notice or citation:

- (1) Payment made within 7 days of violation \$60.00
- (2) Payment made within 8 to 30 days of violation \$100.00
- (3) Payment made after 30 days of violation \$140.00

Fourth or more:

- (1) Payment made within 7 days of violation \$80.00
- (2) Payment made within 8 to 30 days of violation \$125.00
- (3) Payment made after 30 days of violation \$170.00

In addition to fines, upon four or more hourly parking violations within the same time period, the city may cause the vehicle to be towed to some other place, and the owner of the vehicle shall be charged with all towing and storage fees and costs.

(d) **Other parking violations:**

- (1) Payment made within 7 days of violation \$40.00
- (2) Payment made within 8 to 30 days of violation \$60.00
- (3) Payment made after 30 days of violation \$80.00

If the owner or driver of any vehicle involved in a violation of this section fails to pay the fine imposed by this section or shall deny that they are responsible for the alleged violation, it shall be the duty of the public safety officer having knowledge of the facts to make a complaint before the court charging such owner or driver with the alleged violation.

All provisions of Chapter 29 not hereby amended remain in full force and effect.

All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

This Ordinance shall take effect ten (10) days after its final passage.



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Emily Hackworth, City Manager

RE: Downtown Parking Program: Resolution

MEETING DATE: April 7, 2025

Once the City Commission approves the second reading of the Ordinance to Amend Chapter 29 of the Code of Ordinance, the City Commission will consider and adopt a resolution to establish regulations on the parking zones, rates, fees, time limits, and the area encompassed as part of the parking benefits district. The Parking Subgroup has been working with Walker Consultants to develop the regulations contained in the proposed Resolution and considered public feedback.

The proposed Resolution is attached, which includes a color-coded map of the parking benefits district. The Resolution describes the City lots and City streets where paid parking will be in effect from May 15 through September 15 from 9:00 a.m. until 9:00 p.m., the rates for paid parking, and areas where parking will be limited to either 30 minutes or 3 hours. The map also shows the areas where parking is free all year.

The Resolution delegates authority to the City Manager, in collaboration with the Parking Subgroup, to:

- 1.) develop and administer the parking plan, including payment methods, signage, communication, and monitoring;
- 2.) designate free parking for Library patrons along Market Street;
- 3.) develop and administer multi-day passes, market rate employee passes, and other programs, including waivers for:
 - a.) residents who currently live in the Parking Benefits District and have no onsite parking, and
 - b.) employees working in the Parking Benefits District who have both limited financial means and physical difficulties that require a close parking proximity to their place of employment,

The Resolution is intended to provide more timely adaptability for any changes that may be warranted in the future, while leaving administrative details to City management.

Please consider and discuss the Resolution as presented.

If the City Commission approved the second reading of the Ordinance to Amend the parking regulations in Chapter 29 of the Code of Ordinances as presented earlier, and concurs with the proposed Resolution, it can approve the Resolution as presented, to be effective in 10 days concurrently with the Parking Ordinance Amendment.

If the Commission supports the Resolution with specific modifications, it can either approve the Resolution as presented and describe the specific modifications, to be effective in 10 days, or provide staff direction for consideration at a future meeting.

Action Requested: Motion to approve the Resolution to Establish Parking Zones, Rates, Fees, Time Limits, and Parking Benefits District as presented, effective 10 days from approval.

ATTACHMENTS:

- Resolution_Parking Regulations_20250407-FIN (PDF)
- Exhibit A_DDA Area - Parking Areas_BenefitsDistrict_03302025b (002) (PDF)

**RESOLUTION TO ESTABLISH PARKING ZONES, RATES, FEES,
TIME LIMITS, AND PARKING BENEFITS DISTRICT**

WHEREAS, the City Commission has authority to regulate parking on city streets, city-owned and city-regulated parking lots pursuant to the Michigan Constitution 1963, Art. 7, §29, the Home Rule City Act, P.A. 279 of 1909 as amended, §§ 4h-4j, and the City of St. Joseph Charter, Ch. 1, §1 and Ch. XIII; and

WHEREAS, on July 24, 2024, the St. Joseph City Commission approved moving forward with a paid parking plan for the downtown area, as further modified on September 30, 2024, based on recommendations contained within the Downtown Vision Master Plan, and recommendations provided by the parking consultants and the Parking Subgroup; and

WHEREAS, on April 7, 2025, the St. Joseph City Commission approved an amendment to the parking regulations in the City of St. Joseph Code of Ordinances, Chapter 29, Art. II, Secs. 29-21 through 29-45, effective 10 days from its adoption, providing that the City Commission may establish by resolution, spaces or zones within the city where parking on streets or in city-owned or city-operated off-street parking lots shall be regulated by time limits, parking meters, or other controls, and time limits or rates to be charged for parking of vehicles in those locations; and

WHEREAS, the St. Joseph City Commission may also establish by resolution, regulations and exceptions to time and rate regulations, including but not limited to permits and waivers; and

WHEREAS, the St. Joseph City Commission has considered the general public health, welfare, and safety; the need for safely expediting traffic; the maximum use of available on-street and off-street parking areas; the need to place parking meters in appropriate areas where the meters will serve to regulate and control the parking; and the need to encourage turnover of parking in those areas where rapid turnover is desired and to encourage long-term parking in those areas where long-term parking is desired.

IT IS HEREBY RESOLVED by the St. Joseph City Commission that time limits and fees for parking on City streets and in City-owned or City-operated off-street parking lots are established in the City of St. Joseph, Michigan, in the following generally described area:

The area beginning at the northeast corner of Port Street and Wayne Street, extending westerly along the north side of Port Street to the intersection with State Street, then extending northerly to Water Street, then continuing westerly along the base of the Water Street Retaining wall to Vine Street, then extending southerly along the base of Lake Bluff Park to the southeasterly intersection of Vine Street and Broad Street, then continuing southerly along the base of Lake Bluff Park to the Howard Family Trail on the south side of the Park Street Bridge, then extending east along Park Street to the southeast intersection of Park Street and Lake Boulevard, then extending north along Lake Boulevard to the south side of the easterly offset leg of the Park Street intersection, then extending east on Park Street to the east side of the alley between Lake Boulevard

and State Street, then extending north along the east side of the alley to the south side of Market Street, then extending east on Market Street to the east side of the alley between Main Street and Court Street, then extending north along the alley to the south side of Broad Street, then extending east along Broad Street to the east side of Wayne Street, then extending north along Wayne Street to the point of beginning.

This area is more particularly depicted and described in **Exhibit A**, entitled “Downtown Area Parking Map” attached and incorporated as part of this Resolution, and is referred to as the “Parking Benefits District;” and

IT IS FURTHER RESOLVED that parking fees in the Parking Benefits District shall be in effect from **May 15 through September 15** from **9:00 a.m. until 9:00 p.m.**, at the following rates:

Parking Lots:

West of Main Street: Parking in City-owned or City-operated off-street public parking lots west of Main Street shall be at the rate of **\$1.00 per hour**, per space, with no hourly time limit. (A vehicle may park in a lot **all day**.)

East of Main Street: Parking in City-owned or City-operated off-street public parking lots east of Main Street shall be **free**. A vehicle may park in a lot with no hourly time limit (**all day**) unless the space is otherwise designated. All parking on the north row of Lot 11 shall be limited to no more than **3 hours** in the same space.

Streets:

West of Main Street: No less than **13 free 30-minute** limited parking spaces will be established to allow for quick access to downtown destinations, in locations determined by the City Manager.

All other parking on the street west of Main Street shall be at the rate of **\$2.00 per hour, per vehicle**. A vehicle shall not park in the same space for more than **3 hours**.

On and East of Main Street: No less than **2 free 30-minute** limited parking spaces will be established to allow for quick access to downtown destinations, in locations determined by the City Manager.

All other parking on the street east of Main Street and on Main Street shall be **free** and limited to no more than **3 hours** in the same space.

All parking shall remain subject to applicable overnight parking restrictions established by City Ordinance; and

IT IS FURTHER RESOLVED that parking time limits in the Parking Benefits District, as described above, shall remain in effect all year; however, no parking fees shall be charged from **September 16 through May 14**; and

IT IS FURTHER RESOLVED that the City Manager, in collaboration with the Parking Subgroup, is directed to develop, implement, and administer the details of the parking program,

including but not limited to establishing appropriate time intervals, payment methods, and mechanisms for payment options; appropriate signage and various communication methods; monitoring and evaluation criteria; and other necessary program details; and

IT IS FURTHER RESOLVED that the City Manager, in collaboration with the Parking Subgroup, is directed to develop and administer guidelines, applications, and processes to provide multi-day passes, market rate employee passes, and other programs as deemed appropriate for parking in City-owned and City-regulated lots, including waivers for the following:

- **Current residents** who live within the Parking Benefits District at the start of the downtown parking program who do not have on-site parking at their residence; and
- **Employees** of a business or entity in the Parking Benefits District who have **limited financial means and physical difficulties** requiring proximity to their place of employment, and

IT IS FURTHER RESOLVED that the City Manager, in collaboration with the Parking Subgroup, shall designate free public parking locations along Market Street for patrons of the Maud Preston Palenske Memorial Library; and

IT IS FURTHER RESOLVED that no less than 80% of the revenue derived from the parking program, less all associated operating expenses, shall be allocated to improvements in the Parking Benefits District, such as maintenance and improvement of parking lots, alleys, and streets, and the remainder allocated to the City's general fund; and

IT IS FURTHER RESOLVED that the City Manager, in collaboration with the Parking Subgroup, is directed to evaluate the parking program on an ongoing basis and regularly report back to the City Commission.

AYES:

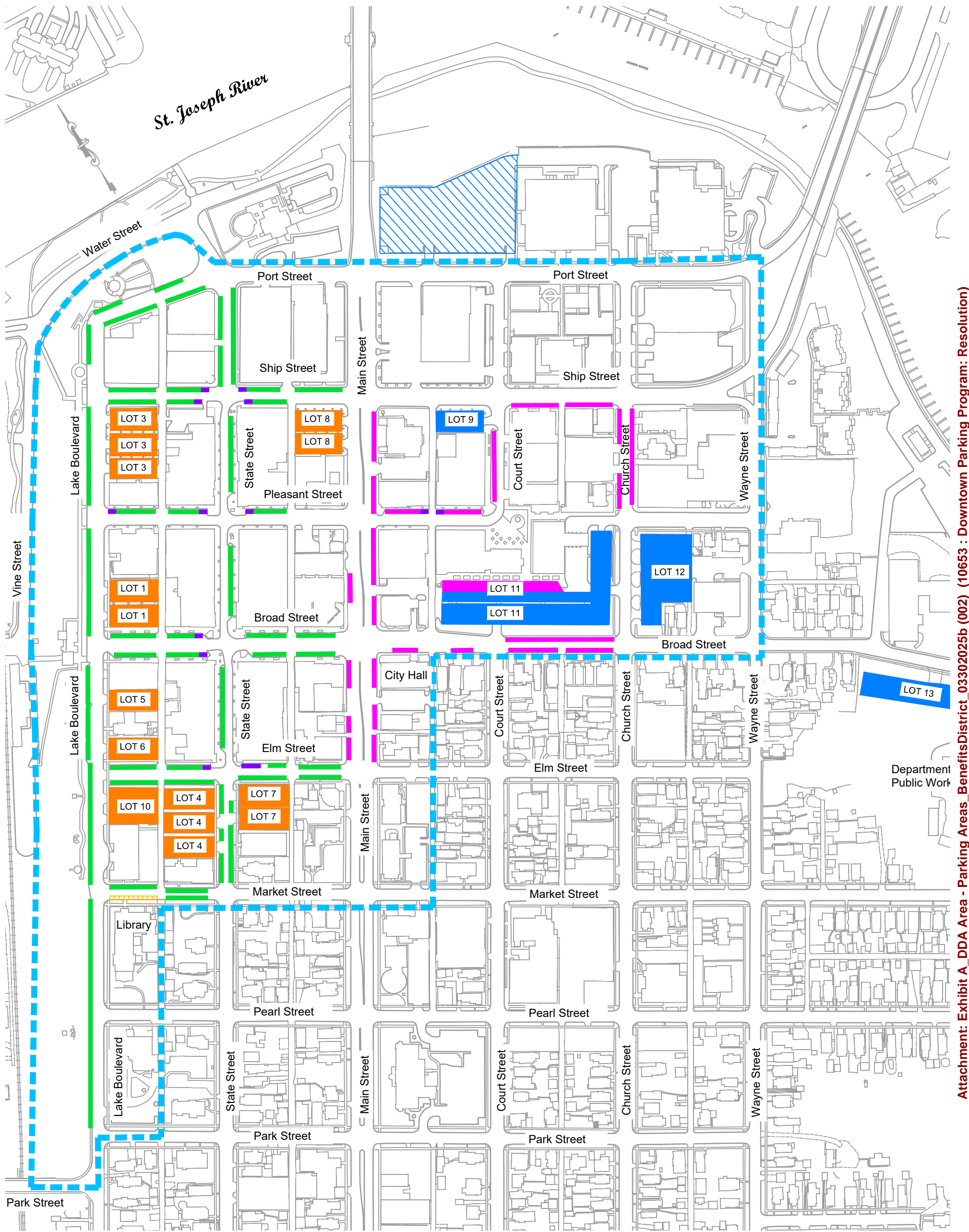
NAYS:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of St. Joseph, Berrien County Michigan at a regular meeting held on April 7, 2025.

Abby Bishop, Clerk

Downtown Area Parking Map



LEGEND

- Paid Lot Parking - All Day
- Paid On-Street Parking - 3 Hour Limit
- Library Parking
- Parking Benefits District
- Free Parking - All Day
- Free Parking - 3 Hour Limit
- Free Parking - 30 Minute Limit
- Court House Parking Lot - Available after 6 PM & on weekends



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Kelly Ewalt,

RE: Downtown Parking Program: Downtown Ambassadors

MEETING DATE: April 7, 2025

When meeting with downtown businesses, City staff heard that a smooth rollout of the new downtown parking program is a priority. One solution the Parking Subgroup recommends to support this roll out is launching a Downtown Ambassador Program.

The program would bring on seasonal staff to be a visible, helpful presence as the program is rolled out. These ambassadors would be tasked with explaining the parking program, providing an overview of how the parking kiosks and Passport App work, and maintaining the pay stations as needed.

In addition, in partnership with St. Joseph Today, the ambassadors will be available to inform patrons of activities in the area and provide directions. The Ambassadors will not be doing any parking enforcement.

The program will be directly supervised by the Downtown Ambassador Coordinator. While the Coordinator will be a full-time employee with benefits, the Ambassadors will be considered seasonal employees. The payrate for the Coordinator will be \$21/hour for 25 hours per week, while the Ambassadors will receive \$18/hour. In total the program will need \$55K which will be reimbursed to the City through parking program revenues and use the Paid Parking - Downtown budget line.

Action Requested: Motion to approve the Downtown Ambassador Program as described and hire full and part-time employees to fill the roles.



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Kayla Griffith, Director of Special Projects & Communications

RE: Noxious Weeds Ordinance

MEETING DATE: April 7, 2025

On March 17, the City Commission reviewed proposed changes to Chapter 31 of the Code of Ordinances, the Noxious Weeds Ordinance, and approved a first reading of the Ordinance.

The changes to the Noxious Weeds Ordinance include:

- prohibiting invasive species;
- adopting the list of Prohibited Plant Species under the Natural Resources and Environmental Protection Act;
- removing milkweed and goldenrod from the list of “noxious weeds” due to their importance in sustaining monarch butterfly and pollinator populations;
- providing clearer responsibility for a property owner, occupant, or property manager to eradicate noxious weeds;
- outlining the city's ability to abate noxious weeds as a nuisance and assess costs; and
- describing the penalties for violations.

If the City Commission continues to support the amendment, staff recommends approving the Ordinance to Amend Chapter 31, Sections 31-16 through 31-22 for a second reading. The ordinance becomes effective 10 days from the second reading.

Action Requested: Motion to approve the second reading of the Ordinance to Amend Chapter 31, Article II Noxious Weeds, Sections 31-16 through 31-22, as presented.

ATTACHMENTS:

- Ordinance to Amend Noxious Weeds Ch 31, Art. II, Secs 31-16 through 31-22 (PDF)

**CITY OF ST. JOSEPH
BERRIEN COUNTY, MICHIGAN**

AN ORDINANCE TO AMEND CHAPTER 31 “VEGETATION” ARTICLE II “NOXIOUS WEEDS” OF THE CODE OF ORDINANCES OF THE CITY OF ST. JOSEPH, MICHIGAN

THE CITY OF ST. JOSEPH ORDAINS that Chapter 31, Art. II, Secs. 31-16 through 31-22 of the Code of Ordinances is amended to read as follows:

ARTICLE II. NOXIOUS WEEDS

Sec. 31-16. Defined.

Noxious weeds include but are not limited to those plants listed as Prohibited Plant Species under the Natural Resources and Environmental Protection Act, Part 413, Public Act 451 of 1994, as amended, as well as Canada thistle (*Cirsium arvense*), dodders (any species of *Cuscuta*), mustards (charlock, black mustard, garlic mustard, and Indian mustard species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), perennial sowthistle (*Sonchus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*Ambrosia elatior* L.), poison ivy (*Rhus toxicodendron*), poison sumac (*Toxicodendron vernix*), ox-eyed daisies, Japanese knotweed (*Fallopia japonica*) including hybrids, Oriental bittersweet (*Celastrus orbiculatus*), tree of heaven (*Ailanthus altissima*), or any other varieties, or any species or plants designated by the Director of the Public Works Department or the Parks Superintendent as promoting disease, dangerous to health or economics, poisonous, and/or injurious.

Noxious weeds do not include milkweed (*Asclepias*) or goldenrod (*Solidago*).

Sec. 31-17. Noxious weeds prohibited, public nuisance.

It is unlawful for the owner or occupant or any person having control or management of any lot, place, area, or parcel of land within the city to grow or allow the presence on any lot or portion thereof, of noxious weeds of any kind.

The presence of noxious weeds upon any lot or parcel of land within the limits of the city is declared to be a public nuisance.

Sec. 31-18. Responsibility to eradicate.

It shall be the duty of the owner or occupant or any person having control or management of any lot, place, area or parcel of land within the city upon which noxious weeds, as described in Section 31-16, are found growing or standing, to cut and destroy or cause to be cut and destroyed all such weeds growing or standing on said premises in such manner as shall effectually prevent such weeds from perpetuating themselves as needed to prevent them from going to seed. If any owner or occupant or any person having control or management of property in the city allows any noxious weeds, as described in Section 31-16, to grow upon said lands, or allows such weeds to ripen so as to cause or endanger the spread thereof, or so as to constitute a detriment to public health, safety or welfare, such owner, occupant or person shall, upon conviction in any court of competent jurisdiction, be liable to the penalty imposed in this Code for violation thereof.

Sec. 31-20. Abatement by city and assessment of costs.

When a person fails to eradicate noxious weeds, after a finding of responsibility, the city may enter upon the lands described in this section and may cause such weeds to be eradicated and cut down, and may levy the cost of such work as a special assessment against the lands and premises upon which such weeds were growing, the same to be added to the next city tax roll and collected with other city taxes.

Sec. 31-21. Violations and penalties.

A violation of this section is a civil infraction and may be prosecuted as a public nuisance under Chapter 18 of this Code and punishable by a fine, in addition to costs of abatement, enforcement, and prosecution.

Sec. 31-22. Authorization of suit.

The city may, in addition to all other remedies provided by ordinances, bring suit against and recover from such owner and occupant or either of them, in an appropriate action at law, as expressly provided by statute, the full cost of eradicating, cutting down, or causing to be eradicated or cut down any and all such noxious weeds as the city may cut down or cause to be cut down under the provisions of this article.

All provisions of Chapter 31 not hereby amended remain in full force and effect. All ordinances inconsistent with the provisions of this ordinance are hereby repealed.

This Ordinance shall take effect ten (10) days after its final passage.



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Ben Reynnells, Finance Director

RE: Resolution - System, City Water and Sewer Rates - FY26

MEETING DATE: April 7, 2025

Each year, the City Commission sets water and sewer rates. There are three separate water rates for the City of St. Joseph. The System Water rate is charged to City residents at the same rate as the Authority customers, and the combined revenue is used to operate the water system as a whole. The City Water rate is only charged to City customers and is used for the city water system. The City Sewer rate is also only charged to City customers and is used to fund the City sewer system. Authority communities also charge their own water and sewer rates, in addition to the System Water rate. On March 17, 2025 a study session was held to review the proposed rates. John Kaczor from Municipal Analytics was hired to assist with projecting the rates that will be needed to fund operating expenses, debt service, capital projects and maintain the threshold for the cash reserve policy. His presentation from the study session is attached. On February 19, 2025 the WSJOB approved a 5.0% increase for the System Water rate.

For the three water funds (590 Sewer Fund, 591 Water System Fund & 592 City Water Fund), John Kaczor assisted with updating the financial projection models. After accounting for the anticipated future projects and current estimates of near-term projects, the forecasts for the three funds require increased rates to cover cash requirements and maintain fiscal health.

	%					
	FY25	FY26	Change	Quarter	Month	Day
System Development Charge	\$ 49.46	\$ 52.92	7.0%	\$ 3.46	\$ 1.15	\$0.04
Sewer Base Charge	\$ 33.31	\$ 37.64	13.0%	\$ 4.33	\$ 1.44	\$0.05
Sewer Volume Charge	\$ 57.48	\$ 64.95	13.0%	\$ 7.47	\$ 2.49	\$0.08
Water Base Charge	\$ 29.07	\$ 30.52	5.0%	\$ 1.45	\$ 0.48	\$0.02
Water Volume Charge	\$ 33.60	\$ 35.28	5.0%	\$ 1.68	\$ 0.56	\$0.02
	\$ 202.92	\$ 221.32	9.1%	\$18.40	\$ 6.13	\$0.20

The overall increase for a typical residential account that uses 9,000 gallons per quarter, and has a 5/8" meter, would be \$18.40 per quarter or \$.20 per day. The cost to a typical customer would be \$.025 per gallon with the proposed rates.

Action requested: Motion to approve as part of the consent agenda, the following Resolution, as presented. Adopting the 2025-2026 Fiscal Year system water, city water and sewer rates, effective for the July 1, 2025 billing cycle.

ATTACHMENTS:

- St Joseph WS Presentation 03-14-25 (PPTX)
- FY26 Water Rate Study Session 03-14-25 (PDF)

RESOLUTION - SYSTEM, CITY WATER AND SEWER RATES - FY26

A RESOLUTION ADOPTING THE 2025-2026 FISCAL YEAR SYSTEM WATER RATES CITY OF ST. JOSEPH, MICHIGAN

WHEREAS, pursuant to and in accordance with Chapter 9 of the City Charter, the City Commission shall establish rates and fees necessary to maintain, operate and generally provide for improvements to the public water and sewer systems, and

WHEREAS, the Appropriations Ordinance provides for the various funds to end the year with adequate cash balances and positive fund balances, and

WHEREAS, the State of Michigan Municipal Finance Authority also requires the City of St. Joseph to establish rates sufficient to operate and maintain the water and sewer systems while making the required debt service payments, and

WHEREAS, a rate study has been conducted and the findings indicate that the current city system development rates and sewer rates are not sufficient to meet the upcoming annual cash requirements of the system water fund, the city water fund, and the sewer fund, and that an increase to these rates is necessary for FY 2025-2026, and

WHEREAS, the 2025-2026 recommended system water rate has been reviewed and approved by the Water Joint Operating Board at its regular meeting on February 19, 2025:

NOW, THEREFORE, BE IT RESOLVED, that the following water rates shall be set, effective with the July 1, 2025 utility billing:

System Water Rate

Meter Size in Inches	Current System Rate	FY26 Rate Change	FY26 System Rate	\$ Change
5/8	29.07	5.00%	30.52	1.45
3/4	31.97	5.00%	33.57	1.60
1	40.70	5.00%	42.74	2.04
1 1/2	52.33	5.00%	54.95	2.62
2	84.30	5.00%	88.52	4.22
3	319.76	5.00%	335.75	15.99
4	406.97	5.00%	427.32	20.35
6	610.46	5.00%	640.98	30.52
Per Unit	2.80	5.00%	2.94	0.14

City Sewer Rate

Meter Size in Inches	Current Sewer Rate	FY26 Rate Change	FY26 Sewer Rate	\$ Change
5/8	33.31	13.00%	37.64	4.33
3/4	36.65	13.00%	41.41	4.76
1	46.65	13.00%	52.71	6.06
1 1/2	59.96	13.00%	67.75	7.79
2	96.62	13.00%	109.18	12.56
3	366.46	13.00%	414.10	47.64
4	466.42	13.00%	527.05	60.63
6	699.62	13.00%	790.57	90.95
Per Unit	4.79	13.00%	5.41	0.62
Flat Rate	98.14	13.00%	110.90	12.76

City Water Rate

Meter Size in Inches	Current SJC Water Rate	FY26 Rate Change	FY26 SJC Water Rate	\$ Change
5/8	49.46	7.00%	52.92	3.46
3/4	69.24	7.00%	74.09	4.85
1	123.65	7.00%	132.31	8.66
1 1/2	281.92	7.00%	301.65	19.73
2	494.60	7.00%	529.22	34.62
3	1,137.56	7.00%	1,217.19	79.63
4	2,027.82	7.00%	2,169.77	141.95
6	4,550.25	7.00%	4,868.77	318.52

City of St. Joseph

Water and Sewer Financial Analysis and Rate Requirements

Summary Presentation to City Commission

March 17, 2025



Municipal Analytics

- Michigan-based consultants focused on municipal financial analysis
 - Utility rate studies
 - Budget forecasting
 - Capital planning
 - Feasibility analysis
 - User fee studies
- Over 30 years of municipal consulting experience
- Muniworth partner

Muniworth Software

- City subscription allows unlimited scenarios and multiple users
- Cloud-based software
- Continuous rate management
 - Proactive planning (e.g., AMP funding)
 - React to changing realities (inflation, reprioritization, grants, etc.)
- O&M, capital, debt

Financial Analysis and Rate Requirements

- Historical revenues, expenditures, cash balance and debt loaded into models
- Capital improvement plans uploaded
- O&M costs forecasted
- Cash reserve targets established
- Non-rate revenues estimated
- Debt vs. cash financing evaluated
- Rate requirements evaluated and increases calculated

2026-2031 Capital Improvement Plans

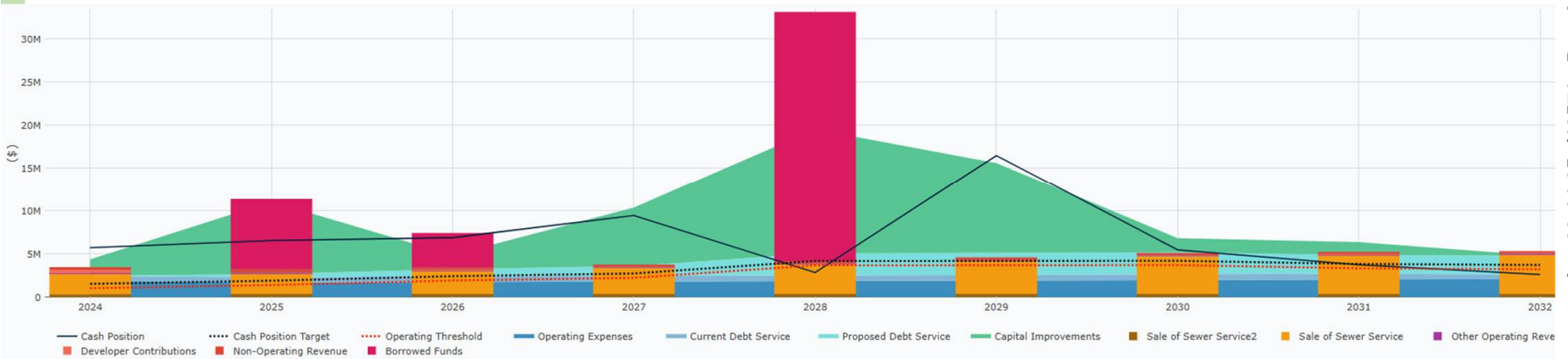
- Significant investments driving rate requirements:
 - Sewer Fund
 - CSO storage phase 2 (\$23M)
 - Lift station improvements (\$3M)
 - Main replacements (\$10M)
 - Water Treatment Fund
 - Plant & lab improvements (\$3.8M)
 - Meter replacement & upgrades (\$9M-project deferred until costs are more certain; allowed for lower rate increase)
 - Water towers & pump station maintenance (\$2.5M)
 - City Water Fund
 - Lead service line replacement (\$8.1M)
 - Main replacements (\$8.8M)

Sewer Fund (590)

- Six-year capital plan: \$36.3M
- Bond \$4M in FY 2026 and \$29M in FY 2028
- Reserve targets:
 - 25% operating expenses
 - 100% debt service
 - \$500,000 capital
- Rate increases estimated to be 13% per year for next five years, then 3% in sixth year
 - Could change based on project costs, interest rates, potential grants

Sewer Fund

- Significant capital investments require high debt load and higher rates



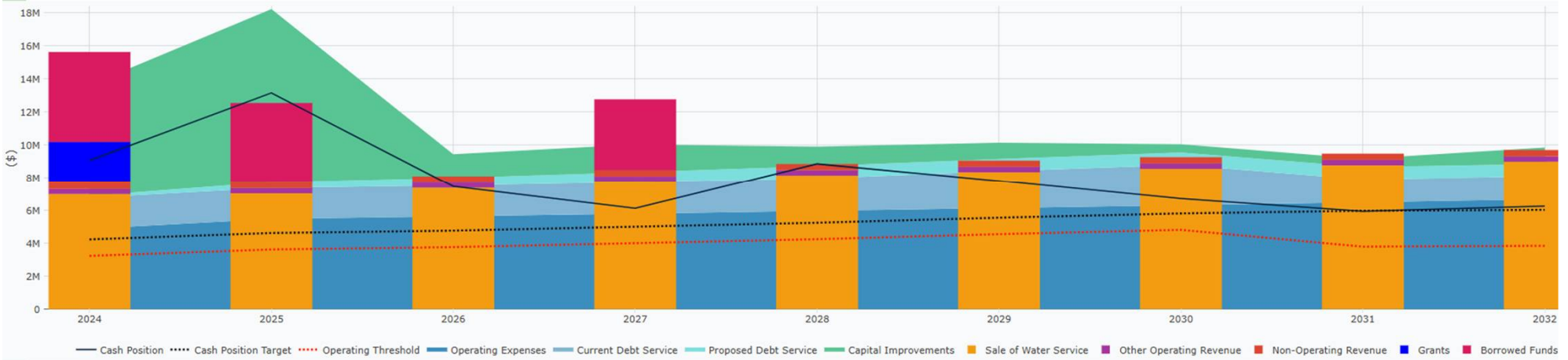
- Operating expenses forecasted to increase 3.1% per year
- Balance of rate increases due to capital and associated debt

Water Fund

- Six-year capital plan: \$6.3M - \$15.3M
- Reserve targets:
 - 25% operating expenses
 - 100% debt service
 - \$1 million capital
- Rate increases estimated to be 5% per year for next 3-5 years
 - Could change based on project costs, interest rates, potential grants
- Operating expenses assumed to increase 2.8% per year
- Balance of cost increases due to capital and debt service

Water Fund (591)

- Modest rate increases combined with strategic debt issues help stabilize the fund



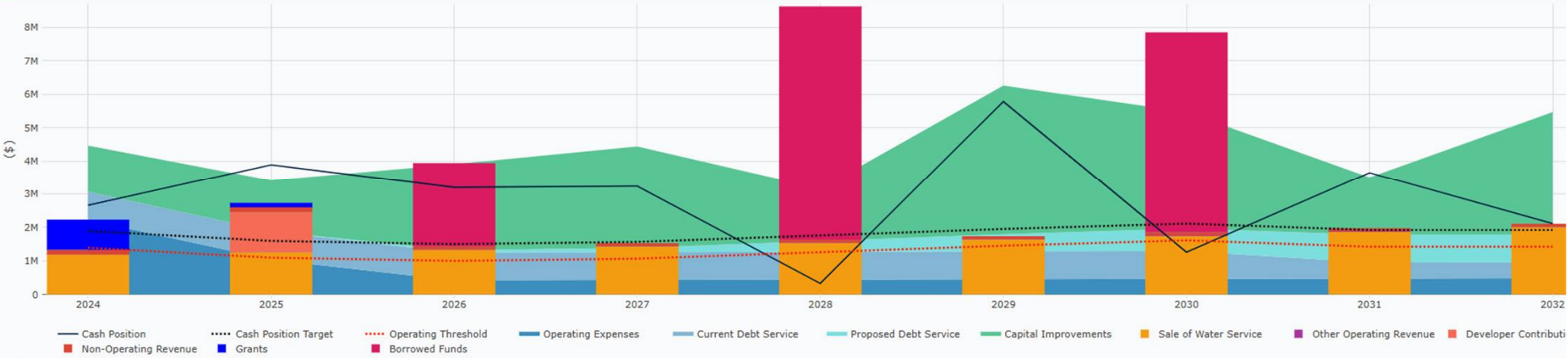
Attachment: St Joseph WS Presentation 03-14-25 (10571 : Resolution - System, City Water and Sewer

City Water Fund

- Six-year capital plan: \$16.9M
- Significant bonding (\$15.5M) required to fund capital program and maintain rates at moderate level
- Reserve targets:
 - 25% operating expenses
 - 100% debt service
 - \$500,000 capital
- Rate increases estimated to be 7% per year for next six years
 - Could change based on project costs, interest rates, potential grants

City Water Fund (592)

- To avoid significant rate increases, regular debt issues are required to spread LSRP costs over many years



- Operating expenses assumed to increase 2.5% per year
- Rate increases are driven primarily by capital requirements

Customer Impact Analysis

- Impact on typical residential customer
 - 5/8" meter; 9,000 gallons of water/quarter
- Quarterly charges comparison:

	Current	FY 25-26	% Increase	\$ Increase		
				Quarter	Month	Day
System Development Charge	\$ 49.46	\$ 52.92	7.0%	\$ 3.46	\$ 1.15	\$ 0.04
Sewer Base Charge	\$ 33.31	\$ 37.64	13.0%	\$ 4.33	\$ 1.44	\$ 0.05
Sewer Volume Charge	\$ 57.48	\$ 64.95	13.0%	\$ 7.47	\$ 2.49	\$ 0.08
Water Base Charge	\$ 29.07	\$ 30.52	5.0%	\$ 1.45	\$ 0.48	\$ 0.02
Water Volume Charge	\$ 33.60	\$ 35.28	5.0%	\$ 1.68	\$ 0.56	\$ 0.02
	\$ 202.92	\$ 221.32	9.1%	\$ 18.40	\$ 6.13	\$ 0.20

- Cost of water and sewer service would increase \$6.13/month or \$0.20/day
- A customer using 5,000 gallons would see an increase of \$4.86/month or \$0.16/day

Discussion/Questions





Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Ben Reynnells, Finance Director

RE: Study Session - Water Rates

MEETING DATE: March 17, 2025

Staff will review with the City Commission the proposed water rates for next year. As part of the continued asset management program, John Kaczor from Municipal Analytics was hired to assist with projecting the rates that will be needed to fund operating expenses, debt service, capital projects and maintain the threshold for the cash reserve policy.

This is a discussion rather than formal approval. Formal approval will be requested during the April 7, 2025 meeting.

On February 19, 2025 the WSJOB voted to approve a 5.00% increase to the system water rates.

Below are the proposed rates, a historical comparison, and estimated project costs.

Fund 591 - Water System Fund

Meter Size in Inches	Current System Rate	Proposed FY26 Rate Change	Proposed FY26 System Rate	\$ Change
5/8	29.07	5.00%	30.52	1.45
3/4	31.97	5.00%	33.57	1.60
1	40.70	5.00%	42.74	2.04
1 1/2	52.33	5.00%	54.95	2.62
2	84.30	5.00%	88.52	4.22
3	319.76	5.00%	335.75	15.99
4	406.97	5.00%	427.32	20.35
6	610.46	5.00%	640.98	30.52
Per Unit	2.80	5.00%	2.94	0.14

Meter Size in Inches	Proposed					
	FY21 System Rate	FY22 System Rate	FY23 System Rate	FY24 System Rate	FY25 System Rate	FY26 System Rate
5/8	19.72	21.20	26.49	27.75	29.07	30.52
3/4	21.69	23.32	29.14	30.52	31.97	33.57
1	27.61	29.68	37.09	38.85	40.70	42.74
1 1/2	35.50	38.16	47.69	49.96	52.33	54.95
2	57.19	61.48	76.83	80.48	84.30	88.52
3	216.92	233.20	291.42	305.26	319.76	335.75
4	276.08	296.80	370.90	388.52	406.97	427.32
6	414.12	445.20	556.35	582.78	610.46	640.98
Per Unit	2.30	2.56	2.55	2.67	2.80	2.94

Fund	Project	FY26	FY27	FY28	FY29	FY30	FY31
590	Alco Lift Station Renovation	41,400	775,100	-	-	-	-
590	Anchors Way Drainage	-	-	30,000	600,000	-	-
	Biennial Sewer Clean and Televising Program						
590	(Net of Grant Revenue)	65,000	-	75,000	-	87,500	-
590	Biennial Sewer Rehabilitation Project	-	200,000	-	225,000	-	250,000
590	CSO Phase 2	945,000	735,000	12,705,000	8,525,000	-	-
590	Harrison Area Sewer Replacement	-	-	-	43,200	676,800	-
590	Hawthorne Lift Station Renovation	-	1,550,000	-	-	-	-
590	Main Street Reconstruction	243,900	2,925,800	1,056,500	-	-	-
	Mohawk Lane and Sunset Drive & Court						
590	Reconstruction	-	-	100,000	1,000,000	-	-
	Myrtle Avenue and Riverwood Terrace						
590	Reconstruction Project	-	-	-	75,000	750,000	-
590	Napier Avenue Reconstruction	-	-	-	-	125,000	1,250,000
590	North Pier Lift Station Replacement	28,800	546,300	-	-	-	-
590	State Street Rehabilitation	300,000	-	-	-	-	-
590	Upton Drive Reconstruction Project - Phase 2	-	50,000	500,000	-	-	-
		1,624,100	6,782,200	14,466,500	10,468,200	1,639,300	1,500,000

Fund 590 - Sewer Fund

Meter Size in Inches	Current Sewer Rate	Proposed FY26 Rate Change	Proposed FY26 Sewer Rate	\$ Change
5/8	33.31	13.00%	37.64	4.33
3/4	36.65	13.00%	41.41	4.76
1	46.65	13.00%	52.71	6.06
1 1/2	59.96	13.00%	67.75	7.79
2	96.62	13.00%	109.18	12.56
3	366.46	13.00%	414.10	47.64
4	466.42	13.00%	527.05	60.63
6	699.62	13.00%	790.57	90.95
Per Unit	4.79	13.00%	5.41	0.62
Flat Rate	98.14	13.00%	110.90	12.76

Attachment: FY26 Water Rate Study Session 03-14-25 (10571 : Resolution - System, City Water and Sewer Rates - FY26)

Meter Size in Inches	FY21 Sewer Rate	FY22 Sewer Rate	FY23 Sewer Rate	FY24 Sewer Rate	FY25 Sewer Rate	Proposed FY26 Sewer Rate
5/8	22.83	23.12	26.09	29.48	33.31	37.64
3/4	25.11	25.44	28.70	32.43	36.65	41.41
1	31.96	32.38	36.53	41.28	46.65	52.71
1 1/2	41.09	41.63	46.96	53.06	59.96	67.75
2	66.21	67.07	75.66	85.50	96.62	109.18
3	251.13	254.42	286.99	324.30	366.46	414.10
4	319.62	323.80	365.27	412.76	466.42	527.05
6	479.43	485.71	547.90	619.13	699.62	790.57
Per Unit	3.18	3.59	3.75	4.24	4.79	5.41
Flat Rate	53.33	86.85	86.85	86.85	98.14	110.90

Fund Project	FY26	FY27	FY28	FY29	FY30	FY31
591 Lab Improvements	-	-	540,000	540,000	-	-
591 Paint Water Towers - Authority	-	240,900	240,900	-	-	-
591 Paint Water Towers - City	380,400	380,400	-	-	-	-
591 SCADA Upgrades	-	-	-	200,000	-	-
591 South Low Lift Pump Station	-	-	-	250,000	500,000	500,000
591 Water Plant Roof	766,000	766,000	400,000	-	-	-
591 WTP HVAC Improvements	298,500	298,500	-	-	-	-
	1,444,900	1,685,800	1,180,900	990,000	500,000	500,000

Fund 592 – City Water Fund

Meter Size in Inches	Current SJC Water Rate	Proposed FY26 Rate Change	Proposed FY26 SJC Water Rate	\$ Change
5/8	49.46	7.00%	52.92	3.46
3/4	69.24	7.00%	74.09	4.85
1	123.65	7.00%	132.31	8.66
1 1/2	281.92	7.00%	301.65	19.73
2	494.60	7.00%	529.22	34.62
3	1,137.56	7.00%	1,217.19	79.63
4	2,027.82	7.00%	2,169.77	141.95
6	4,550.25	7.00%	4,868.77	318.52

Meter Size in Inches	FY21 SJC Water Rate	FY22 SJC Water Rate	FY23 SJC Water Rate	FY24 SJC Water Rate	FY25 SJC Water Rate	Proposed SJC Water Rate
5/8	36.09	43.23	43.20	46.22	49.46	52.92
3/4	50.53	56.32	60.48	64.71	69.24	74.09
1	90.23	100.58	108.00	115.56	123.65	132.31
1 1/2	205.71	229.32	246.24	263.48	281.92	301.65
2	360.90	402.31	432.00	462.24	494.60	529.22
3	830.07	925.31	993.59	1,063.14	1,137.56	1,217.19
4	1,479.69	1,649.46	1,771.18	1,895.16	2,027.82	2,169.77
6	3,320.28	3,701.23	3,974.36	4,252.57	4,550.25	4,868.77

Fund Project	FY26	FY27	FY28	FY29	FY30	FY31
592 Anchors Way Drainage	-	-	50,000	1,000,000	-	-
592 Harrison Area Sewer Replacement Kingsley Avenue Watermain Replacement	-	-	-	28,800	451,200	-
592 Project Lead Service Line Replacements - 2018 Lead &	775,000	-	-	-	-	-
592 Copper Rule Compliance Program	1,500,000	2,500,000	150,000	1,750,000	2,000,000	200,000
592 Main Street Reconstruction Mohawk Lane and Sunset Drive & Court	40,000	420,000	160,000	-	-	-
592 Reconstruction Myrtle Avenue and Riverwood Terrace	-	-	150,000	1,500,000	-	-
592 Reconstruction Project	-	-	-	90,000	900,000	-
592 Napier Avenue Reconstruction	-	-	-	-	125,000	1,450,000
592 State Street Rehabilitation	150,000	-	-	-	-	-
592 Upton Drive Reconstruction Project - Phase 2	-	100,000	1,000,000	-	-	-
592 Water Distribution System Reliability Program	120,000	25,000	70,000	100,000	30,000	75,000
	2,585,000	3,045,000	1,580,000	4,468,800	3,506,200	1,725,000

ATTACHMENTS:

- St Joseph WS Presentation 03-14-25 (PPTX)

Attachment: FY26 Water Rate Study Session 03-14-25 (10571 : Resolution - System, City Water and Sewer Rates - FY26)



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Tim Zebell, City Engineer

RE: CSO Flow Monitoring Proposal

MEETING DATE: April 7, 2025

City staff is requesting to hire Wade Trim to conduct flow monitoring, the next step required in our Combined Sewer Overflow (CSO) National Pollutant Discharge Elimination System (NPDES) permit. The permit language states: “*On or before July 1, 2026, the permittee shall submit to the Department for review and approval a Flow Monitoring/Analysis Report to confirm no adverse impact to the JWWTP for the period between May 15, 2025, and April 30, 2026.*” So, in order to remain in compliance with our permit, the City must deploy meters to collect flow data and then complete hydraulic modeling of the flows to the Benton Harbor- St. Joseph Joint Wastewater Treatment Plant (JWWTP). This is the next logical step in the City’s CSO compliance program because it comes after the CSO Storage Early Action (EA) Project. The CSO Storage EA Project, that is nearly complete, included the construction of a new diversion chamber and upsizing the underflow pipe from 12” in diameter to 24” in diameter with the goal of optimizing flow to the JWWTP. The optimized flow output from the hydraulic model will be used to correctly size the future CSO Storage Tank in Public Works yard.

Wade Trim’s proposal (attached) provides a detailed breakdown of the services and their associated cost. While the major tasks include flow monitoring followed by hydraulic modeling, coordination with the City, JWWTP, and Michigan Department of Environment, Great Lakes and Energy (EGLE) will also be needed as part of the process. Approximately half of the \$159,400 fee is tied to the flow monitoring and rainfall data collection. It is extremely important to collect accurate flow information for input to the hydraulic model. As stated above, the hydraulic model provides the basis for sizing the future CSO storage tank which hinges on optimizing flows to the JWWTP. Building a tank that is either too big or too small presents problems either way. If the tank is larger than it needs to be, it obviously costs more to construct up front, but it also means the City will be paying to pump more volume to store and release the for treatment after large storm events. If the tank is sized too small, construction of additional storage will likely be needed in a subsequent project to meet regulatory requirements.

The City Commission may recall that Wade Trim was hired through a qualification based selection process for the CSO Compliance Program in order to ensure their services would be eligible for anticipated Clean Water State Revolving Fund (CWSRF) low interest loan funding. Follow on services have been authorized through a series of amendments to the original July 5, 2022 agreement dated. Previous amendments were executed on March 28, 2023, November 17, 2023, and June 25, 2024 for analysis, design, and construction administration services.

Therefore, City staff is requesting the City Commission to authorize hiring Wade Trim to complete flow monitoring and hydraulic modeling professional services described in their March 31, 2025 proposal on a time and material basis for a fee not to exceed \$159,400.

Action Requested: To approve hiring Wade Trim to complete flow monitoring and hydraulic modeling professional services as outlined in their March 31, 2025 proposal, on a time and material basis for an amount not to exceed \$159,400, and to authorize the City Attorney to prepare a fourth amendment to the previous professional services agreement, as amended, with terms acceptable to both the City Engineer and City Attorney; and authorize the City Manager to sign the fourth amendment on behalf of the City.

ATTACHMENTS:

- 20250331_Zebell_EAP Flow Monitoring Services-Ltr (PDF)
- St_Joe_Post_EAP_FM_Cost_Est-rev (PDF)



Wade Trim, Inc.
 2851 Charlevoix Drive SE, Suite 108 • Grand Rapids, MI 49546
 616.956.3304 • www.wadetrim.com

March 31, 2025

City of St. Joseph
 700 Broad Street
 St. Joseph, MI 49085-0048

Attention: Tim Zebell, Assistant City Manager/City Engineer

Re: City of St. Joseph – Final CSO Compliance Program
 Post Early Action Project – Flow Monitoring Services Proposal

Dear Tim Zebell:

We are pleased to submit this proposal letter to provide flow monitoring services and flow analysis/reporting services upon completion of construction of the Early Action Project. This letter proposal includes a brief background and recent history of the City's Final CSO Compliance efforts, an overview of the flow monitoring requirement as it is outlined in the City's National Pollutant Discharge Elimination System (NPDES) permit, a summary of our proposed services and our fees to support the City during the proposed monitoring period and subsequent analysis/report preparation. We appreciate this opportunity to continue helping the City advance their Final CSO Compliance Program.

BACKGROUND AND RECENT CSO COMPLIANCE HISTORY

In September 2023, the City of St. Joseph completed a basis of design report outlining the future construction of a 1.2-million-gallon circular sanitary sewage overflow (SSO) equalization (EQ) basin. This report was submitted to the Michigan Department of Environment, Great Lakes & Energy (EGLE) on September 29, 2023. In October 2023, the City received up to \$5,000,000 in low interest loan funding through the Clean Water State Revolving Fund (CWSRF) for Fiscal Year (FY) 2024. To take advantage of the low interest loan funding opportunity, the City hired Wade Trim in November 2023 to complete the design of an Early Action Project to construct a portion of the infrastructure that is part of the recommended basin alternative. Construction of the Early Action Project started in November 2024, and the project is on track to be completed and operational prior to the City's NPDES permit compliance date of May 15, 2025.

NPDES PERMIT REQUIREMENT FOR FLOW MONITORING AND ANALYSIS OF IMPACTS TO THE JWWTP

Upon completion of the construction of the Early Action Project, the City's NPDES Permit requires the following:

On or before July 1, 2026, the permittee shall submit to the Department for review and approval a Flow Monitoring/Analysis Report to confirm no adverse impact to the JWWTP for the period between May 15, 2025, and April 30, 2026.

The NPDES permit schedule requires just under one year of flow monitoring and the preparation and submittal of a report to EGLE that confirms no adverse impact to the JWWTP. Per the NPDES permit, the Department will review the hydraulic modeling report to determine that construction of corrective action storage is required. The report will confirm the necessary volume of corrective action storage that is required. If corrective action storage is required by the Department, the NPDES permit

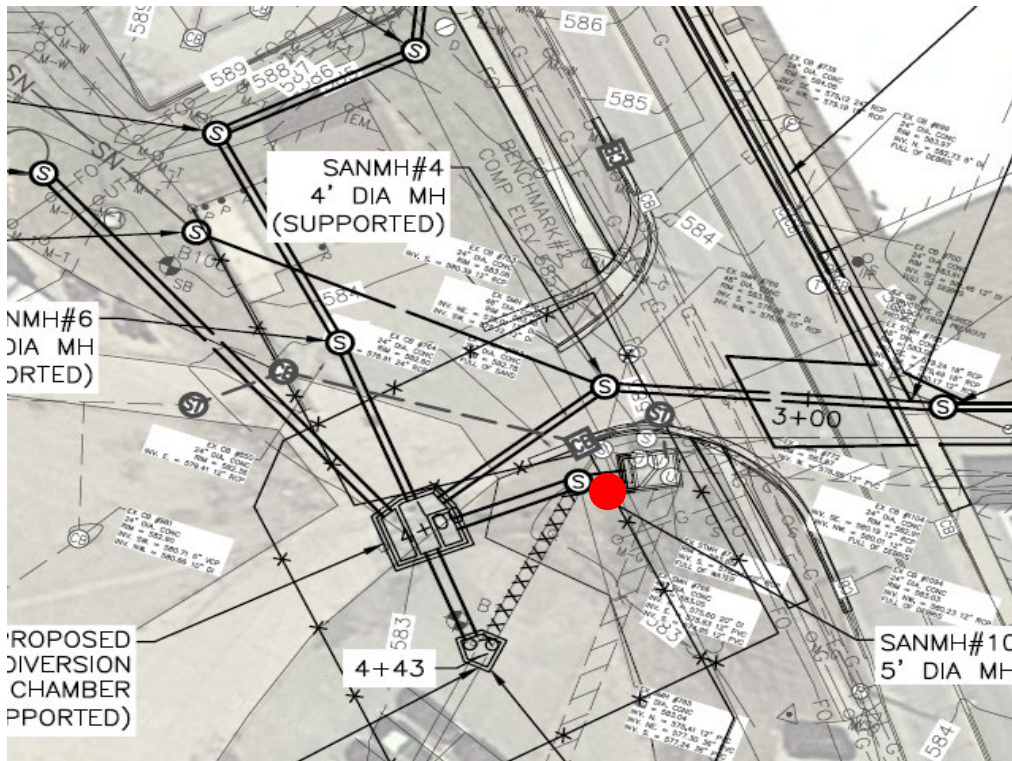
requires the City to submit, on or before March 1, 2027, as Part 41 Sanitary Sewerage Construction Permit Application and a Basis of Design for the Storage Structure to ensure adequate sewer capacity and functionality.

This proposal letter covers our proposed flow monitoring work plan associated with the required flow monitoring period May 15, 2025, to April 30, 2026, along with a scope of services for monthly activity during the monitoring period, hydraulic analysis and report preparation services as well as assistance to the City in discussions with the JWWTP staff and EGLE, as required. We have requested that our subconsultant (ADS) get the flow monitors and rain gage installed in mid to late April 2025 so that they are active and ready prior to the start of the required monitoring period.

FLOW MONITORING WORK PLAN

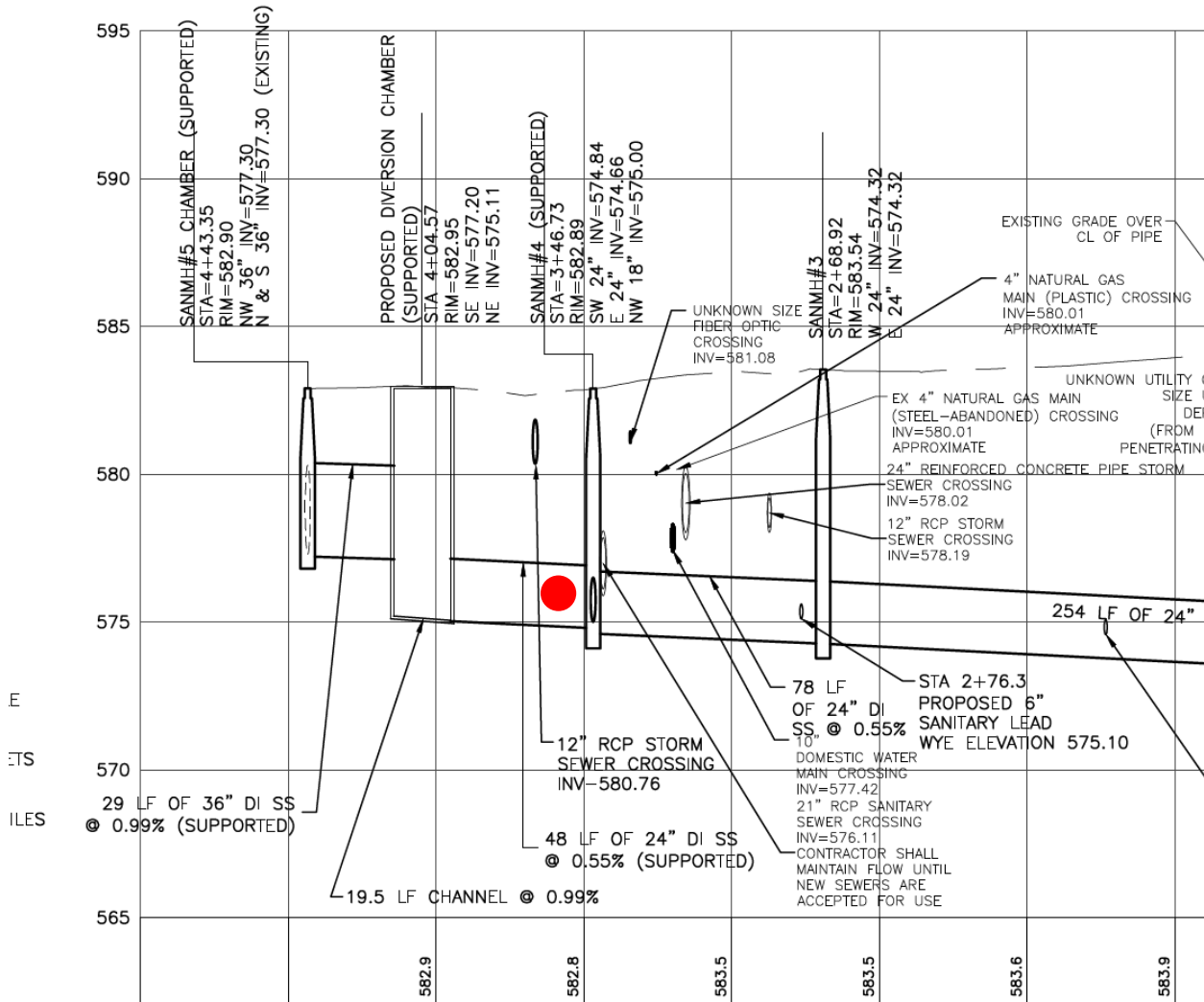
Our approach to verify the impact of the early action project on the JWWTP is presented below:

1. The goal of the monitoring program is to verify the early action diversion chamber is not negatively impacting the operation of the JWWTP.
2. Wade Trim will retain ADS Environmental Services to install two temporary flow meters and one rain gauge in April 2025. Although flow data will be collected in April, this first month will focus on installation and initial testing of the meters to ensure the flow monitoring data is accurate for the required flow monitoring period from May 15, 2025, to April 30, 2026.
3. The first temporary flow meter will be installed downstream of the new diversion chamber on the segment of 24-inch diameter pipe just upstream of newly installed manhole #4 (see red dots on the plan and profile below). This monitoring location will measure the total flow diverted from the CSO 005 district toward the JWWTP.



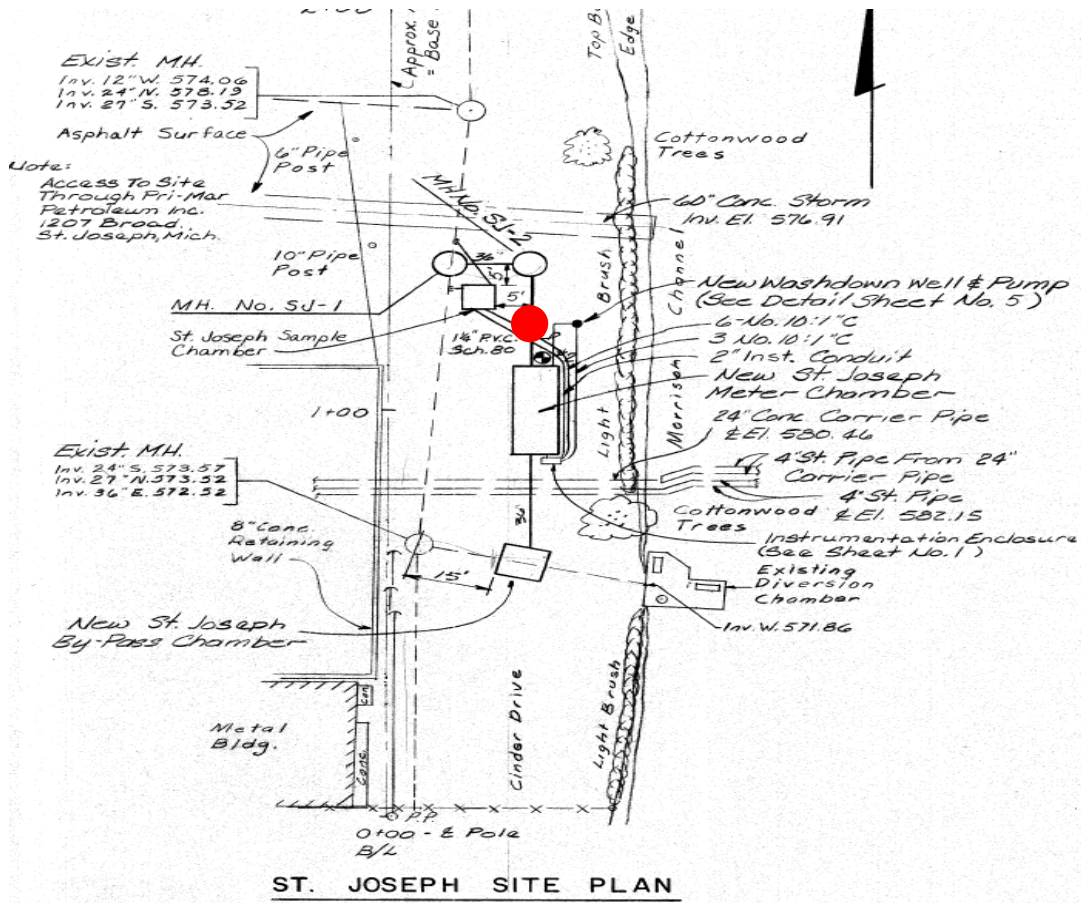
Plan View of Temporary Meter Location Upstream of MH #4

Attachment: 20250331_Zebell_EAP Flow Monitoring Services-Ltr (10615 : CSO Flow Monitoring Proposal)

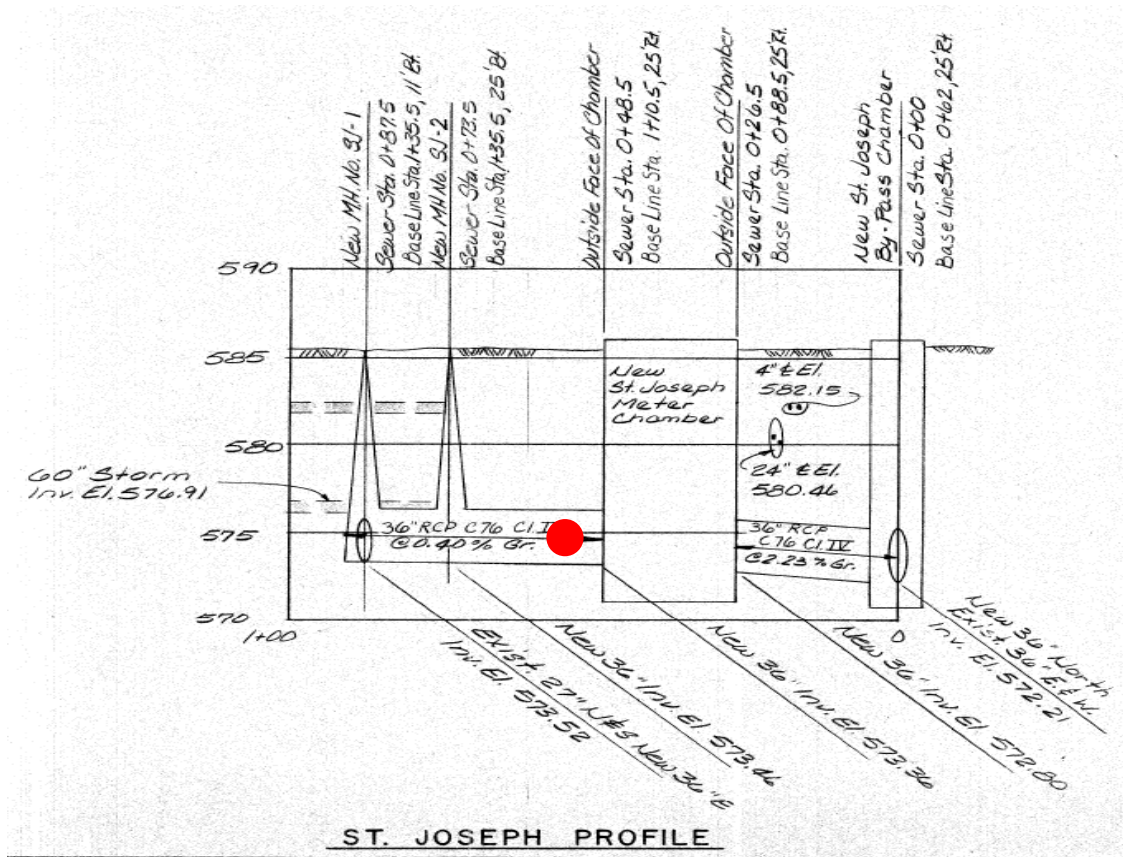


Profile View of Temporary Meter Location Upstream of MH #4

- The second temporary flow meter will be installed on the pipe connecting to the JWWTP downstream of all St. Joseph connections (upstream of the flume). This location will not include any flow from the properties that are on Marina Island. The location of this meter is indicated by the red dots shown on the plan and profile below. The plans indicate that this meter will be installed within a 36-inch sanitary sewer.



Plan View of Temporary Meter located in pipe upstream of existing flume chamber



Profile View of Temporary Meter located in pipe upstream of existing flume chamber

5. The data collected downstream of the new diversion chamber and flume will be compared to model results of proposed conditions to verify flow is controlled to the proper maximum flow rates. The maximum flow rates will vary based on the rainfall event size that is measured.
6. The permanent level sensor data will also be used to understand the hydraulic grade line (HGL) in the diversion chamber. This HGL will be the driving head on the underflow orifice gate. Based on the measured flow and the upstream HGL, underflow gate setting adjustments may be required.
7. A separate temporary rain gage will also be installed at the St. Joseph DPW yard to monitor rainfall totals during the 13-month monitoring period.
8. During the monitoring period, the flow and rainfall data will be downloaded and reviewed for accuracy. Any problems with the data will be reported back to ADS for corrective action.
9. After any major event (high flow), we will assist the City in meeting with JWWTP staff to discuss any potential impact to their operation.
10. The permanent meters that will be installed as part of the early action project will be used for estimating CSO peak rates and volumes required for reporting to EGLE during the early action period.

ANTICIPATED SCOPE OF SERVICES

We envision that the following scope of services associated with the flow monitoring and report preparation:

1. Monthly Flow and Rainfall Monitoring (April 15, 2025, to April 30, 2026)
 - Wade Trim will retain the services of ADS Environmental to place and maintain two temporary flow meters in the City's system. ADS will also install a temporary rain gauge at

- the DPW. The services provided by ADS will include a kick-off meeting, site investigations, site reports, site confirmations, equipment, equipment installation and removal, equipment maintenance, data review and analysis, and data access through the online PRISM system. The full scope of work provided by ADS Environmental is attached.
- The City will need to coordinate access to the temporary flow meter location that is proposed on LECO property near the existing flume chamber. Access will be required for the initial installation of the meter and any monthly servicing that will be required.
 - We have asked ADS to include one rain gage to be set up at the Department of Public Works, similar to our previous flow monitoring program
2. Monthly Data Review
 - Wade Trim will review the monthly flow data provided by ADS.
 - Wade Trim will review the level sensor data available in the new diversion chamber, CSO 005 chamber, and in the existing flume chamber.
 - Wade Trim will review monthly rain gage data.
 - We have assumed an average of eight hours per month (for Mark Pribak and Kari Beckley) to review the data.
 3. Hydraulic Model Comparison to Flow Monitoring Data
 - Wade Trim will utilize the City's existing hydraulic model and make a comparison with the flow monitoring data for dry weather flow and for rainfall events.
 - The collected flow data will be compared to modeled flows before the early action project was in place as well as future expected flows after the EQ basin is completed.
 - We have assumed an average of six hours per month for this task.
 4. Meetings with City and JWWTP
 - Wade Trim will assist the City in communicating with the staff at the JWWTP.
 - We envision a minimum of four quarterly check in meetings with the staff at the JWWTP along with up to four event specific check in meetings to discuss some of the larger events and their impact on the JWWTP.
 - These meeting are expected to be virtual.
 - We will plan to meet with the City approximately one week ahead of meeting with the JWWTP to review the data and any findings.
 5. Report Preparation and Submittal to EGLE
 - Upon completion of the flow monitoring, Wade Trim will prepare a draft Flow Monitoring and Hydraulic Report for review with the City. The report will include a description of the flow monitoring work plan, a summary of the data collected, a comparison of flow monitoring data to the City's hydraulic model of the system, a record of any overflows monitored, an illustration of any adverse impacts on the JWWTP and a recommendation for sizing the future storage tank.
 - We will meet with EGLE approximately four to five weeks prior to submitting our flow monitoring report to make them aware ahead of time of any important findings or flow monitoring conclusions/observations.
 6. Meetings/Communication with EGLE
 - Wade Trim will assist the City in communicating with EGLE during the flow monitoring period. This communication is anticipated to be a combination of emails and Teams/Zoom meetings, as may be required.
 - We have assumed that we will have four quarterly check-in meetings with EGLE during the flow monitoring period.

7. Project Management

- Project management will continue to be provided as part of our overall Program Management/Construction Administration budgets. Monthly invoicing and accounting; email updates and communication with the City Engineer; scope, schedule, and budget tracking; staffing; contract administration; communications with the City; Quality Control; updating the progress schedule monthly; monitoring percentage of work complete by task; and filing. This task also includes effort needed to manage the project internally with Wade Trim’s staff and subconsultant team members.
- We have assumed that the total duration of the flow monitoring project will span 15 months (April 2025 through June 2026).

COMPENSATION

We have prepared a detailed fee estimate (attached) to complete the tasks described above. A summary of this estimate is presented below:

Post Early Action Project – Flow Monitoring Services Fee Estimate	Estimated Fee (rounded)
Monthly Flow Monitoring (ADS Quote +5% allowable markup)	\$80,200
Monthly Data Review	\$19,300
Hydraulic Model Comparison to Flow Metering Data	\$15,400
Meetings with City and JWWTP	\$16,500
Report Preparation and Submittal to EGLE	\$13,000
Meetings/Communication with EGLE	\$13,000
Project Management	Provided as part of Overall Program Management
Anticipated direct costs	\$2,000
Post Early Action Project – Flow Monitoring Services Fee Estimate:	\$159,400

At this time, we are estimating that the Post EAP Flow Monitoring services described above, can be completed for the not-to-exceed fee of \$159,400. All work would be documented in accordance with our current rate schedule.

The fee estimates provided above include all anticipated Wade Trim labor and expense costs along with anticipated subconsultant fees, approved mark-ups (5%) and contingency allowances.

INVOICING

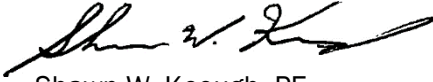
Invoices will be prepared and submitted monthly for our project team’s actual effort that occurred during the month. All work will be invoiced in accordance with our current rate schedule. Payment is appreciated within 30 days. Wade Trim reserves the right to stop work if payment is withheld.

City of St. Joseph
March 31, 2025
Page 8

Thank you for the opportunity to submit this flow monitoring and analysis services proposal. We appreciate our role to help the City with their Final CSO Compliance Program. As always, please contact me directly with any questions.

Very truly yours,

Wade Trim, Inc.



Shawn W. Keough, PE
Senior Vice President

SWK:kmk
BDXSJO
[20250331_Zebell_EAP Flow Monitoring Services-Ltr.docx](#)
Attachments

cc: Emily Hackworth, City Manager, City of St. Joseph

Attachment: 20250331_Zebell_EAP Flow Monitoring Services-Ltr (10615 : CSO Flow Monitoring Proposal)

**City of St. Joseph
Post Early Action Project Flow Monitoring**

Cost Estimate Updated on March 31, 2025

Task	Description	Keough		Pribak		Beckley		Admin		Total	
		Rate = \$ 290		Rate = \$ 290		Rate = \$ 150		Rate = \$ 100			
		hours	\$	hours	\$	hours	\$	hours	\$	hours	\$
1	<u>Monthly Flow Monitoring</u> ADS Quote for Flow meter installation, monthly rental and maintenance Wade Trim mark up on ADS services (5%) Coordination with ADS	0	0	0	0	0	0	0	0	0	72,890
			0	8	2,320	8	1,200	0	0	16	3,520
2	<u>Monthly Data Review</u>	0	0	26	7,540	78	11,700	0	0	104	19,240
3	<u>Hydraulic Model Comparison to Flow Monitoring Data</u>	0	0	26	7,540	52	7,800	0	0	78	15,340
4	<u>Meetings with City and JWWTP</u>	8	2,320	28	8,120	40	6,000	0	0	76	16,440
5	<u>Report Preparation and Submittal to EGLE</u>	4	1,160	20	5,800	40	6,000	0	0	64	12,960
6	<u>Meetings/Communication with EGLE</u>	8	2,320	20	5,800	32	4,800	0	0	60	12,920
7	<u>Project Management</u> Anticipated Direct Costs	0	0	0	0	0	0	0	0	0	0
											2,000
	Total	20	5,800	128	37,120	250	37,500	0	0	398	158,955

Attachment: St_Joe_Post_EAP_FM_Cost_Est-rev (10615 : CSO Flow Monitoring Proposal)



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Greg Grothous, Director of Public Works

RE: Out of School Time Program Agreement - Boys & Girls Club

MEETING DATE: April 7, 2025

Boys and Girls Club of Greater Southwest Michigan has received a Michigan Department of Education Out of School Time grant to provide educational and recreational summer programming for youth in the St. Joseph community. They need partner sites to host the program. BGCSWM staff and City staff have discussed and developed a draft agreement that would allow the use of the John and Dede Howard Ice Arena for a program for youth between the ages of 6-13. This is similar to last year's program.

Participating youth would have to become Club members, at a cost of \$5, and then register for the program. The first two weeks of registration would be limited to residents in the St. Joseph community and then would open up to all Club members. The program would run from 12 noon - 5 PM on weekdays, June 9 - August 1, except for July 3-4.

Action Requested: To approve, the agreement with Boys and Girls Club of Greater Southwest Michigan, and authorize the City Manager to execute the appropriate documents on behalf of the City.

ATTACHMENTS:

- MEMORANDUM OF UNDERSTANDING St Joseph City jh suggestions Mar2025 (PDF)



BOYS & GIRLS CLUBS
OF GREATER SOUTHWEST MICHIGAN
MEMORANDUM OF UNDERSTANDING

between Boys & Girls Clubs of Greater Southwest Michigan and City of St. Joseph

This is a Memorandum of Understanding (MOU) between the collaborative partners listed above, participating in the Summer Club Partnership Program, entered into on May __, 2025, by and between Boys & Girls Clubs of Greater Southwest Michigan (hereinafter “The Club”), with a principal address of 600 Nate Wells Sr. Drive, Benton Harbor, MI, 49022, and City of St. Joseph (hereinafter “City”), with a principal address of 700 Broad Street, St. Joseph, MI, 49085, and collectively known as the “Parties” for the purpose of cooperating to provide youth recreational and educational programs.

The Club has been awarded a Michigan Department of Education (MDE) Out of School Time (OST) grant to provide educational and recreational programming in the St. Joseph community in the summer 2025 and wishes to obtain facilities in St. Joseph to serve as the location of a St. Joseph community youth program for eight (8) weeks.

The City of St. Joseph desires to host a summer program for the benefit of youth in the St. Joseph community, such as the MDE OST program contemplates, and is able to make facilities available for that purpose.

The Club has reviewed available facilities in the community and considered the programming it will provide to satisfy the OST requirements, and believes it would be most effective for the recreational and learning environment to operate at two locations in the St. Joseph community.

- Younger youth (1st through 5th grade, ages 6-13): The City will provide the John and Dede Howard Ice Arena as the host for the younger youth program, weekdays, for the duration of the program, June 09 – August 01, 2025.

The aforementioned Parties desire to work together to accomplish the goal of providing a minimum of 32 (thirty-two) days of summertime youth program services per the MDE OST award at the John & Dede Howard Ice Rink, 2414 Willa Drive.

The general terms of the program are as follows for the Younger Youth program:

- Summer programming for a total of 56 to a maximum of 70 daily St. Joseph and neighboring communities' youth
 - Program Dates: June 09 – Aug 01, 2025
 - Program Daily Times: Monday – Friday, 12 - 5pm
 - Holidays (no programming) on July 3 & 4, 2025
- Program staffing to include 1 Program Manager and 4-6 Program Instructors depending on Average Daily Attendance rates
- Summer supplies and equipment provided
- Weekly field trips for youth

If for whatever reason the parties are unable to meet the 32 (thirty-two) days and or the stated number of youth (56-70 maximum) and MDE funding is reduced, the parties will meet to determine how many City residents attended in an effort for the City to help offset any funding shortfall.

Youth must join The Club, at a cost of \$5, and there is no additional cost to register for the program; there may be additional fees for optional field trips or special activities.

WHEREAS, the Parties are desirous to enter an understanding, setting out all necessary working arrangements that all Parties agree shall be necessary to complete this partnership.

NOW THEREFORE, the Parties agree to work together under the following terms and conditions:

Objectives

The objective of this partnership is to provide summer out-of-school time programs to children in grades 1st-5th. In addition to recreational and extracurricular activities, the Club provides support to put kids on a path for academic success, mentoring to guide members to create good character and leadership, and proven programming for youth to have access to healthy lifestyles.

PARTNER RESPONSIBILITIES

The Club

- Provide a program manager and a minimum of 4 youth development professionals (maximum of 6) to manage and implement Club programs as well as provide administrative oversight including registration and a site director.
- Support expanded learning opportunities, including, but not limited to, mentoring, leadership, community engagement, academic achievement, character and leadership programming, and healthy lifestyles and field trips.
- Provide programming to youth in a manner in which the children are physically present at a building or location designated by the eligible entity.
- Provide educational programming via BGCA Summer Brain Gain model involving reading, math and science core subject areas.
- Provide data to evaluate the program in a form and manner as prescribed by the Michigan Department of Education.
- Provide snacks for the summer program.
- Provide all necessary materials and supplies for programming
- Routine daily cleanup of facilities, keeping facilities clean, taking trash to outdoor receptacles, but not cleaning restrooms.
- Limit registration to youth of the St. Joseph Community until May 30, 2025, at which time all youth may register for the program.

City Of St. Joseph

- Provide facility space at the John and Dede Howard Ice Arena during program hours to include:
 - Indoor, rink, and outdoor space to be mutually determined by Club and City staff.
 - Ice Rink and Facilities points of contact available during program hours.
 - Facility access during program hours (fobs, keys, etc.)
 - Clean restrooms, empty outdoor trash receptacles.

AMENDMENT OF THIS MEMORANDUM

This MOU may be amended or modified at any time by mutual written consent of the Parties. The Parties acknowledge and understand that they must be able to fulfill their responsibilities under this MOU. The Parties assume full responsibility for their performance under the terms of this Memorandum. If at any time any Party is unable to perform their duties or responsibilities under this MOU, the affected Party shall immediately provide written notice to the other Parties to establish a date for resolution of the matter.

MOU SUMMARIZATION

Furthermore, the Parties to this MOU have mutually acknowledged and agreed to the following:

- The Parties to this MOU shall work together in cooperative and coordinated effort, and in such a manner and fashion to bring about the achievement and fulfillment of the goals and objectives of this partnership.
- It is not the intent of the MOU to restrict the Parties to this Agreement from their involvement or participation with any other public or private individuals, organizations, or agencies.
- The Parties to this MOU shall mutually contribute and take part in any and all phases of the planning development of this partnership, to the fullest extent possible and agreed upon.
- The Parties agree they will not unlawfully discriminate based in whole or in part on the actual or perceived race, color, religion, national origin, age, sex, sexual orientation, gender identity, height, weight, marital status, or disability of any person.

AUTHORIZATION AND EXECUTION

This Agreement is hereby signed by authorized representatives of Boys & Girls Clubs of Greater Southwest Michigan and City of St. Joseph with efforts to strive to reach, to the best of their abilities, the goals and objectives stated in this MOU.

 Alloyd Blackmon, Chief Executive Officer
 Boys & Girls Clubs of Greater SWMI

 Date

 Emily Hackworth, City Manager
 City of St. Joseph

 Date



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Kristen Gundersen, Community Development Director

RE: Zoning Ordinance Text Amendment - Section 2.3, 3.9.3.C and 21.7.C
- Mechanical Equipment - City of St. Joseph - First Reading

MEETING DATE: April 7, 2025

Request

On September 12, 2024, the City Commission directed the Planning Commission to review the regulations in the zoning ordinance associated with the location of mechanical equipment. Currently, mechanical equipment can be located in side and rear yards if it is at least 3' feet from the lot line; it is not allowed in front yards. The Planning Commission discussed the existing language, reviewed research and background information provided by staff, and received written and verbal comments over several months.

The Planning Commission recommends keeping the same regulations for new construction and additional mechanical units, and recommends changes to Sections 2.3, 3.9.3.C and 21.7 of the Zoning Ordinance to allow non-conforming mechanical equipment (air conditioning units, heat pumps, or ductless heat pumps “mini-splits”)) to be replaced in their current location. The changes include:

- 1) adding a definition of mechanical equipment in Section 2.3;
- 2) modifying Section 3.9.3.C to create consistency with the term mechanical equipment and removing examples of equipment; and
- 3) establishing new provisions in Article XXI for air conditioning units, heat pumps, and ductless heat pumps (“mini-splits”) that are nonconforming because they are located less than 3' from a side or rear lot line, to allow them to be replaced when they are a minimum of one foot from the side or rear lot lines and not blocking egress.

Excerpts from the four Planning Commission agenda packets, meeting minutes, and documents received during the meetings are included for review. A brief summary follows:

Discussion/History/Recommendation

Between October 2024 and January 2025, the Planning Commission discussed and heard comments in support and opposition of the existing regulations associated with Section 3.9.3.C and concluded:

1. The language found in Section 3.9.3.C which allows mechanical equipment to be located in the side and/or rear yard when located three feet or more away from the lot line is appropriate for new construction or when additional units are being installed. No changes have been made to this section since the zoning ordinance was adopted in January 2007;
2. The term “mechanical equipment” is not defined in Section 2.3 Definitions and Section 3.9.3.C provides some examples of equipment which are very different (air conditioning unit versus back-up generator);
3. The existing regulations were established to help decrease any nuisance impacts on adjacent properties while improving health and safety;
4. Equipment such as air conditioning units, heat pumps and mini-splits typically do not cause the spread of fire unlike generators and equipment is to be installed per manufacturer’s recommendations;
5. Staff was directed to draft language to allow nonconforming units located less than three feet from the interior side or rear lot lines to be replaced. Nonconforming equipment in the front or secondary front yards would need to be relocated to an allowed location.

On February 6th, the Planning Commission conducted its public hearing, heard comments, deliberated, and recommended approval of the amended language by a vote of 6-2. Members voting “no” either did not believe there should be special regulations for nonconforming mechanical equipment or believed regulations were not necessary. One audience member expressed concerns about the draft language, which included:

1. Suggestion that the term “mini-split” be modified to read “ductless heat pump (mini-split)”. The requested change was incorporated into the motion and the draft adopting ordinance.
2. Information prepared by the U.S. Energy Information Administration regarding seasonal energy efficiency ratio (SEER) dated July 30, 2019 was distributed. The article and chart show energy efficiency regulations associated with air conditioning units changed in 2006 shortly before the zoning ordinance was adopted in January 2007. Based on the July 30, 2019 article, the next increase in efficiency was scheduled for 2023. The required increase in efficiency has typically made the size of the units increase since 2006; it has also resulted in manufacturers providing options such as the typical square unit or tall and skinny units.
3. Photographs of a dwelling under construction with 2 pieces of mechanical equipment on Lions Park Drive were distributed. Information on the photographs suggests the two dwellings are approximately 8’ apart and if the shared lot line is equal distance, the new AC equipment installed would not meet the required 3’ side setback.

During the meeting, city staff explained that based on the site plan, the new equipment met the required 3’ setback. The foundation is 5’4 ½” from the lot line and the equipment with supports extends 26” from the face of the building. The two AC units are each 10” wide. The equipment has not received a final inspection where the distances will be confirmed. A portion of the site plan which shows compliance with the regulations has

been included. Staff also explained that the adjacent building to the north had received variances to allow the structure to be built 3' from the lot line.

4. During the public hearing, one planning commission member expressed concern regarding the original draft language which allowed nonconforming equipment to be replaced no closer to the side or rear lot line than the existing equipment, which in some cases could be on the lot line. Concern about dwellings that have long single-lane driveways leading to detached garages and backing out with mechanical equipment located on the shared lot line could be damaged. The Commission concluded a minimum one-foot setback would be appropriate.

Following is a summary of the recommended draft language as amended during the public hearing:

1. Section 2.3 Definitions. The term "mechanical equipment" was drafted as one does not exist. Examples of equipment are included in the draft definition. While finalizing the adopting ordinance staff concluded the last word in the definition should be changed from "things" to "items", the change is in keeping with other references within the zoning ordinance.
2. Section 3.9.3. Accessory uses and structures with Location in Required Setback. Section 3.9.3.C pertains to mechanical equipment and allows equipment to be located in the side and rear yards when located a minimum of 3' from the lot line. Examples of equipment were removed and the term "mechanical equipment" replaced "mechanical structures". No changes are proposed to the allowed location of new equipment.
3. Article XXI Nonconforming Uses has new language added under Section 21.7.C Repairs and maintenance. The new language pertains to nonconforming mechanical equipment and allows for the following:
 - a. The repair and maintenance of mechanical equipment that is nonconforming because it is located less than 3' from an interior side lot line or rear lot line;
 - b. The replacement of mechanical equipment that is nonconforming because it is located less than 3' from an interior side lot line or rear lot line when the following 3 conditions are met:
 - i. Replacement only pertains to an air conditioning unit, heat pump or ductless heat pump (mini-split).
 - ii. It does not prevent free ingress or egress from any building, door, window, fire escape, or interfere with an opening required for ventilation.
 - iii. Any replaced equipment is no closer than one foot from the lot line than the equipment being replaced.

Code Provisions for Amendments

Article XXII Amendments provides the purpose, process and review factors to be reviewed when either a map (rezoning) or text amendment is proposed. Please note, this does not pertain to Section 8-140 Flood Hazard Areas found in the Code of Ordinances.

Below is Section 22.3 Factors to Consider on Rezoning: In reviewing any application for an amendment, the Planning Commission shall evaluate all factors relevant to the application. The Planning Commission may solicit information from public agencies or from individuals or firms with relevant experience. The factors to be considered shall include, but are not limited to, the following:

- A. What conditions related to the application have changed since the Zoning Ordinance was adopted which justify the proposed amendment?
- B. What are the possible precedential effects which might result from the approval or denial of the application?
- C. What is the potential impact of the proposal on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future?
- D. Does the proposed amendment adversely affect environmental conditions, the character of, or the likely value of property?
- E. Does the proposed District change comply with the adopted City Comprehensive Plan? (If not, and if the proposed amendment is reasonable in light of all other relevant factors, then the Comprehensive Plan should be amended before the proposed zoning amendment is approved.)
- F. If a specific property is involved, can the property in question be put to a reasonable economic Use in the zoning District in which it is presently located?
- G. Is another procedure, such as a Variance, Special Use, Planned Unit Development, or hardship Planned Unit Development a more appropriate alternative than the proposed amendment?

Action

Please consider the request as presented and review the criteria found in Section 22.3 Factors to Consider on Rezoning (the 7 factors are listed above). The City Commission is not required to conduct a public hearing on the proposed changes. The draft adopting ordinance and the redlined version showing the proposed changes are attached.

If the City Commission approves the first reading of the draft Ordinance, a second reading will likely take place during the April 28, 2025, City Commission meeting. If approved, the Ordinance will become effective ten days later.

If the City Commission concurs with the Planning Commission's recommendation, the following motion can be used:

"...move to approve the first reading of an Ordinance to amend Article II Section 2.3 Definitions, Article III Section 3.9.3.C and Article XXI Section 21.7.C to define the term mechanical equipment and establish regulations to allow replacement of certain nonconforming equipment when certain conditions are met in the Zoning Ordinance of the City of St. Joseph, Michigan based on the factors set forth under Section 22.3 of the Zoning Ordinance."

ATTACHMENTS:

- Ordinance to Amend_Mechanical Equipment (PDF)
- Redline - Planning Commission 02062025 Public Hearing Recommended Language (PDF)
- 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (PDF)
- 01022025 - Excerpt PC packet with Approved Minutes - mechanical equipment - Discussion 3 (PDF)

- 11072024 - Excerpt PC Packet with Approved Minutes and handouts- mechanical equipment - Discussion 2 (PDF)
- 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (PDF)

**ZONING ORDINANCE TEXT AMENDMENT - SECTION 2.3, 3.9.3.C AND 21.7.C
- MECHANICAL EQUIPMENT - CITY OF ST. JOSEPH - FIRST READING**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
THE CITY OF ST. JOSEPH, MICHIGAN**

THE CITY OF ST. JOSEPH ORDAINS that the City of St. Joseph Zoning Ordinance adopted by Chapter 33 of the City of St. Joseph Code of Ordinances and codified as Appendix A is hereby amended as follows:

1. Article II. “Definitions” Sec. 2.3 “Definitions” is amended to add the following definition:

Mechanical equipment means a system or part of a system installed outside of a structure and utilized to provide control of environmental conditions and related process within a structure. Equipment can include air conditioning units, emergency generators, heat pumps, ductless heat pump (mini-splits), water pumps or other similar items.

2. Article III. “General Provisions” Sec. 3.9.3.C. “Accessory uses and structures” “Location in Required Setbacks” is amended to read as follows:

C. Mechanical equipment may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.

3. Article XXI. “Nonconforming Uses” Sec. 21.7 “Repairs and Maintenance” is amended to add the following section:

21.7. C. Nonconforming Mechanical Equipment. Repairs and maintenance may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line. Replacement of mechanical equipment may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line, if it meets the following conditions:

1. It is an air conditioning unit, heat pump or ductless heat pump (mini-split), and;
2. It does not prevent free ingress or egress from any building, door, window, fire escape, or interfere with an opening required for ventilation; and
3. Any replaced equipment is no closer than one foot from the lot line than the equipment being replaced.

The intent of this section is to allow existing nonconforming mechanical equipment to be repaired and maintained in its current location, and to require existing nonconforming mechanical equipment to be replaced in a compliant location unless the mechanical equipment being replaced has a minimal safety, health, or nuisance impact on adjacent properties. Nonconforming mechanical equipment emitting carbon monoxide, fumes, gasses, extreme heat, excessive noise, or creating similar conditions are intentionally omitted and may not be replaced under this section.

All provisions of the Zoning Ordinance of the City of St. Joseph not hereby amended remain in full force and effect.

This ordinance shall take effect 10 days after its final passage.

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF
THE CITY OF ST. JOSEPH, MICHIGAN**

THE CITY OF ST. JOSEPH ORDAINS that the City of St. Joseph Zoning Ordinance adopted by Chapter 33 of the City of St. Joseph Code of Ordinances and codified as Appendix A is hereby amended as follows:

1. Article II. “Definitions” Sec. 2.3 “Definitions” is amended to add the following definition:

Mechanical equipment means a system or part of a system installed outside of a structure and utilized to provide control of environmental conditions and related process within a structure. Equipment can include air conditioning units, emergency generators, heat pumps, ductless heat pump (mini-splits), water pumps or other similar items.

2. Article III. “General Provisions” Sec. 3.9.3.C. “Accessory uses and structures” “Location in Required Setbacks” is amended to read as follows:

C. Mechanical equipment may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.

3. Article XXI. “Nonconforming Uses” Sec. 21.7 “Repairs and Maintenance” is amended to add the following section:

21.7. C. Nonconforming Mechanical Equipment. Repairs and maintenance may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line. Replacement of mechanical equipment may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line, if it meets the following conditions:

1. It is an air conditioning unit, heat pump or ductless heat pump (mini-split), and;
2. It does not prevent free ingress or egress from any building, door, window, fire escape, or interfere with an opening required for ventilation; and
3. Any replaced equipment is no closer than one foot from the lot line than the equipment being replaced.

The intent of this section is to allow existing nonconforming mechanical equipment to be repaired and maintained in its current location, and to require existing nonconforming mechanical equipment to be replaced in a compliant location unless the mechanical equipment being replaced has a minimal safety, health, or nuisance impact on adjacent properties. Nonconforming mechanical equipment emitting carbon monoxide, fumes, gasses, extreme heat, excessive noise, or creating similar conditions are intentionally omitted and may not be replaced under this section.

All provisions of the Zoning Ordinance of the City of St. Joseph not hereby amended remain in full force and effect.

This ordinance shall take effect 10 days after its final passage.

Redline - Planning Commission 0206205 Public Hearing Meeting Recommended language

New language shown with underline and shaded.

~~Deleted language shown with strike through and shaded.~~

Sec. 2.3 Definitions

Mechanical equipment means a system or part of a system installed outside of a structure and utilized to provide control of environmental conditions and related process within a structure. Equipment can include air conditioning units, emergency generators, heat pumps, ductless heat pump (mini-splits), water pumps or other similar things.

Sec. 3.9. Accessory uses and structures.

3.9.1. *General Standards.*

- A. *Subordinate to Principal Use.* Accessory uses and structures must be subordinate to the principal use and structure on the subject lot in terms of area, extent and purpose.
- B. *Time of Establishment.* Accessory structures must be constructed in conjunction with or after the principal building, and may not be constructed prior to the construction of the principal building. Accessory uses may be established no earlier than the commencement of the principal use.

3.9.2. *Building Coverage.* The combined footprint of all detached covered accessory structures, and all porches or decks six inches or more above finished grade, may not exceed the building footprint of the principal building.

3.9.3. *Location in Required Setbacks.*

- A. Accessory structures, except for fences, trellises not more than eight feet in height, and arbors not more than ten feet in height, may not be located in the front yard or secondary front yard. The total width of trellises and arbors exempt under this section may not total more than 25 percent of the width of the principal structure on the lot.
- B. Accessory structures not more than 14 feet in height may be located in required rear setbacks if they do not occupy more than 33 percent of the actual rear yard area and are located at least five feet from any lot line. Except, in those instances where the rear lot line is coterminous with an alley right-of-way, the accessory structure may be as close as one foot to such rear lot line.
- C. ~~Mechanical structures equipment such as heat pumps, air conditioners, emergency generators, and water pumps~~ may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.
- D. Fences or screening walls, as permitted by chapter 12 of the Code of Ordinances, may be located in any required setback.

(Ord. No. 2022-5, § 4, 3-28-22)

ARTICLE XXI. NONCONFORMING USES

Sec. 21.1. Purpose.

The purpose of this article is to provide for the regulation of legally nonconforming structures, lots of record, and uses, and also to specify circumstances and conditions under which nonconformities shall be permitted to continue. The zoning regulations established by this ordinance are designed to guide the future use of land located in the City of St. Joseph by encouraging appropriate groupings of compatible and related uses and to promote and protect the public health, safety, and general welfare. The continued existence of nonconformities is frequently inconsistent with these purposes; therefore, the gradual elimination of nonconformities is generally desirable. The regulations of this article permit nonconformities to continue, but are intended to restrict further investments which would make them more permanent.

Sec. 21.2. Reserved.

Sec. 21.3. Nonconformities.

Except as otherwise provided in this article, any nonconforming lot, use, or structure lawfully existing on the effective date of this ordinance or subsequent amendment may be continued so long as it remains otherwise lawful. All nonconformities shall be encouraged to convert to conformity wherever possible and shall be required to convert to conforming status as required by this article. A nonconformity shall not be enlarged, expanded, or extended, including extension of hours of operation, unless the change is in compliance with all requirements of this ordinance. Normal maintenance and incidental repair of a nonconformity shall be permitted, provided that this does not violate any other section of this article.

- A. Nothing in this article shall be deemed to prevent the strengthening or restoration to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety and who declares the structure to be unsafe and orders its restoration to a safe condition, provided that the restoration is not otherwise in violation of the various provisions of this section prohibiting the repair or restoration of partially damaged or destroyed structures.
- B. Nothing in this article shall be deemed to prevent the addition of required off-street parking or loading spaces, so long as there is no expansion of the nonconformity, and subject to the restrictions of Article XVIII, Off-Street Parking and Loading.
- C. A nonconformity shall not be moved in whole or in part, for any distance whatsoever, to any other location on any other lot unless the net effect of the change shall be to reduce the nonconformity on the current lot; and the entire relocated structure and/or use shall thereafter conform to the regulations of the zoning district in which it is relocated. Any nonconformity reduced or eliminated as a result of the move shall not be re-established in its nonconforming condition.
- D. A nonconformity shall not be moved in whole or in part, for any distance whatsoever, to any other location on the same lot, unless the net effect of the change shall be to reduce the nonconformity.
- E. No use, structure, or sign which is accessory to a principal nonconforming use or structure shall continue after the principal use or structure has ceased or terminated, unless it shall thereafter conform to all regulations of this ordinance.
- F. The burden of establishing that any nonconformity was legally established shall, in all cases, be upon the owner of such nonconformity and not upon the City of St. Joseph.
- G. A nonconforming use shall not be changed to any use other than a use allowed in the zoning district in which it is located. For the purposes of this section, reducing the number of residential units on a lot shall not be considered a change of use. For example, a three-unit apartment is in the multiple-family

dwellings use class and therefore is a nonconformity in the R1 Single-Family Residence Zoning District. Eliminating one residential unit would change the structure to a duplex, which is in the two-family dwellings use class, which is also a nonconformity in the R1 Zoning District. This change would be allowed.

- H. Nonconforming structures shall not be re-established in their nonconforming conditions in any zoning district after damage, destruction or demolition if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost of the structure. For the purposes of this section, "damage or destruction" does not include dismantlement.
- I. If a nonconforming use ceases for any reason for a period of more than twelve (12) consecutive months, such discontinuance shall be considered conclusive evidence of an intention to abandon the nonconforming use. At the end of the 12-month period, the nonconforming use shall not be re-established and any future use shall be in conformity with the provisions of this ordinance.

Sec. 21.4. Exceptions.

The following exceptions to Section 21.3 apply:

- A. A nonconforming residential use, building or structure in the C Commercial or CO Commercial Office Zoning Districts is exempt from the provisions of Sections 21.3.H and 21.3.I.
- B. Any nonconforming building or structure in the OS Open Space District is exempt from the provisions of 21.3.H, unless the structure is prohibited under areas of special flood hazard, high risk erosion area, sand dune area, or other state or federal laws or regulations.
- C. A limited neighborhood business shall be exempt from Section 21.3 with regard to the nonconforming use; it shall remain subject to Section 21.3 for the purpose of dimensional nonconformities.
- D. A nonconforming building or nonconforming structure located in the DH-OD Downtown Height Overlay District and which is of such height that special approval under Section 9.4 of this ordinance would be required to construct a new building or structure of that height in that location is partially exempt from Section 21.3.H with respect to that height in that it may be restored following damage or destruction; it may not be restored following demolition. To benefit from the exemption under this section, the building or structure must be restored to an exterior appearance and design as similar as possible to its previous configuration and shall not increase in height or volume as a result of restoration; this section is intended only to preserve the appearance of existing nonconformities in the DH-OD Overlay District and shall not be used to allow the substitution of a new, dissimilar nonconformity.

Sec. 21.5. Reserved.

Sec. 21.6. Nonconforming lots.

A nonconforming lot may be used for any principal use permitted in the zoning district in which the lot is located. A nonconforming lot may not be divided, combined with another lot, or otherwise altered unless the result is to lessen the nonconformity of the lot(s) involved.

Sec. 21.7. Repairs and maintenance.

- A. *Nonconforming Uses.* Repairs, maintenance and replacement may be performed on any building or structure devoted in whole or in part to a nonconforming use, including repair or replacement of roofs, doors, windows, interior and exterior walls, foundations, fixtures, wiring, plumbing and similar appurtenances and features. However, the dimensions or volume of the building or structure as it existed on the effective date of this ordinance or subsequent amendment shall not be increased in any way. Except that a building or structure

occupied by a limited neighborhood business may be repaired, replaced, or expanded so long as no dimensional nonconformity is created or increased. If the building or structure is itself nonconforming, Section 21.7.B also applies.

- B. *Nonconforming Structures.* Repairs and maintenance may be performed on any nonconforming building or structure, including repair or replacement of interior walls, roofs, doors, windows, fixtures, wiring or plumbing and similar appurtenances and features, or repair of exterior walls and foundations. No dimensional nonconformity shall be increased in any way. Portions of the structure necessary to allow the reasonable use of the structure, such as an exterior stairway or steps, may be removed and replaced in their previous location, or with such minor modifications as may be needed to meet current standards. The intention of this section is to allow the maintenance and rehabilitation of existing nonconforming structures but not to allow the replacement of foundations and exterior walls in such a way as to effectively allow a new structure to be constructed in a nonconforming location under the guise of rehabilitation.

- C. Nonconforming Mechanical Equipment. Repairs and maintenance may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line. Replacement of mechanical equipment may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line, if it meets the following conditions:

1. It is an air conditioning unit, heat pump or ductless heat pump (mini-split), and:
2. It does not prevent free ingress or egress from any building, door, window, fire escape, or interfere with an opening required for ventilation; and
3. Any replaced equipment is no closer than one foot from the lot line than the equipment being replaced.

The intent of this section is to allow existing nonconforming mechanical equipment to be repaired and maintained in its current location, and to require existing nonconforming mechanical equipment to be replaced in a compliant location unless the mechanical equipment being replaced has a minimal safety, health, or nuisance impact on adjacent properties. Nonconforming mechanical equipment emitting carbon monoxide, fumes, gasses, extreme heat, excessive noise, or creating similar conditions are intentionally omitted and may not be replaced under this section.

Sec. 21.8. Change of tenancy or ownership.

There may be a change of tenancy, ownership, or management of any Nonconformity provided there is no change in the nature or character of the nonconformity, unless such change is allowed under this ordinance.

Sec. 21.9. Elimination of nonconformities—Uses, buildings or structures.

For the purpose of removing any nonconforming use, building or structure, the city commission may acquire private property or an interest in private property by purchase, condemnation, or other means. The cost, expense, or a portion thereof may be paid from general funds or assessed to a special district in accordance with applicable statutory provisions and relevant provisions of the city charter.

St. Joseph Planning Commission
 Commission Chambers
 700 Broad Street, St Joseph, MI 49085

AGENDA
February 6, 2025
4:30 PM

Zoom Webinar ID 831 7515 6929 at www.zoom.us This meeting will be held in person. Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.

Call to Order

Approval of Meeting Minutes

1. Special Meeting Minutes of Monday, November 18, 2024
2. Regular Minutes of Thursday, January 02, 2025

New Business

3. Public Hearing - City of St Joseph - Text Amendment to Sections 2.3, 3.9.3.C and 21.7.C of the Zoning Ordinance as it relates to Mechanical Equipment Regulations
4. Review and Approval of 2024 Planning Commission Annual Report

Old Business

5. Continued Discussion - Table 18-1 Parking Requirements

Public Comments

Adjournment

Minutes of the St. Joseph Planning Commission Meeting held Commission Chambers, 700 Broad Street, St Joseph, MI 49085 on February 6, 2025.

Zoom Webinar ID 831 7515 6929 at www.zoom.us This meeting will be held in person. Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.

Call to Order

The meeting was called to order at 4:30 PM by Chair Patsy Hartzell

Attendee Name	Title	Status	Arrived
Patsy Hartzell	Chair	Present	
Kathy Burczak	Commissioner	Present	
Sean Ebbert	Commissioner	Present	
Aaron Miller	Commissioner	Present	
Becky Rice	Commissioner	Present	
Anthony Uhrick	Commissioner	Present	
Dustin Tefs	Commissioner	Present	
Pam Porter	Commissioner	Present	
Michael Plichta	Commissioner	Absent	
Kristen Gundersen	Community Development Director	Present	
Laurie Schmidt	City Attorney	Present	
Caleb O'Toole	Building Inspector	Present	

Approval of Meeting Minutes

1. Special Meeting Minutes of Monday, November 18, 2024

Chair Hartzell stated that the revised draft minutes are much better.

Attorney Schmidt stated City Commission and the DDA Board approved the revised minutes.

RESULT:	ACCEPTED [UNANIMOUS]
SECONDER:	Aaron Miller, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Miller, Commissioner Rice, Commissioner Uhrick, Commissioner Tefs, Commissioner Porter
ABSENT:	Commissioner Plichta

2. Regular Minutes of Thursday, January 02, 2025

The Commission noted some discrepancies and requested the minutes be regenerated as there appeared to be duplication; they will be reviewed at the March meeting.

RESULT:	TABLED [UNANIMOUS]
MOVER:	Kathy Burczak, Commissioner
SECONDER:	Sean Ebbert, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Miller, Commissioner Rice, Commissioner Uhrick, Commissioner Tefs, Commissioner Porter
ABSENT:	Commissioner Plichta

New Business

3. Public Hearing - City of St Joseph - Text Amendment to Sections 2.3, 3.9.3.C and 21.7.C of the Zoning Ordinance as it relates to Mechanical Equipment Regulations

Chair Hartzell opened the public hearing at 4:37 pm regarding proposed amendments to the zoning ordinance related to mechanical equipment. During the January meeting the Commission reviewed a draft document and directed staff to schedule a public hearing for the next meeting.

Jack Sanderson, 804 Lake Lane and chair of the Below the Bluff Association asked if staff had spoken with any mechanical contractors regarding the proposed amendment.

Ms. Gundersen stated she has not spoken to any mechanical contractors regarding the draft language.

Mr. Sanderson stated he has reviewed the text amendment application and offered the following: Factor A should include reference to the seasonal energy regulations (SEER) that were adopted in 2007. This regulation requires air conditioning units to be larger because of the changes to heat regulations. Heat is now transferred from inside the unit to outside. In 1992 and 2006 the zoning ordinance changed and the mechanical units are becoming more efficient and the equipment is changing shape; this why he believes the rules need changing. When the federal rules changed in 2006, time was given for contractors to use existing equipment so the new equipment did not become larger until 2007 or later. Mr. Sanderson distributed a one-page handout from the US Energy Information Administration.

Mr. Sanderson stated he does not understand what happened in the city between 2007 and 2107 with enforcement and he does not believe there is any negative impact when nonconforming equipment is replaced. He noted that past discussions before the Planning Commission suggested issues with state mechanical inspectors and past city staff not enforcing regulations.

Mr. Sanderson expressed concern regarding Factor G, which suggests a property owner could request a variance, and questioned staff how far in advance an application needs to be submitted to appear on the ZBA agenda.

Ms. Gundersen stated the zoning ordinance requires a minimum of 24 days before the scheduled meeting.

Mr. Sanderson stated he spoke with several mechanical contractors and many property owners do not replace the equipment until it is broken. Moving equipment to comply with the zoning ordinance can decrease the efficiency of the unit. There are nine standards that must be met for ZBA to grant a variance, it is unknown if a request would be approved. Contractors stated the typical cost for replacement of mechanical equipment is \$13,000 however, if the equipment must be moved it can increase to \$26,000. There are many parcels in the city that are 33' wide which can limit the location of equipment.

Mr. Sanderson stated the proposed definition uses the word "mini-split", which is not proper terminology; it should be called a ductless heat pump. These items are condensers that are placed on the outside of the building and each room may need one.

Mr. Sanderson stated that Section 3.9.3.C, which allows mechanical equipment to be located in a side or rear yard when located more than 3' from the lot line, is not necessary. Equipment should be allowed in this area as it is not a fire hazard and public safety officers would not utilize the area to fight a fire or to go around a building. People on the second floor would typically jump out of the building and even the minimum 5' building setback does not provide sufficient space for a ladder to be placed. Concerns expressed about health and safety and nuisance noise is no different than a neighbor with a loud radio. The manufacturer's installation guidelines suggest

equipment can be placed 6" from the building so there is not a fire issue and there should be no issue with the equipment being located adjacent to the lot line.

Mr. Sanderson distributed photographs of a building under construction on Lions Park Drive, stating that it has 8' of separation from the building walls to the adjacent dwelling. Based on the size of the mechanical equipment and placement off of the building wall, he believes it is less than 3' from the side lot line and that there is no issue with the equipment as placed.

Mr. Sanderson expressed concern about draft language in Section 21.7.C.3 if nonconforming equipment cannot be placed closer to the side or rear lot line because new equipment is typically larger and this would limit options available. He suggested that the rules should be flexible and allow staff the ability to approve things that do not comply with the regulations as common sense should prevail. He has heard comments of staircases being redone because they do not comply.

Chair Hartzell closed the public hearing at 5:20 pm after no other audience members asked to speak on this request.

Mr. Uhrick questioned staff regarding the dwelling under construction on Lions Park Drive.

Ms. Gundersen stated the dwelling is under construction and received the necessary permits. A site plan is required that shows the placement of mechanical equipment compliant with the regulations.

Ms. Burczak questioned what was measured and if either property had received a variance for setback.

Mr. Sanderson stated he is not aware if any variances had been granted and the hand written measurements he included on the photographs are measured from the wall.

Ms. Burczak stated in her professional career, she has worked on projects where equipment was installed improperly and was off 1/4"; the work had to be redone to comply with the regulations. She does not believe it is appropriate for city staff to allow work that is not compliant with the adopted regulations, noting that some regulations are also adopted on a state or federal level. There is also concern on what is appropriate, as people will learn that 1/4" will be approved and slowly increase the noncompliance to 1" - or going from a 5% slope to 6%. The Building Code is very clear regarding stair configuration.

Mr. Miller stated the public safety email from January 28th referenced a need for adequate space for emergency equipment.

Ms. Burczak stated she believes the existing language should remain for new construction and new additional equipment. She has concern about nonconforming equipment being replaced up to the lot line as some properties have driveways that are on the lot line which can add concern when maneuvering and not wanting to damage the neighbor's equipment. Going to ZBA for a variance is an option to allow for case-by-case review.

Mr. Miller stated the photographs make assumptions that the equipment is too close to the lot line, however, it also shows there is equipment that can be installed that is not very wide which increases the distance to the lot line. He believes both new and replacement equipment should apply with the existing regulations.

Mr. Ebbert stated several interesting comments were made and that fences and shrubs can be installed in a side yard, which also limit access.

Mr. Uhrick questioned what happens if the Commission does nothing with the draft language and the dwelling under construction could install a fence to block access and if the equipment is placed improperly it would need to be removed.

Ms. Gundersen stated she received a text from inspection staff about the Lions Park Drive house under construction. The text included a photograph of the site plan showing where the mechanical equipment is located. The drawing clearly shows the mechanical equipment is 3'6" from the lot line, the drip edge is 5' from the lot line, and the foundation wall is 5'4 1/2" from the lot line, which is all compliant with the zoning ordinance.

Ms. Burczak stated that the information just provided shows that builders and developers can design structures, even on 33' wide parcels, to comply with the regulations and there is no need to change the regulations for new construction.

Chair Hartzell stated giving staff discretion to allow changes that do not comply with the regulations can create problems; there have to be rules and a line has to be drawn somewhere. The question is where you draw the line; reasonable minds can and do differ. Chair Hartzell noted that there is more to public safety than fire, and wondered why they would add to a list of things that block access. The Commission has received comments from many individuals and has tackled the draft language as requested, and made adjustments to address concerns about properties with nonconforming mechanical equipment.

Mr. Uhrick stated that after learning the dwelling under construction on Lions Park Drive was designed to meet the zoning regulations, he can support the draft language as proposed.

Mr. Ebbert stated where the term "mini-split" is used, it should read "ductless heat pump (mini-split)".

Ms. Burczak questioned if the Commission had concerns about equipment being placed adjacent to the side lot line.

Mr. Ebbert stated he had no concerns.

Ms. Burczak expressed concern that when driveways are located on the lot line, it can be difficult to maneuver as to not hit items on the lot line. She suggested a minimum distance of 1' from the lot line.

Mr. Miller stated he has no issues with a fence because it is inert, however, mechanical equipment is used and should be away from the lot line.

Ms. Burczak stated nonconforming equipment should be allowed to be replaced when located no less than one-foot from the side or rear lot line.

Ms. Porter asked staff if other options to address the size of new equipment were discussed, such as a percentage of change.

Ms. Gundersen stated staff discussed calculating the bulk of the equipment using the height, width and depth to obtain a number and the new equipment could not exceed that number based

on the new dimensions. In the end, staff did not recommend the option as it would be cumbersome and not work well.

Mr. Uhrick stated he does not want nonconforming equipment on a lot line, or to be closer to the interior or rear lot lines. He believes they have addressed many of the concerns raised and is comfortable moving forward with the proposed language.

Mr. Ebbert stated that equipment is getting larger, which means moving closer to the lot line.

Ms. Burczak stated she has no issue with the equipment getting larger, but believes it should be at least 1' from the lot line.

Mr. Miller stated he believes Mr. Ebbert does not believe the setback is necessary. Ms. Burczak wants to see a minimum setback. Mr. Uhrick believes the equipment will likely be larger and closer to the lot line.

Mr. Uhrick moved to recommend approval of the proposed amendment to Article II Section 2.3 Definitions, Article III Section 3.9.3.C and Article XXI Section 21.7.C to define the term mechanical equipment and establish regulations to allow replacement of specific nonconforming equipment when certain conditions are met in the Zoning Ordinance of the City of St. Joseph, Michigan based on the factors set forth under Section 22.3 of the Zoning Ordinance with the condition that where "mini-split" is used it should read "ductless heat pump (mini-split)".

Chair Hartzell seconded the motion.

Ms. Burczak requested that Section 21.7.C.3 be modified to require a one-foot setback because the equipment is getting larger and many properties have been able replace equipment in compliance with the current regulations, but understands there should be some relief for nonconforming equipment as an option.

Mr. Uhrick amended the motion to modify Section 21.7.C.3 to allow nonconforming equipment to be replaced if no closer than one foot from the lot line.

Chair Hartzell seconded the amended motion.

RESULT:	APPROVED [6 TO 2]
MOVER:	Anthony Uhrick, Commissioner
SECONDER:	Patsy Hartzell, Chair
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Rice, Commissioner Uhrick, Commissioner Tefs, Commissioner Porter
NAYS:	Commissioner Ebbert, Commissioner Miller
ABSENT:	Commissioner Plichta

4. Review and Approval of 2024 Planning Commission Annual Report

The Commission reviewed the 2024 annual report as prepared by staff. No changes were needed.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kathy Burczak, Commissioner
SECONDER:	Becky Rice, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Miller, Commissioner Rice, Commissioner Uhrick, Commissioner Tefs, Commissioner Porter
ABSENT:	Commissioner Plichta

Old Business

5. Continued Discussion - Table 18-1 Parking Requirements

Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578 :

San derson handout 2/6/2025 PC

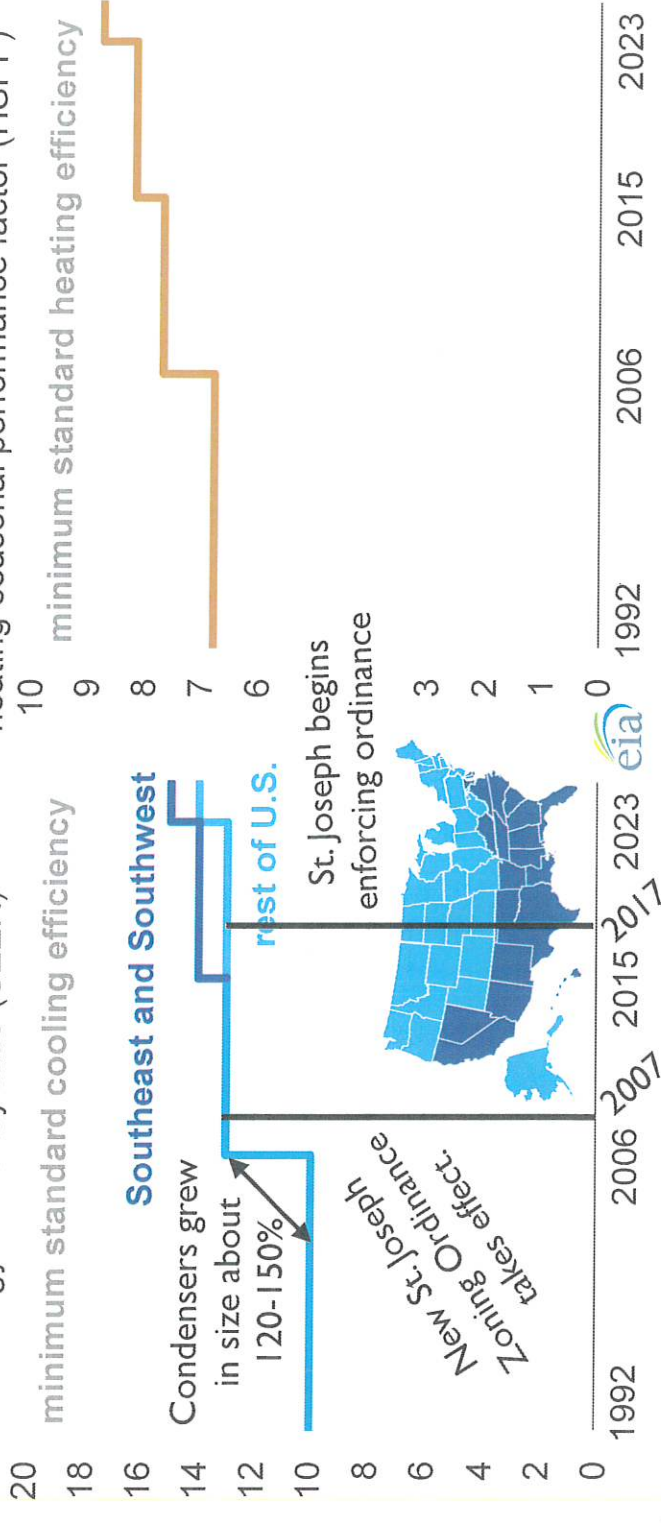


Today in Energy

July 30, 2019

Efficiency requirements for residential central AC and heat pumps to rise in 2023

Performance standards for residential central air-conditioning equipment and heat pumps seasonal energy efficiency ratio (SEER) heating seasonal performance factor (HSPF)



Source: U.S. Energy Information Administration



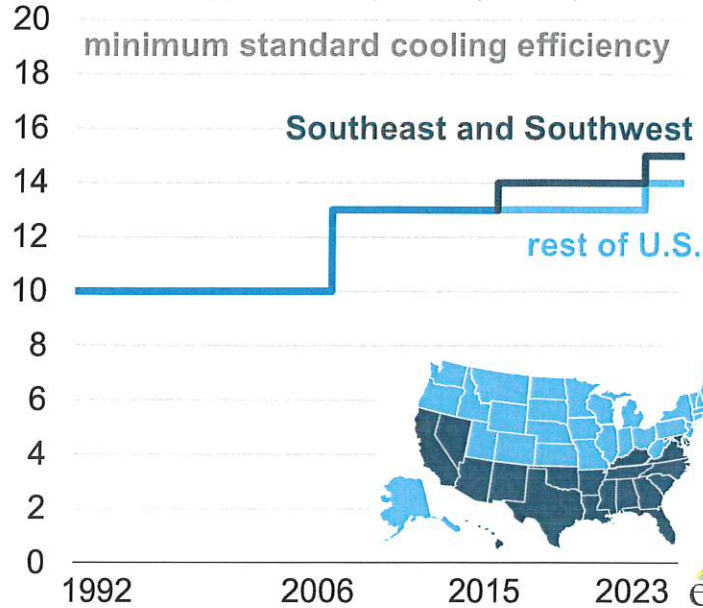
Today in Energy

July 30, 2019

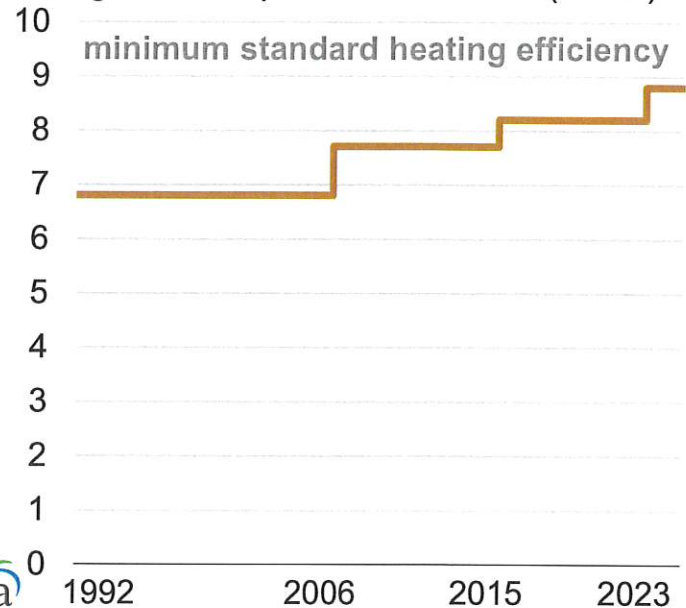
Efficiency requirements for residential central AC and heat pumps to rise in 2023

Performance standards for residential central air-conditioning equipment and heat pumps

seasonal energy efficiency ratio (SEER)



heating seasonal performance factor (HSPF)



Source: U.S. Energy Information Administration

Beginning in 2023, all new residential central air-conditioning and air-source heat pump systems sold in the United States will be required to meet new minimum energy efficiency standards. The [most recent minimum energy efficiency standards](#) for these equipment types went into effect in 2015, and for the first time, separate standards were set for cooling central air conditioners sold in the northern parts of the United States and those sold in the southern parts. The new standards continue to set different cooling efficiency levels for air conditioners in the south, and they also require an increase in the heating efficiency of all air-source heat pumps.

The Energy Policy and Conservation Act (EPCA) of 1975 first gave the U.S. Department of Energy (DOE) authority to develop, revise, and implement minimum energy conservation standards for appliances and equipment. EPCA requires DOE to periodically amend energy conservation standards for certain equipment, but only if the amendments are energy-saving, technologically feasible, and economically justifiable.

The National Appliance Energy Conservation Act of 1987 established the first minimum efficiency requirements for central air-conditioning and heat pump equipment sold in the United States. These standards went into effect in 1992, and later updates went into effect in 2006 and 2015.

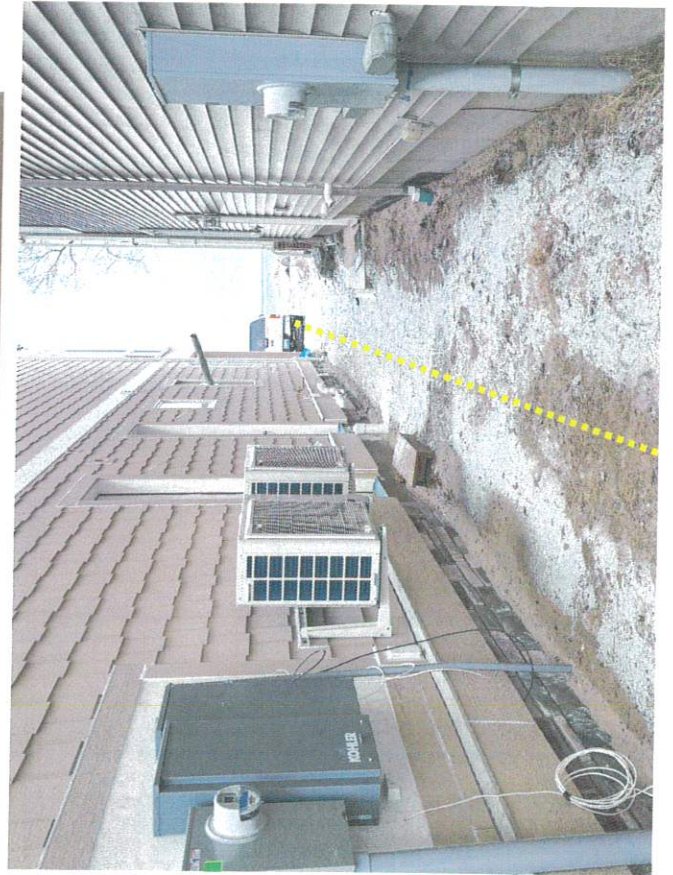
The new standards effective in 2023 require a seasonal energy efficiency ratio (SEER)—a measure of a system's cooling performance—of no less than 14 SEER for residential systems in the northern part of the United States and 15 SEER in the southern part of the United States, where cooling loads are a larger share of home energy use. Higher SEER ratings indicate more energy-efficient equipment.

In addition, the new standards require an increase in the heating efficiency of air-source heat pumps—measured by the equipment's heating seasonal performance factor (HSPF). The minimum HSPF will be 8.8 HSPF compared with the 8.2 HSPF required by the current standard that went into effect in 2015.

The U.S. Energy Information Administration's (EIA) [2015 Residential Energy Consumption Survey](#) (RECS) estimates that 76 million primary occupied U.S. homes (64% of the total) use central air-conditioning equipment, and about 13 million homes (11%) use heat pumps for heating or cooling. When defining the new standards, [DOE calculated](#) that, in total, households using central air conditioners or heat pumps will collectively save \$2.5 billion to \$12.2 billion on energy bills during the 30-year period following implementation of the standards.

Principal contributors: Olivia Clark, Kevin Jarzomski

912 Lions Park Dr. lot 2



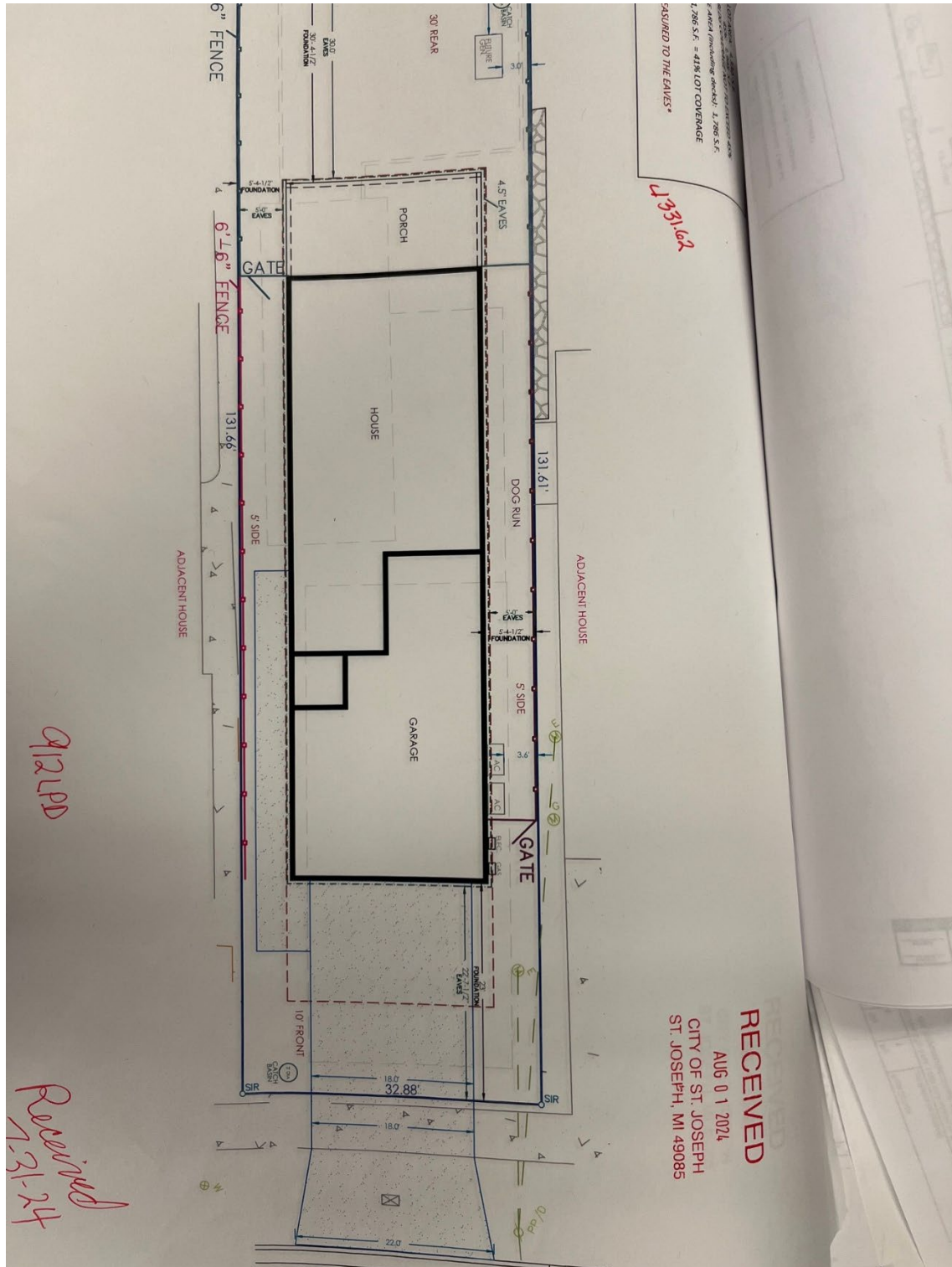
Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578 :

912 Sims Park Dr.
201 2



Follow up information pertaining to photographs distributed during Feb 6, 2025 Planning Commission public hearing. Drawing not distributed. Dimensions provided for north side of dwelling under construction: Drip line (eave) 5' and 2 AC units 3.6'. Both compliant with Table 5-1 Schedule of District Regulations R1-E regulations and Section 3.9 Accessory uses and structures.

Review of property file to north finds variance granted in Feb 2003 to decrease side building setback to 3' (unclear if measurement to foundation or drip line) along shared lot line.



Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578)

Agenda Item

TO: Planning Commission

FROM: Kristen Gundersen, Community Development Director

RE: Public Hearing - City of St Joseph - Text Amendment to Sections 2.3, 3.9.3.C and 21.7.C of the Zoning Ordinance as it relates to Mechanical Equipment Regulations

MEETING DATE: February 6, 2025

Request

The City of St. Joseph is requesting an amendment to Sections 2.3, 3.9.3.C and 21.7 of the zoning ordinance as they relate to mechanical equipment and the replacement of nonconforming. On September 12, 2024, the City Commission directed the Planning Commission to review the regulations found in the zoning ordinance associated with mechanical equipment after hearing concerns about the cost associated with relocating nonconforming air conditioning units at time of replacement.

The Planning Commission discussed the existing language, received written and verbal comments during their October 3rd and November 7th meetings and directed staff to draft language for review. The December 5th meeting was cancelled due to inclement weather and the Planning Commission reviewed the draft language during the January 2nd meeting at which time staff was directed to complete the necessary paperwork for a public hearing during the February 6th meeting. Complete agenda packets and adopted meeting minutes can be found on the city's website www.sjcity.com under "agendas and minutes" for the different meetings.

Discussion

The Planning Commission discussed and heard comments in support and opposition of the regulations associated with Section 3.9.3.C and concluded:

1. The existing language is appropriate for new construction or when additional units are being installed;
2. The term "mechanical equipment" is not defined and the Section 3.9.3.C provides some examples of equipment which are very different;
3. The existing regulations were established to help decrease safety, health, or nuisance impacts on adjacent properties;
4. Equipment such as air conditioning units, heat pumps and mini-splits typically do not cause the spread of fire unlike generators;

5. Staff was directed to draft language to allow nonconforming units located less than three feet from the interior side lot line or rear lot line to be replaced. Nonconforming equipment in the front or secondary front yard would need to be relocated to an allowed location.

Following is a summary of the draft language changes based on direction given and comments heard:

1. Section 2.3 Definitions. The term “mechanical equipment” was drafted as one does not exist. Examples of equipment is included in the draft definition.
2. Section 3.9.3.C. Accessory uses and structures with location in required setback. Section C pertains to mechanical equipment, the examples of equipment were removed and the term “mechanical equipment” was added to provide the regulations for new equipment. No changes are proposed to the allowed location of equipment.
3. Section 21.7.C under Repairs and maintenance is new language and pertains to nonconforming mechanical equipment as follows:
 - a. The repair and maintenance on mechanical equipment that is nonconforming because it is located less than 3’ from an interior side lot line or rear lot line;
 - b. The replacement of mechanical equipment may be performed on mechanical equipment that is nonconforming because it is located less than 3’ from an interior side lot line or rear lot line when the following 3 conditions are met:
 - i. Replacement only pertains to air conditioning unit, heat pump or mini-splits.
 - ii. It does not prevent free ingress or egress from any building, door, window, fire escape, or interfere with an opening required for ventilation.
 - iii. Any replaced equipment is no closer to the lot line than the equipment being replaced.

Code Provisions for Amendments

Article XXII Amendments provides the purpose, process and review factors to be reviewed when either a map (rezoning) or text amendment is proposed. Please note, this does not pertain to Section 8-140 Flood Hazard Areas found in the Code of Ordinances.

Below is Section 22.3 Factors to Consider on Rezoning: In reviewing any application for an amendment, the Planning Commission shall evaluate all factors relevant to the application. The Planning Commission may solicit information from public agencies or from individuals or firms with relevant experience. The factors to be considered shall include, but are not limited to, the following:

- A. What conditions related to the application have changed since the Zoning Ordinance was adopted which justify the proposed amendment?
- B. What are the possible precedential effects which might result from the approval or denial of the application?

- C. What is the potential impact of the proposal on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future?
- D. Does the proposed amendment adversely affect environmental conditions, the character of, or the likely value of property?
- E. Does the proposed District change comply with the adopted City Comprehensive Plan? (If not, and if the proposed amendment is reasonable in light of all other relevant factors, then the Comprehensive Plan should be amended before the proposed zoning amendment is approved.)
- F. If a specific property is involved, can the property in question be put to a reasonable economic Use in the zoning District in which it is presently located?
- G. Is another procedure, such as a Variance, Special Use, Planned Unit Development, or hardship Planned Unit Development a more appropriate alternative than the proposed amendment?

ACTION.

Conduct a public hearing. The public hearing notice appeared in the Herald Palladium on January 17, 2025. Attached is correspondence from the Public Safety Department to a resident.

Consider the request as presented and review the criteria found in Section 22.3 Factors to Consider on Rezoning's (the 7 factors are listed above can also be used to review text amendments).

Following is a motion to recommend approval of the proposed text amendments to the zoning ordinance as submitted.

“...move to recommend approval of the proposed amendment to Article II Section 2.3 Definitions, Article III Section 3.9.3.C and Article XXI Section 21.7.C to define the term mechanical equipment and establish regulations to allow replacement of specific nonconforming equipment when certain conditions are met in the Zoning Ordinance of the City of St. Joseph, Michigan based on the factors set forth under Section 22.3 of the Zoning Ordinance.”

The Planning Commission may also make modifications to the draft language or make a motion denying the changes. The next Planning Commission meeting is Thursday, March 6, 2025.

Once a formal recommendation is made by the Planning Commission a draft adopting ordinance will be created and forwarded to the City Commission for action.

ATTACHMENTS:

- Application - Text Amendment - Mechanical Equipment Sections 2.3 and 3.9.3.C and 21.7.C of Zoning Ordinance (PDF)
- Summary of Discussions (PDF)
- Public Safety - 01282025 email to resident (PDF)



CITY OF ST. JOSEPH
PLANNING & ZONING DEPARTMENT
700 Broad Street
St. Joseph, MI 49085
Phone (269)983-1212
Fax (269) 985-0347
www.sjcity.com

TEXT AMENDMENT APPLICATION

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. All required materials must be received by the City and determined to be complete no less than 24 calendar days prior to the next Planning Commission meeting. If additional space is needed, please use additional sheets of paper.

Request Information

Applicable Section of Zoning Ordinance that amendment is requested: _____

Briefly Explain Request: _____

Are there other requests associated with this application?: If yes, explain: _____

Applicant Information

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ Emergency Number: _____

E-mail Address: _____

Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578 :

Attorney: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ E-mail Address: _____

Engineer and/or Architect: _____

Mailing Address: _____

City: _____ State: _____ Zip Code: _____

Telephone Number: _____ E-mail Address: _____

Proposed Language Change (please use additional paper if needed)

Existing section and language from Zoning Ordinance: _____

Proposed new language for the Zoning Ordinance: _____

Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578 :

Explain how the proposed new language supports the goals and objects of the adopted Master Plan: _____

Text Amendment Factors

If needed use additional sheets of paper to respond to Standards.

SECTION 22.3 FACTORS TO CONSIDER ON REZONINGS *(also used for text amendments to the Zoning Ordinance)*. In reviewing any application for an amendment, the Planning Commission shall evaluate all factors relevant to the application. The Planning Commission may solicit information from public agencies or from individuals or firms with relevant experience. The factors to be considered shall include, but are not limited to, the following:

- A. What conditions related to the application have changed since the Zoning Ordinance was adopted which justify the proposed amendment?

- B. What are the possible precedential effects which might result from the approval or denial of the application?

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C. What is the potential impact of the proposal on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future?

D. Does the proposed amendment adversely affect environmental conditions, the character of, or the likely value of property?

E. Does the proposed District change comply with the adopted City Comprehensive Plan? (If not, and if the proposed amendment is reasonable in light of all other relevant factors, then the Comprehensive Plan should be amended before the proposed zoning amendment is approved.)

F. If a specific property is involved, can the property in question be put to a reasonable economic Use in the zoning District in which it is presently located?

G. Is another procedure, such as a Variance, Special Use, Planned Unit Development, or hardship Planned Unit Development a more appropriate alternative than the proposed amendment?

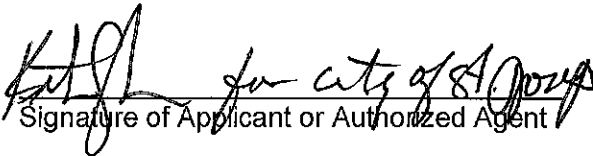
Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578 :

**TEXT AMENDMENT (CHANGES TO ZONING ORDINANCE) APPLICATION
CERTIFICATION**

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application which may include, but is not limited to, a traffic study if required by the Planning Commission or City Commission;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten (10) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

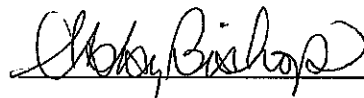
On the 9th day of January, 2024, I/We have read the above certification, understand it, and agree to abide by its conditions.


Signature of Applicant or Authorized Agent

Kristen Sunderson, City of St. Joseph
Name of Applicant or Authorized Agent

SUBSCRIBED AND SWORN

To before me this 9 day of January, 2025


Notary Public **ABBY BISHOP**
Notary Public, Berrien County, Michigan
My Commission Expires: 12/12/2026

OFFICIAL CITY USE: Date Received: _____ Fee: _____
Completed: Special Use Application: _____ Site Plan Review Application: _____ Other: _____

Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578 :

DRAFT – Public hearing 02062025 – Planning Commission Meeting

New language shown with underline and shaded.

~~Deleted language shown with strike through and shaded.~~

Sec. 2.3 Definitions

Mechanical equipment means a system or part of a system installed outside of a structure and utilized to provide control of environmental conditions and related process within a structure. Equipment can include air conditioning units, emergency generators, heat pumps, mini-splits, water pumps or other similar things.

Sec. 3.9. Accessory uses and structures.

3.9.1. General Standards.

- A. *Subordinate to Principal Use.* Accessory uses and structures must be subordinate to the principal use and structure on the subject lot in terms of area, extent and purpose.
- B. *Time of Establishment.* Accessory structures must be constructed in conjunction with or after the principal building, and may not be constructed prior to the construction of the principal building. Accessory uses may be established no earlier than the commencement of the principal use.

3.9.2. Building Coverage. The combined footprint of all detached covered accessory structures, and all porches or decks six inches or more above finished grade, may not exceed the building footprint of the principal building.

3.9.3. Location in Required Setbacks.

- A. Accessory structures, except for fences, trellises not more than eight feet in height, and arbors not more than ten feet in height, may not be located in the front yard or secondary front yard. The total width of trellises and arbors exempt under this section may not total more than 25 percent of the width of the principal structure on the lot.
- B. Accessory structures not more than 14 feet in height may be located in required rear setbacks if they do not occupy more than 33 percent of the actual rear yard area and are located at least five feet from any lot line. Except, in those instances where the rear lot line is coterminous with an alley right-of-way, the accessory structure may be as close as one foot to such rear lot line.
- C. Mechanical structures equipment such as heat pumps, air conditioners, emergency generators, and water pumps may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.
- D. Fences or screening walls, as permitted by chapter 12 of the Code of Ordinances, may be located in any required setback.

(Ord. No. 2022-5, § 4, 3-28-22)

ARTICLE XXI. NONCONFORMING USES

Sec. 21.1. Purpose.

The purpose of this article is to provide for the regulation of legally nonconforming structures, lots of record, and uses, and also to specify circumstances and conditions under which nonconformities shall be permitted to continue. The zoning regulations established by this ordinance are designed to guide the future use of land located in the City of St. Joseph by encouraging appropriate groupings of compatible and related uses and to promote and protect the public health, safety, and general welfare. The continued existence of nonconformities is frequently inconsistent with these purposes; therefore, the gradual elimination of nonconformities is generally desirable. The regulations of this article permit nonconformities to continue, but are intended to restrict further investments which would make them more permanent.

Sec. 21.2. Reserved.

Sec. 21.3. Nonconformities.

Except as otherwise provided in this article, any nonconforming lot, use, or structure lawfully existing on the effective date of this ordinance or subsequent amendment may be continued so long as it remains otherwise lawful. All nonconformities shall be encouraged to convert to conformity wherever possible and shall be required to convert to conforming status as required by this article. A nonconformity shall not be enlarged, expanded, or extended, including extension of hours of operation, unless the change is in compliance with all requirements of this ordinance. Normal maintenance and incidental repair of a nonconformity shall be permitted, provided that this does not violate any other section of this article.

- A. Nothing in this article shall be deemed to prevent the strengthening or restoration to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety and who declares the structure to be unsafe and orders its restoration to a safe condition, provided that the restoration is not otherwise in violation of the various provisions of this section prohibiting the repair or restoration of partially damaged or destroyed structures.
- B. Nothing in this article shall be deemed to prevent the addition of required off-street parking or loading spaces, so long as there is no expansion of the nonconformity, and subject to the restrictions of Article XVIII, Off-Street Parking and Loading.
- C. A nonconformity shall not be moved in whole or in part, for any distance whatsoever, to any other location on any other lot unless the net effect of the change shall be to reduce the nonconformity on the current lot; and the entire relocated structure and/or use shall thereafter conform to the regulations of the zoning district in which it is relocated. Any nonconformity reduced or eliminated as a result of the move shall not be re-established in its nonconforming condition.
- D. A nonconformity shall not be moved in whole or in part, for any distance whatsoever, to any other location on the same lot, unless the net effect of the change shall be to reduce the nonconformity.
- E. No use, structure, or sign which is accessory to a principal nonconforming use or structure shall continue after the principal use or structure has ceased or terminated, unless it shall thereafter conform to all regulations of this ordinance.
- F. The burden of establishing that any nonconformity was legally established shall, in all cases, be upon the owner of such nonconformity and not upon the City of St. Joseph.
- G. A nonconforming use shall not be changed to any use other than a use allowed in the zoning district in which it is located. For the purposes of this section, reducing the number of residential units on a lot shall not be considered a change of use. For example, a three-unit apartment is in the multiple-family

dwellings use class and therefore is a nonconformity in the R1 Single-Family Residence Zoning District. Eliminating one residential unit would change the structure to a duplex, which is in the two-family dwellings use class, which is also a nonconformity in the R1 Zoning District. This change would be allowed.

- H. Nonconforming structures shall not be re-established in their nonconforming conditions in any zoning district after damage, destruction or demolition if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost of the structure. For the purposes of this section, "damage or destruction" does not include dismantlement.
- I. If a nonconforming use ceases for any reason for a period of more than twelve (12) consecutive months, such discontinuance shall be considered conclusive evidence of an intention to abandon the nonconforming use. At the end of the 12-month period, the nonconforming use shall not be re-established and any future use shall be in conformity with the provisions of this ordinance.

Sec. 21.4. Exceptions.

The following exceptions to Section 21.3 apply:

- A. A nonconforming residential use, building or structure in the C Commercial or CO Commercial Office Zoning Districts is exempt from the provisions of Sections 21.3.H and 21.3.I.
- B. Any nonconforming building or structure in the OS Open Space District is exempt from the provisions of 21.3.H, unless the structure is prohibited under areas of special flood hazard, high risk erosion area, sand dune area, or other state or federal laws or regulations.
- C. A limited neighborhood business shall be exempt from Section 21.3 with regard to the nonconforming use; it shall remain subject to Section 21.3 for the purpose of dimensional nonconformities.
- D. A nonconforming building or nonconforming structure located in the DH-OD Downtown Height Overlay District and which is of such height that special approval under Section 9.4 of this ordinance would be required to construct a new building or structure of that height in that location is partially exempt from Section 21.3.H with respect to that height in that it may be restored following damage or destruction; it may not be restored following demolition. To benefit from the exemption under this section, the building or structure must be restored to an exterior appearance and design as similar as possible to its previous configuration and shall not increase in height or volume as a result of restoration; this section is intended only to preserve the appearance of existing nonconformities in the DH-OD Overlay District and shall not be used to allow the substitution of a new, dissimilar nonconformity.

Sec. 21.5. Reserved.

Sec. 21.6. Nonconforming lots.

A nonconforming lot may be used for any principal use permitted in the zoning district in which the lot is located. A nonconforming lot may not be divided, combined with another lot, or otherwise altered unless the result is to lessen the nonconformity of the lot(s) involved.

Sec. 21.7. Repairs and maintenance.

- A. *Nonconforming Uses.* Repairs, maintenance and replacement may be performed on any building or structure devoted in whole or in part to a nonconforming use, including repair or replacement of roofs, doors, windows, interior and exterior walls, foundations, fixtures, wiring, plumbing and similar appurtenances and features. However, the dimensions or volume of the building or structure as it existed on the effective date of this ordinance or subsequent amendment shall not be increased in any way. Except that a building or structure

occupied by a limited neighborhood business may be repaired, replaced, or expanded so long as no dimensional nonconformity is created or increased. If the building or structure is itself nonconforming, Section 21.7.B also applies.

- B. *Nonconforming Structures.* Repairs and maintenance may be performed on any nonconforming building or structure, including repair or replacement of interior walls, roofs, doors, windows, fixtures, wiring or plumbing and similar appurtenances and features, or repair of exterior walls and foundations. No dimensional nonconformity shall be increased in any way. Portions of the structure necessary to allow the reasonable use of the structure, such as an exterior stairway or steps, may be removed and replaced in their previous location, or with such minor modifications as may be needed to meet current standards. The intention of this section is to allow the maintenance and rehabilitation of existing nonconforming structures but not to allow the replacement of foundations and exterior walls in such a way as to effectively allow a new structure to be constructed in a nonconforming location under the guise of rehabilitation.

- C. Nonconforming Mechanical Equipment. Repairs and maintenance may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line. Replacement of mechanical equipment may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line, if it meets the following conditions:

1. It is an air conditioning unit, heat pump or mini-split, and:
2. It does not prevent free ingress or egress from any building, door, window, fire escape, or interfere with an opening required for ventilation; and
3. Any replaced equipment is no closer to the lot line than the equipment being replaced.

The intent of this section is to allow existing nonconforming mechanical equipment to be repaired and maintained in its current location, and to require existing nonconforming mechanical equipment to be replaced in a compliant location unless the mechanical equipment being replaced has a minimal safety, health, or nuisance impact on adjacent properties. Nonconforming mechanical equipment emitting carbon monoxide, fumes, gasses, extreme heat, excessive noise, or creating similar conditions are intentionally omitted and may not be replaced under this section.

Sec. 21.8. Change of tenancy or ownership.

There may be a change of tenancy, ownership, or management of any Nonconformity provided there is no change in the nature or character of the nonconformity, unless such change is allowed under this ordinance.

Sec. 21.9. Elimination of nonconformities—Uses, buildings or structures.

For the purpose of removing any nonconforming use, building or structure, the city commission may acquire private property or an interest in private property by purchase, condemnation, or other means. The cost, expense, or a portion thereof may be paid from general funds or assessed to a special district in accordance with applicable statutory provisions and relevant provisions of the city charter.

History and Background of Request

January 2, 2025 Planning Commission meeting summary

The Planning Commission reviewed a draft language as prepared by staff based on the direction provided during the November 7th meeting. The packet also included one resident letter. Commissioners agreed the language reflected what was discussed and requested in November. Commissioners shared their thoughts on the regulations and directed staff to prepare the necessary text amendment application and schedule the item for public hearing during the February 7th meeting.

December 5, 2024 – Planning Commission meeting cancelled due to inclement weather.

November 7th Planning Commission meeting summary

The Planning Commission received written information from the Public Safety and Inspection Departments along with the Engineering Department regarding the current 3' setback from rear and side lot lines. The City Engineer concluded from an engineering perspective there is minimal concern within the city of St. Joseph. The Public Safety Department and the Inspection Department memorandum called out four points associated with fire safety. The Inspection Department memorandum provided references to the different building, plumbing, and mechanical code regulations and examples of manufacturer's installation guidelines differ. In addition, information was provided regarding Section 1.2.1. General Purpose of the Zoning Ordinance and how it relates to the 2016 Master Plan and what techniques city staff rely on when explaining the purpose for the regulations.

The Commission heard concerns from residents again about the burdensome of the regulations for nonconforming units. Clarification was made by the deputy public safety director that he supports the memorandum included in the agenda packet, however, the concerns are not about fire spread but rather fire fighter safety. Information was discussed regarding the different types of mechanical equipment.

Commissioners concluded the existing regulations are appropriate for new construction and when new units are proposed. There was a need for terms to be defined based on different types of mechanical equipment based on the different type of hazard. Some members were supportive of staff drafting language that would allow nonconforming equipment when less than three-feet from the side or rear lot lines. It was also referenced the Zoning Board of Appeals process that has been used in the past. In the end, the Planning Commissioners directed staff to draft regulations for the replacement of noncompliant mechanical equipment located in the side or rear yards while including definitions for review at the December meeting.

October 3, 2024 Planning Commission meeting summary

The Planning Commission received a request from the City Commission to review, study, discussion changes related to the placement of mechanical equipment as found in Section 3.9.3.C of the zoning ordinance and recommend any changes. Staff provided: 1) Zoning Ordinance regulations and comparison of other communities; 2) Zoning Board of Appeals case information; 3) Building and Fire Code regulations; and 4) Inspection Department history research and information pertaining to mechanical equipment regulations. Please refer back to the October 3, 2024 Planning Commission for this information.

During the October 3rd meeting, the Planning Commission reviewed information provided, heard comments from city staff regarding need for the regulations, how the regulation has been enforced and from some residents expressing concern regarding the burden to relocated noncompliant equipment when replaced. During the discussion, the consensus of the Planning Commission was equipment should not be allowed in the front yard (area between the dwelling and front or secondary front lot lines). The Planning Commission requested written information from Public Safety regarding the importance of the 3-foot setback for mechanical equipment from side and rear lot lines as it relates to fire safety regulations and potential consequences of reducing the distances. The Commission also requested information from the Engineering Department regarding any concerns they may have.

September 12, 2024 City Commission meeting summary

The September 12, 2024 City Commission agenda included an item to request that the Planning Commission review, study, discuss Section 3.9.3.C of the zoning ordinance and recommend any changes. Concerns have been expressed by some residents that requiring existing mechanical equipment located in the front or secondary front yards or equipment less than 3' from the side lot line be moved to an allowed location when being replaced is burdensome and costly.

Kristen Gundersen

From: Kristen Gundersen
Sent: Tuesday, January 28, 2025 4:23 PM
To: Jeremy Connell
Subject: FW: Meeting follow-up, Jack Sander, Setbacks for Mechanical Equipment

Jeremy,

Thank you for your comments, they will be included in the Planning Commission agenda packet for the February 6, 2025 meeting.

Kristen

From: Jeremy Connell <jconnell@sjcity.com>
Sent: Tuesday, January 28, 2025 2:53 PM
To: Kristen Gundersen <kgundersen@sjcity.com>
Cc: Steve Neubecker <sneubecker@sjcity.com>
Subject: FW: Meeting follow-up, Jack Sander, Setbacks for Mechanical Equipment

Hi Kristen,

To help eliminate confusion, could you include the information below in the Planning Commission packet for the next meeting?

Thank you,

Jeremy

From: Jeremy Connell
Sent: Tuesday, January 28, 2025 2:46 PM
To: Steve Neubecker <sneubecker@sjcity.com>
Subject: Meeting follow-up, Jack Sander, Setbacks for Mechanical Equipment

Good afternoon, Director Neubecker,

This email follows up on our meeting with Mr. Sanderson on Thursday, January 9, 2025, where he expressed concerns about the purported three-foot setback requirement for mechanical equipment mandated by the fire department.

For clarification, the Fire Department does not require a three-foot setback for mechanical equipment. This requirement is not found within the fire code adopted by the City and setback requirements are regulated by the Planning and Zoning Department.

The Public Safety Department's position is that adequate space should be available for emergency operations and access. This includes access for police officers, firefighters, medics, utility services, and other essential personnel during emergencies.

The sole requirement from the Department of Public Safety is that all equipment is installed following the manufacturer's instructions and complies with all applicable building, mechanical, plumbing, electrical, city ordinances, and other relevant regulations.

While the Public Safety Department may provide opinions, recommendations, or requests related to such issues, these are intended for the consideration of other departments and the Zoning Board to assist in making the best decisions for our community.

I am available to answer any additional questions you may have.

Sincerely,

Jeremy Connell, Deputy Director

City of Saint Joseph
Department of Public Safety
eMail: jconnell@sjcity.com
Cell: 269.876.2993



Attachment: 02062025 - Excerpt PC Packet with adopted minutes handouts and site plan - mechanical equipment - public hearing (10578 :

St. Joseph Planning Commission
 Commission Chambers
 700 Broad Street, St Joseph, MI 49085

AGENDA
January 2, 2025
4:30 PM

Zoom Webinar ID 831 7515 6929 at www.zoom.us This meeting will be held in person. Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.

Call to Order

Approval of Meeting Minutes

1. Regular Minutes of Thursday, November 07, 2024
2. Special Meeting Minutes of Monday, November 18, 2024

New Business

3. 425 State Street - US Signcrafters - Ziker Cleaners - Special Approval Sign Greater than 32 square feet - 2 signs (actual size 67 square feet each)
4. 420 Anchors Way - LDS Properties LLC - Special Approval of Sign Greater than 32 square feet (actual size 80 square feet)
5. Public Hearing - Curious Kids' Museum - Text Amendment to Sections 4.6.3 - Table 4-1 and 4.6.4 - Table 4-2 and Section 11.12.22 to allow Medium/Heavy Social Institutions as a permitted use in the CO Districts
6. Public Hearing - 101 Broad Street - Anne Reitz -Wally and Gertz - Amendment to Planned Unit Development with Waivers - Expansion of Concession Area

Old Business

7. Mechanical Equipment - Sections 2.3, 3.9.3. and 21.7 of Zoning Ordinance - Discussion 3
8. Parking Standards - Section 18.2.7.C - Table 18-1 - Discussion

Public Comments

Adjournment

Minutes of the St. Joseph Planning Commission Meeting held Commission Chambers, 700 Broad Street, St Joseph, MI 49085 on January 2, 2025.

Zoom Webinar ID 831 7515 6929 at www.zoom.us This meeting will be held in person.

Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.

Call to Order

The meeting was called to order at 4:30 PM by Chair Patsy Hartzell

Attendee Name	Title	Status	Arrived
Patsy Hartzell	Chair	Present	
Kathy Burczak	Commissioner	Present	
Sean Ebbert	Commissioner	Present	
Aaron Miller	Commissioner	Present	
Becky Rice	Commissioner	Present	
Anthony Uhrick	Commissioner	Present	
Dustin Tefs	Commissioner	Present	
Pam Porter	Commissioner	Absent	
Michael Plichta	Commissioner	Absent	
Kristen Gundersen	Community Development Director	Present	
Laurie Schmidt	City Attorney	Present	
Trudy Wilder	Building Inspector	Present	
Caleb O'Toole	Building Inspector	Present	

Approval of Meeting Minutes

1. Regular Minutes of Thursday, November 07, 2024

Ms. Burczak stated that on packet page 7, the third to the last paragraph is unclear, the words “expense of” was added after the word reasonableness of.

Chair Hartzell stated on packet page 3, the fifth paragraph from the top has a typographical error and should read “moved to approve” rather than “movedtioned”.

Ms. Wilder stated also on packet page 3, the four paragraph from the bottom should state if needed a “zoning” permit would be viewed...

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Sean Ebbert, Commissioner
SECONDER:	Becky Rice, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Miller, Commissioner Rice, Commissioner Uhrick, Commissioner Tefs
ABSENT:	Commissioner Porter, Commissioner Plichta

2. Special Meeting Minutes of Monday, November 18, 2024

Chair Hartzell stated the last sentence in the last paragraph does not reflect the discussion regarding the Planning Commission being directed to study something and to return within 6 months.

Attorney Schmidt stated she would work with the City Clerk to address the concern and bring the draft back for the next meeting.

Attachment: 01022025 - Excerpt PC packet with Approved Minutes - mechanical equipment - Discussion 3 (10578 : Zoning Ordinance Text

1) expand the concession area with seating, two cargo containers, one food truck, photograph chair, and 2) obtain height waivers for five grids from Map 9-1 ranging from 1' to 20.05' and specifically listed in the staff memorandum for the January 2, 2025 Planning Commission packet and based on the twelve page document prepared by Pantelleria Construction Services and found in the January 2, 2025 Planning Commission packet as it meets the required standards under Sections 13.3.1, 13.6.1 and 13.6.3 of the Zoning Ordinance.

Mr. Uhrick seconded the motion.

Mr. Sanderson asked how Anne Reitz and Wally and Gertz could request an amendment to the planned unit development as they are not the property owner.

Ms. Gundersen stated that Berrien County is the property owner and the necessary owner's consent for Ms. Reitz to submit the application was received.

Jason Field, park manager for Berrien County stated the county has reviewed the plans and gave consent to Ms. Reitz to make the application.

Attorney Schmidt stated the property owner has given written permission for the applicant to make the request.

Chair Hartzell stated that since the property owner has provided written permission for the applicant to submit the application the Planning Commission can take action on the request.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kathy Burczak, Commissioner
SECONDER:	Anthony Uhrick, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Miller, Commissioner Rice, Commissioner Uhrick, Commissioner Tefs
ABSENT:	Commissioner Porter, Commissioner Plichta

Old Business

7. Mechanical Equipment - Sections 2.3, 3.9.3. and 21.7 of Zoning Ordinance - Discussion 3

Chair Hartzell stated draft language was provided based on the discussion in November. This is not a public hearing and the Commission will be discussing the draft language.

Chair Hartzell stated she believes the draft language prepared by city staff captured the comments and direction provided by the Planning Commission. The concern expressed in written comments received regarding enforcement does not appear to be an issue.

Ms. Burczak stated the draft document is very good and addresses comments made during the November meeting. She believes the existing rules should remain for new construction and that she did visit a property with a nonconforming air conditioning unit not within three feet of the side building setback but at the rear of the dwelling within the three foot setback. Many of the homes located below the bluff are narrow with fencing.

Mr. Miller stated he does not believe the regulations should be changed. Dwellings are located 7' from the interior lot lines and can reduce to 5' under certain conditions. Public Safety has stated they would prefer a clear travel path to provide access to the rear of the dwelling. Some mechanical units can be a nuisance and when replaced the units can be larger. There is a need to protect the adjacent properties and the three-foot distance along the interior lot lines and rear lines provides adequate space.

Attachment: 01022025 - Excerpt PC packet with Approved Minutes - mechanical equipment - Discussion 3 (10578 : Zoning Ordinance Text

Mr. Ebbert stated has does not have concerns about public safety because many properties have fenced in yards which block access and does not see the need for to be three-feet from the interior side or rear lot lines.

Chair Hartzell stated that Commissioners have stated no action is required and others believe change is needed.

Attorney Schmidt stated the proposed draft language addresses nonconforming equipment rather than new construction.

Mr. Ebbert stated that new equipment should comply but exhaust/intake on houses and questioned if exhaust is more impactful than an air conditioning unit.

Mr. Uhrick stated he has no objection with changing the regulations to allow nonconforming units less than three-feet from the in the interior side and rear lot lines, but does have concerns if the units get larger.

Ms. Burczak stated many homes have fenced in yards that block access to the side or rear yards.

Mr. Uhrick stated line sets are typically short as possible, but how far from the building can the unit be placed.

Ms. Wilder stated the manufacturers installation documents provide the recommended distance.

Mr. Ebbert stated he believes the draft language on packet page 102 under C could have items 2 and 3 deleted. There are other codes that state equipment cannot block windows and things and he has no issue with the replacement equipment being closer to lot line than the original piece of equipment.

Chair Hartzell questioned why the language was suggested.

Ms. Wilder stated it helps those not familiar with the codes understand where the equipment can be placed.

Mr. Tefs stated he is okay with the draft document and does appreciate the language to help those not familiar with the building code regulations.

Chair Hartzell stated she agrees with Mr. Tufs comments and hearing no additional comments from the Commission, staff was directed to complete the necessary text amendment application so a public hearing can take place during the February 6, 2025 meeting.

8. Parking Standards - Section 18.2.7.C - Table 18-1 - Discussion
No discussion.

Public Comments

No comments.

Adjournment

The meeting was closed at 6:28 PM

Agenda Item

TO: Planning Commission

FROM: Kristen Gundersen, Community Development Director

RE: Mechanical Equipment - Sections 2.3, 3.9.3. and 21.7 of Zoning Ordinance - Discussion 3

MEETING DATE: January 2, 2025

During the November 7th meeting, the Planning Commission discussed the information prepared and heard comments from property owners. Summaries of the October 3rd and November 7th meeting are found below in the memorandum. The December 5, 2024 meeting was cancelled due to weather.

The consensus of the November 7th meeting was that equipment installed at new structures or additional new pieces of equipment should comply with the existing regulations found in Section 3.9.3.C of the zoning ordinance. Members of the Planning Commission requested that staff work on drafting language that would allow the replacement of equipment in the side yards that are less than three feet from the lot line to remain and to create definitions. Generally speaking, nonconforming equipment in the front or secondary front yards would need to comply with the existing regulations.

Based on the direction provided and comments heard, staff has drafted the attached redline document. Following is a summary of the proposed changes:

1. Section 2.3 Definitions. There are no current definitions for mechanical equipment. Staff is suggesting the language for the new term “Mechanical equipment”.
2. Section 3.9.3.C was updated with the proposed new term “Mechanical equipment” and removed the examples of equipment provided.
3. Lastly, Article XXI Nonconforming Uses is proposed to have new language added to Section 21.7 Repairs and maintenance by adding C to address nonconforming mechanical equipment being located less than three feet from a side or rear lot line. Three conditions were incorporated into the exception:
 - a. Limits the type of equipment to air conditioning unit, heat pump or mini-split. *The Commission previously discussed equipment such as generators as needing to comply with the 3’ setback from the side or rear lot line. Equipment allowed is not gas fueled.*
 - b. Replacement equipment cannot prevent free ingress or egress from doors, windows, fire escape or interfere with an opening required for ventilation. *Staff is recommending this language because energy efficient equipment tends to be larger including height and depending on its placement could extend over a window or door.*
 - c. Replacement equipment cannot be closer to the lot line than the equipment being replaced. *Staff is recommending this language to maintain the intent of Article XXI*

which is to not enlarge, expand or extend a nonconformity.

There are properties that have more than one piece of nonconforming equipment located in a side or rear yard. The draft language is silent on the number of pieces of equipment that can be replaced as it is likely not practical to replace one piece of equipment and move others.

As discussed in past meetings, many of the new pieces of equipment are getting larger as they become more energy efficient. In addition, there have been changes to some of the equipment being installed as some pieces are tall and skinny and must be located off of the ground. Staff did discuss the changes in the bulk of equipment and struggled on how to regulate changes, as such no conditions relating to the change in bulk were included in the conditions.

The Inspection Department has begun discussing the permitting process for the replacement of nonconforming equipment located within three feet of the side or rear lot lines. The contractor will likely need to provide a site plan stating the distance to the side or rear lot line along with measurements of the existing and proposed equipment before work begins.

Next Steps

Attached are written comments received after the December 5, 2024 packet was created. Due to the meeting being cancelled they were not distributed.

The Planning Commission should review and discuss the draft language provided. Direct staff to obtain additional information if needed and revise or expand draft language to address comments made during the meeting. If no changes are necessary, staff can be directed to schedule the item for a public hearing at the next meeting.

ATTACHMENTS:

- History and Background of Request (PDF)
- Draft Language - Mechanical Equipment - PC 01022025 (PDF)
- Written Comments - Sanderson 12022024 (PDF)

History and Background of Request

December 5th Planning Commission meeting cancelled due to weather.

November 7th Planning Commission meeting summary

The Planning Commission received written information from the Public Safety and Inspection Departments along with the Engineering Department regarding the current 3' setback from rear and side lot lines. The City Engineer concluded from an engineering perspective there is minimal concern within the city of St. Joseph. The Public Safety Department and the Inspection Department memorandum called out four points associated with fire safety. The Inspection Department memorandum provided references to the different building, plumbing, and mechanical code regulations and examples of manufacturer's installation guidelines differ. In addition, information was provided regarding Section 1.2.1. General Purpose of the Zoning Ordinance and how it relates to the 2016 Master Plan and what techniques city staff rely on when explaining the purpose for the regulations.

The Commission heard concerns from residents again about the burdensome of the regulations for nonconforming units. Clarification was made by the deputy public safety director that he supports the memorandum included in the agenda packet, however, the concerns are not about fire spread but rather fire fighter safety. Information was discussed regarding the different types of mechanical equipment.

Commissioners concluded the existing regulations are appropriate for new construction and when new units are being proposed. There was a need for terms to be defined based on different types of mechanical equipment based on the different type of hazard. Some members were supportive of staff drafting language that would allow nonconforming equipment when less than three-feet from the side or rear lot lines. It was also referenced the Zoning Board of Appeals process that has been used in the past. In the end, the Planning Commissioners directed staff to draft regulations for the replacement of noncompliant mechanical equipment located in the side or rear yards while including definitions for review at the December meeting.

October 3, 2024 Planning Commission meeting summary

The Planning Commission received a request from the City Commission to review, study, discussion changes related to the placement of mechanical equipment as found in Section 3.9.3.C of the zoning ordinance and recommend any changes. Staff provided: 1) Zoning Ordinance regulations and comparison of other communities; 2) Zoning Board of Appeals case information; 3) Building and Fire Code regulations; and 4) Inspection Department history research and information pertaining to mechanical equipment regulations. Please refer back to the October 3, 2024 Planning Commission for this information.

During the October 3rd meeting, the Planning Commission reviewed information provided, heard comments from city staff regarding need for the regulations, how the regulation has been enforced and from some residents expressing concern regarding the burden to relocated noncompliant equipment when replaced. During the discussion, the consensus of the Planning Commission was equipment should not be allowed in the front yard (area between the dwelling and front or secondary front lot lines). The Planning Commission requested written information from Public Safety regarding the importance of the 3-foot setback for mechanical equipment from side and rear lot lines as it relates to fire safety regulations and potential consequences of reducing the distances. The Commission also requested information from the Engineering Department regarding any concerns they may have.

September 12, 2024 City Commission meeting summary

The September 12, 2024 City Commission agenda included an item to request that the Planning Commission review, study, discuss Section 3.9.3.C of the zoning ordinance and recommend any changes. Concerns have been expressed by some residents that requiring existing mechanical equipment located in the front or secondary front yards or equipment less than 3' from the side lot line be moved to an allowed location when being replaced is burdensome and costly. Attached is an excerpt from the September 12th City Commission agenda packet which includes letters of support for changing the regulations along with letters requesting no change take place.

DRAFT – 01022025 – Planning Commission Meeting Discussion

Sec. 2.3 Definitions

Mechanical equipment means a system or part of a system installed outside of a structure and utilized to provide control of environmental conditions and related process within a structure. Equipment can include air conditioning units, emergency generators, heat pumps, mini-splits, water pumps or other similar things.

Sec. 3.9. Accessory uses and structures.

3.9.1. General Standards.

- A. *Subordinate to Principal Use.* Accessory uses and structures must be subordinate to the principal use and structure on the subject lot in terms of area, extent and purpose.
- B. *Time of Establishment.* Accessory structures must be constructed in conjunction with or after the principal building, and may not be constructed prior to the construction of the principal building. Accessory uses may be established no earlier than the commencement of the principal use.

3.9.2. *Building Coverage.* The combined footprint of all detached covered accessory structures, and all porches or decks six inches or more above finished grade, may not exceed the building footprint of the principal building.

3.9.3. Location in Required Setbacks.

- A. Accessory structures, except for fences, trellises not more than eight feet in height, and arbors not more than ten feet in height, may not be located in the front yard or secondary front yard. The total width of trellises and arbors exempt under this section may not total more than 25 percent of the width of the principal structure on the lot.
- B. Accessory structures not more than 14 feet in height may be located in required rear setbacks if they do not occupy more than 33 percent of the actual rear yard area and are located at least five feet from any lot line. Except, in those instances where the rear lot line is coterminous with an alley right-of-way, the accessory structure may be as close as one foot to such rear lot line.
- C. Mechanical structures equipment such as heat pumps, air conditioners, emergency generators, and water pumps may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.
- D. Fences or screening walls, as permitted by chapter 12 of the Code of Ordinances, may be located in any required setback.

(Ord. No. 2022-5, § 4, 3-28-22)

ARTICLE XXI. NONCONFORMING USES

Sec. 21.1. Purpose.

The purpose of this article is to provide for the regulation of legally nonconforming structures, lots of record, and uses, and also to specify circumstances and conditions under which nonconformities shall be permitted to continue. The zoning regulations established by this ordinance are designed to guide the future use of land located in the City of St. Joseph by encouraging appropriate groupings of compatible and related uses and to promote and protect the public health, safety, and general welfare. The continued existence of nonconformities is frequently inconsistent with these purposes; therefore, the gradual elimination of nonconformities is generally desirable. The regulations of this article permit nonconformities to continue, but are intended to restrict further investments which would make them more permanent.

Sec. 21.2. Reserved.

Sec. 21.3. Nonconformities.

Except as otherwise provided in this article, any nonconforming lot, use, or structure lawfully existing on the effective date of this ordinance or subsequent amendment may be continued so long as it remains otherwise lawful. All nonconformities shall be encouraged to convert to conformity wherever possible and shall be required to convert to conforming status as required by this article. A nonconformity shall not be enlarged, expanded, or extended, including extension of hours of operation, unless the change is in compliance with all requirements of this ordinance. Normal maintenance and incidental repair of a nonconformity shall be permitted, provided that this does not violate any other section of this article.

- A. Nothing in this article shall be deemed to prevent the strengthening or restoration to a safe condition of a structure in accordance with an order of a public official who is charged with protecting the public safety and who declares the structure to be unsafe and orders its restoration to a safe condition, provided that the restoration is not otherwise in violation of the various provisions of this section prohibiting the repair or restoration of partially damaged or destroyed structures.
- B. Nothing in this article shall be deemed to prevent the addition of required off-street parking or loading spaces, so long as there is no expansion of the nonconformity, and subject to the restrictions of Article XVIII, Off-Street Parking and Loading.
- C. A nonconformity shall not be moved in whole or in part, for any distance whatsoever, to any other location on any other lot unless the net effect of the change shall be to reduce the nonconformity on the current lot; and the entire relocated structure and/or use shall thereafter conform to the regulations of the zoning district in which it is relocated. Any nonconformity reduced or eliminated as a result of the move shall not be re-established in its nonconforming condition.
- D. A nonconformity shall not be moved in whole or in part, for any distance whatsoever, to any other location on the same lot, unless the net effect of the change shall be to reduce the nonconformity.
- E. No use, structure, or sign which is accessory to a principal nonconforming use or structure shall continue after the principal use or structure has ceased or terminated, unless it shall thereafter conform to all regulations of this ordinance.
- F. The burden of establishing that any nonconformity was legally established shall, in all cases, be upon the owner of such nonconformity and not upon the City of St. Joseph.
- G. A nonconforming use shall not be changed to any use other than a use allowed in the zoning district in which it is located. For the purposes of this section, reducing the number of residential units on a lot shall not be considered a change of use. For example, a three-unit apartment is in the multiple-family

dwellings use class and therefore is a nonconformity in the R1 Single-Family Residence Zoning District. Eliminating one residential unit would change the structure to a duplex, which is in the two-family dwellings use class, which is also a nonconformity in the R1 Zoning District. This change would be allowed.

- H. Nonconforming structures shall not be re-established in their nonconforming conditions in any zoning district after damage, destruction or demolition if the estimated expense of reconstruction exceeds 50 percent of the appraised replacement cost of the structure. For the purposes of this section, "damage or destruction" does not include dismantlement.
- I. If a nonconforming use ceases for any reason for a period of more than twelve (12) consecutive months, such discontinuance shall be considered conclusive evidence of an intention to abandon the nonconforming use. At the end of the 12-month period, the nonconforming use shall not be re-established and any future use shall be in conformity with the provisions of this ordinance.

Sec. 21.4. Exceptions.

The following exceptions to Section 21.3 apply:

- A. A nonconforming residential use, building or structure in the C Commercial or CO Commercial Office Zoning Districts is exempt from the provisions of Sections 21.3.H and 21.3.I.
- B. Any nonconforming building or structure in the OS Open Space District is exempt from the provisions of 21.3.H, unless the structure is prohibited under areas of special flood hazard, high risk erosion area, sand dune area, or other state or federal laws or regulations.
- C. A limited neighborhood business shall be exempt from Section 21.3 with regard to the nonconforming use; it shall remain subject to Section 21.3 for the purpose of dimensional nonconformities.
- D. A nonconforming building or nonconforming structure located in the DH-OD Downtown Height Overlay District and which is of such height that special approval under Section 9.4 of this ordinance would be required to construct a new building or structure of that height in that location is partially exempt from Section 21.3.H with respect to that height in that it may be restored following damage or destruction; it may not be restored following demolition. To benefit from the exemption under this section, the building or structure must be restored to an exterior appearance and design as similar as possible to its previous configuration and shall not increase in height or volume as a result of restoration; this section is intended only to preserve the appearance of existing nonconformities in the DH-OD Overlay District and shall not be used to allow the substitution of a new, dissimilar nonconformity.

Sec. 21.5. Reserved.

Sec. 21.6. Nonconforming lots.

A nonconforming lot may be used for any principal use permitted in the zoning district in which the lot is located. A nonconforming lot may not be divided, combined with another lot, or otherwise altered unless the result is to lessen the nonconformity of the lot(s) involved.

Sec. 21.7. Repairs and maintenance.

- A. *Nonconforming Uses.* Repairs, maintenance and replacement may be performed on any building or structure devoted in whole or in part to a nonconforming use, including repair or replacement of roofs, doors, windows, interior and exterior walls, foundations, fixtures, wiring, plumbing and similar appurtenances and features. However, the dimensions or volume of the building or structure as it existed on the effective date of this ordinance or subsequent amendment shall not be increased in any way. Except that a building or structure

occupied by a limited neighborhood business may be repaired, replaced, or expanded so long as no dimensional nonconformity is created or increased. If the building or structure is itself nonconforming, Section 21.7.B also applies.

- B. *Nonconforming Structures.* Repairs and maintenance may be performed on any nonconforming building or structure, including repair or replacement of interior walls, roofs, doors, windows, fixtures, wiring or plumbing and similar appurtenances and features, or repair of exterior walls and foundations. No dimensional nonconformity shall be increased in any way. Portions of the structure necessary to allow the reasonable use of the structure, such as an exterior stairway or steps, may be removed and replaced in their previous location, or with such minor modifications as may be needed to meet current standards. The intention of this section is to allow the maintenance and rehabilitation of existing nonconforming structures but not to allow the replacement of foundations and exterior walls in such a way as to effectively allow a new structure to be constructed in a nonconforming location under the guise of rehabilitation.

- C. Nonconforming Mechanical Equipment. Repairs and maintenance may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line. Replacement of mechanical equipment may be performed on mechanical equipment that is nonconforming because it is located less than three feet from an interior side lot line or rear lot line, if it meets the following conditions:

1. It is an air conditioning unit, heat pump or mini-split, and :
2. It does not prevent free ingress or egress from any building, door, window, fire escape, or interfere with an opening required for ventilation; and
3. Any replaced equipment is no closer to the lot line than the equipment being replaced.

The intent of this section is to allow existing nonconforming mechanical equipment to be repaired and maintained in its current location, and to require existing nonconforming mechanical equipment to be replaced in a compliant location unless the mechanical equipment being replaced has a minimal safety, health, or nuisance impact on adjacent properties. Nonconforming mechanical equipment emitting carbon monoxide, fumes, gasses, extreme heat, excessive noise, or creating similar conditions are intentionally omitted and may not be replaced under this section.

Sec. 21.8. Change of tenancy or ownership.

There may be a change of tenancy, ownership, or management of any Nonconformity provided there is no change in the nature or character of the nonconformity, unless such change is allowed under this ordinance.

Sec. 21.9. Elimination of nonconformities—Uses, buildings or structures.

For the purpose of removing any nonconforming use, building or structure, the city commission may acquire private property or an interest in private property by purchase, condemnation, or other means. The cost, expense, or a portion thereof may be paid from general funds or assessed to a special district in accordance with applicable statutory provisions and relevant provisions of the city charter.

Kristen Gundersen

From: Jack Sanderson <belowthebluff@gmail.com>
Sent: Monday, December 2, 2024 10:39 AM
To: Kristen Gundersen
Cc: Mike Sarola; Emily Hackworth
Subject: [EXTERNAL] Suggestion to reconsider proposed ordinance change

December 2, 2024

Kristen Gunderson,
 Director, Community Development
 City of St. Joseph, MI,

I've read the draft ordinance you and your people have put together for the Plan Commission review this Thursday, Dec. 5, 2024. To be perfectly honest, I don't think it's ready for them. While it's obvious time has been spent on it, I believe you have totally missed the direction which was suggested at the November 18, 2024 combined City Commission, Planning Commission And Zoning Board of Appeals meeting. The goal expressed there was to encourage development in our City and try to shed the image of St. No... the place that always finds a reason to say no. This draft has potential "no's" written all over it.

For instance, your recommendation 3. C. "Equipment being replaced cannot be closer to the lot line than the equipment it replaces" simply invites a building official to declare the new equipment, 1" larger than that which it replaces, therefore, is closer and not permitted. Some flexibility needs to be built in as it is readily apparent that our existing staff uses no common sense or judgement. They attempt to enforce every situation to the letter of the law. Perhaps that seems appropriate but think what an uproar there would be if our police handed out tickets for every motorist going one mile per hour over the speed limit! Also consider if they did, the penalty might be \$125 or so - assuming the unlikely outcome of court finding them guilty of this technical violation. On the other hand an errant home owner wanting to replace an existing a/c unit an inch closer to the lot line would have to resort to the Zoning Board of Appeals where he is automatically assessed a \$600 fee, regardless of the ZBA's findings.

By the way, the nature of some of the building department decisions that have had to be appealed to the ZBA suggest that parties appealing these decisions should be automatically reimbursed if their appeal is granted.

You have barely addressed the three foot setback from side and rear lot lines. The original justification given for the three foot set back from lot lines was the erroneous assumption an air conditioner condenser unit was a fire hazard. When demonstrated that it wasn't, suddenly the fire department decided they needed three feet to gain access, even though no such requirement is listed in any known recognized fire code. Now it has been *SLIGHTLY* modified for side yards but maintained, as is, for rear yards where there is no apparent justification for a three foot setback.

Further, you have retained the rear 3' setback in 3.9.3 C. even though in section 3.9 Accessory Uses and Structures and 3.9.3 B. says in the case of coterminous rear line and alley, the accessory structure may be as close as one foot. So even though a garage may be a foot from the rear lot line, a mechanical equipment must be three feet. Our building officials are going to say, "too bad, it can't be next along side the garage at the rear lot line." What justification is there for that?

Furthermore, our own Zoning Ordinance Section. 5.2 -Schedule of district regulations says the minimum side setback is 0 feet in Districts C, D, CO-A, and CO-B. (Bear in mind that the area above most of the buildings in the D District are permitted not only residential use but short term residential use!)

It seems as though you're trying to reinvent the wheel with our very own prohibitions. Virtually all of listed equipment will have manufacturer's installation requirements. Why not simply insist that equipment be installed in accordance with those instructions? I believe various existing codes require that manufacturers' instructions for mechanical equipment be available at the construction site specifically so building inspector can review them. This removes the City from being the "bad guy" as we are only requiring what the manufacturers' listing requires.

Blanket proscriptions like this three foot requirement are unnecessary in the first place and are simply a reassertion of the St No. principle- you can't do it because we say so! Residential structures in much of St. Joseph are quite close together and trying to "separate" them at this late date by such mindless set backs simply make it more difficult for people to use the property they have purchased. Granted, there will likely be some properties that will be harder in a very few circumstances for responding Fire Department personnel to access areas between close-together structures but nothing compared to perfectly legal six foot fences. But most structures I have found are accessible from both front and back. And the few that don't have dual access points are accessible by going around a neighboring property, a path that only adds a minimal delay.

I recommend that you reconsider this ordinance change before presenting it to the Planning Commission. In doing so, try to remove wherever possible specific hard line prohibitions, like x feet. Add terms like "where reasonable", "whenever possible," etc. specifically to give building inspectors some flexibility. I also think soliciting input from local mechanical and building contractors who will have to live with these restrictions would be well advised. Here's are a couple simple examples in our existing or proposed ordinance.

Under Sec. 2.3 you define mechanical equipment as (among other things) an "air conditioning unit." But this terminology is incorrect as that blanket statement would obviously include a window air conditioner, a portion of can be said to be installed outside the wall of a structure. Obviously a window air condition is not what this proposed change is addressed to, but as written, an overzealous inspector could attempt to prohibit someone from installing a room air conditioner (as defined) on the front wall of a house, ie, we need more precise definitions.

Or take existing Sec 3.9.1 B., as a simple reason for consulting local contractors. The second sentence of B. says "accessory uses may be established no earlier than the commencement of the principal use." But that restriction is likely violated in every new house that is constructed (and many that are being remodeled.) For instance, when new drywall is installed and mudded, contractors frequently turn on heat or cooling to assist in drying the materials - even though "principal use" of the structure has not been commenced. Seemingly, using the HVAC system thus would not be permitted under this ordinance. If there is a valid reason for this prohibition, it should be spelled out, not left to a building official anxious to assert authority to misinterpret.

More to the point, there are situations where it is exceptionally difficult and/or expensive to move certain equipment. To add thousands of dollars of expense for the sole reason of complying with changed ordinances is simply unreasonable. It would be advisable to consult with contractors on proposed changes but I'm frankly concerned you may find few who are willing to speak openly with our building department officials. I've talked to several contractors who have openly expressed that they hope things will change but are afraid of retribution from our inspectors if they speak up. I'm uncertain how you overcome that.

Thank you for your attention to this matter. I trust you will inform me as soon as you determine if you plan on going ahead to present these changes as is to the Planning Commission.

Jack L. Sanderson
Chairman, Below the Bluff Neighborhood Association

St. Joseph Planning Commission
 Commission Chambers
 700 Broad Street, St Joseph, MI 49085

AGENDA
November 7, 2024
4:30 PM

Zoom Webinar ID 831 7515 6929 at www.zoom.us This meeting will be held in person. Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.

Call to Order

Approval of October 3, 2024 Meeting Minutes

1. Regular Minutes of Thursday, October 03, 2024

New Business

1. 321 State Street - BH Awning and the Shore Store - Special Sign Approval Greater than 32 sf (actual size 58.3 sf) and Modification from Table 25-1 to increase the allowed number of permanent wall signs from 2 to 3
2. Public Hearing - City of St Joseph - Text Amendment Sections 2.3, 3.9.3, 3.9.7, and 3.10 as it relates to Lot coverage, Landscaping, Planter box and Retaining walls in the Zoning Ordinance

Old Business

3. Mechanical Equipment - Section 3.9.3.C of Zoning Ordinance - Discussion 2
4. Discussion - Table 18-1 Parking Standards
5. Joint Meeting - Monday, November 18, 2024 - City Commission, Planning Commission and Downtown Development Authority
6. General Information - Child Care - Discussion 1

Public Comments

Commission Comments

Adjournment

Minutes of the St. Joseph Planning Commission Meeting held Commission Chambers, 700 Broad Street, St Joseph, MI 49085 on November 7, 2024.

Zoom Webinar ID 831 7515 6929 at www.zoom.us This meeting will be held in person. Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.

Call to Order

The meeting was called to order at 4:34 PM by Chair Patsy Hartzell

Attendee Name	Title	Status	Arrived
Patsy Hartzell	Chair	Present	
Kathy Burczak	Commissioner	Present	
Sean Ebbert	Commissioner	Present	
Aaron Miller	Commissioner	Present	
Becky Rice	Commissioner	Absent	
Anthony Uhrick	Commissioner	Absent	
Dustin Tefs	Commissioner	Absent	
Pam Porter	Commissioner	Present	
Michael Plichta	Commissioner	Present	
Kristen Gundersen	Community Development Director	Present	
Laurie Schmidt	City Attorney	Present	
Trudy Wilder	Building Inspector	Present	
Caleb O'Toole	Building Inspector	Present	

Approval of October 3, 2024 Meeting Minutes

- Regular Minutes of Thursday, October 03, 2024

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Aaron Miller, Commissioner
SECONDER:	Sean Ebbert, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Miller, Commissioner Porter, Commissioner Plichta
ABSENT:	Commissioner Rice, Commissioner Uhrick, Commissioner Tefs

New Business

- 321 State Street - BH Awning and the Shore Store - Special Sign Approval Greater than 32 sf (actual size 58.3 sf) and Modification from Table 25-1 to increase the allowed number of permanent wall signs from 2 to 3

Chair Hartzell stated information had been provided in the agenda packet of the proposed signage and questioned if anything had changed.

John Papanek with BH Awning is representing the tenant The Shore Store in the request for a sign modification to allow a third sign and special sign approval for a sign greater than 32 square feet. The previous tenant had awning signage facing Broad Street and the new tenant would like to reface the awning support system with their name. The total square footage of the signage complies with the maximum square footage. One large sign being 58.33 square feet is located on the awning facing Broad Street and two smaller signs are located on the ends of the awning facing east and west.

Chair Hartzell stated packet page 21 has the proposed graphics.

Mr. Miller questioned the noncompliant sign facing State Street.

Mr. Miller stated a maximum height of 4’ or less would be better as no permits are required for the installation of planter boxes.

Chair Hartzell stated there appears to be some tall planter boxes in town and wondered if staff was aware of any 6’6” in height.

Mr. O’Toole stated he is not aware of any 6’6” and is aware of a similar item being 50” in height and wondered if someone would construct a major planter box and convert it to a greenhouse with a roof.

Ms. Burczak stated she agrees with Mr. Miller and a maximum height of 4’.

Mr. Ebbert stated he has no concern the planter box would be in the side or rear yards and if there was a collapse it would likely occur on the owner’s property.

Chair Hartzell stated she believes 4’ is an appropriate maximum height for a major planter box.

Ms. Porter stated she also concurs with the maximum height of 4’.

Attorney Schmidt stated the draft motion can be modified to make the change in maximum height.

Chair Hartzell closed the public hearing at 4:58 pm after no audience members asked to speak on this request and questioned staff if any written comments had been received.

Ms. Gundersen stated no written comments had been received.

Ms. Burczak moved to recommend approval of the proposed amendment to Article II Definitions modifying the terms “Fence”, “Lot coverage”, and adding the terms “Landscaping”, “Hardscape elements”, “Softscape elements”, “Planter box”, “Major planter box”, “Minor planter box”, “Retaining wall”, “Major retaining wall”, and “Minor retaining wall”, Article III, Sections 3.9.3 and 3.9.7 by deleting and replacing language to improve usage of the terms “yard” and “setback” and adding E Planter boxes and F Retaining walls to Section 3.9.3 and Section 3.10 by deleting and replacing language to improve usage of the terms “yards” and “setback” and change “handicapped or infirmed” to “persons with disabilities” in the Zoning Ordinance of the City of St. Joseph, Michigan based on the factors set forth under Section 22.3 of the Zoning Ordinance” with the maximum height of a Major plant box being changed from 6’6” to 4’ as discussed.

Mr. Miller seconded.

RESULT:	APPROVED [5 TO 1]
MOVER:	Kathy Burczak, Commissioner
SECONDER:	Aaron Miller, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Miller, Commissioner Porter, Commissioner Plichta
NAYS:	Commissioner Ebbert
ABSENT:	Commissioner Rice, Commissioner Uhrick, Commissioner Tefs

Old Business

- 3. Mechanical Equipment - Section 3.9.3.C of Zoning Ordinance - Discussion 2

Chair Hartzell requested a brief overview on request to review and study mechanical equipment placement.

Ms. Gundersen stated the request came from the City Commission. Commissioner Sarola brought the concerns he has heard expressed from property owners required to move nonconforming air conditioning units to an allowed location when they are replaced. Background information was provided in the October 3, 2024 agenda packet, the Planning Commission started its discussion and heard comments from the audience on the matter and requested additional information that has been provided in today's agenda packet. The City Commission directed the Planning Commission to review the zoning ordinance and determine if the existing regulations need to be amended.

Ms. Burczak questioned how many existing units are considered nonconforming. She has been trying to look while she is out and cannot tell in many cases and questioned if the issue only exists in certain areas.

Ms. Wilder stated it is difficult to know the number of nonconforming units. The zoning ordinance was adopted in January 2007 and the mechanical inspector at that time retired in 2014. From 2014 to 2017 the State of Michigan issued mechanical permits and completed the inspections. In 2017 a mechanical inspector was hired and the existing rules have been enforced. It appears that approximately less than 1% of the new or replacement equipment installed could not be relocated to an allowed location.

Chair Hartzell stated based on past information provided 150 permits are issued annually for both new equipment and replacement equipment for either existing structures or new construction.

Ms. Wilder stated she agrees with Chair Hartzell's comment.

Ms. Burczak stated it sounds like there are a handful of properties annually that have issues with locating to an allowed location.

Ms. Wilder stated that many of the mechanical contractors work with the clients to comply with the existing regulations and likely 1% or so of properties have issues.

Mr. Plichta questioned the tracking over the past few years.

Ms. Wilder stated in the beginning there were probably 6 to 7 problems a year. Now it is 1 or 2 a year.

Chair Hartzell asked if there was an appeal mechanism available.

Ms. Gundersen stated yes, there is a variance process through the Zoning Board of Appeals.

Mr. Ebbert stated that if two properties out of 150 annually have an issue, many property owners and mechanical contractors are complying with the regulations.

Ken Jewel, mechanical inspector for the City of St. Joseph stated that based on his work in the city there are about 10 mechanical units that need to be relocated annually and a majority of them have no issues with relocating the equipment.

Jack Sanderson, a resident, stated while his property is 66' wide and he does not have an issue, he has heard some of his neighbors talk about the issue. One of the neighbors in the area below the

bluff believes there are 26 properties where the mechanical equipment is located in the front or side yard and less than 3' from the side lot line when visible from the street or alley. In the past, Mr. Sanderson was a fire investigator and condensers do not cause fire spread unless there is dry brush; they typically burn out and self-extinguish.

Mr. Sanderson discussed dryer fires and distributed various manufacturer's installation manuals which only reference dryers placed in a garage needing to be 18" off of the floor. A second handout regarding the installation of condenser units, where there are multiple manufacturers, also has no reference to fire. This equipment is typically placed close to the outside wall of a dwelling with airspace adjacent to the dwelling. The regulations of a 3' distance to the side or rear lot line is not to prevent the spread of fire.

Mr. Sanderson referenced the memorandum prepared by the Inspection Department regarding the need for a 3-foot separation for certain items, and stated this is not to lessen the possible spread of fire but is to provide access to the equipment. The memorandum prepared by the Deputy Public Safety Director and Building Official and included in the packet does not adequately address the issue as it is about the spread of fire which does not appear to be an issue based on the handouts distributed.

Jeremy Connell, Deputy Public Safety Director stated he spoke with Mr. Sanderson regarding the memorandum in the packet and believes the intent is accurate; it is good practice to maintain a 3' clearance as an access issue. The Michigan Fire Code pertains to multiple family dwellings and commercial/office uses. Each piece of equipment that is installed is different.

Chair Hartzell stated she wanted to confirm that Mr. Connell was involved in the writing of the memorandum and thanked him for speaking.

Deputy Director Connell confirmed he was in agreement with the memorandum provided.

Mr. Sanderson questioned areas where there is a six-foot tall fence on the shared lot line with shrubbery adjacent to the dwelling which can also make it difficult to access the property. Mr. Sanderson believes the regulations are for aesthetics and possibly to decrease noise with adjacent properties; it is not a fire safety issue and he questioned the need for a three-foot setback.

Ms. Wilder referenced the memorandums included in the packet which references sections in other codes that call out 3' clearances to explain why the 3' distance is referenced in the zoning ordinance for distance to side or rear lot lines. No staff were involved with the creation of the 2007 zoning ordinance.

Joe Foster, property owner in the city, stated he is working on building drawings for an irregularly shaped corner lot which also has a secondary front yard. The proposed equipment is located on north side of the dwelling facing the secondary front yard and he believes it should be allowed in this location if properly screened. He stated moving it to the east side of the house near the outdoor living space is not desired. The rules are difficult and impact the property owner as he would prefer the equipment not be located in the outdoor living space.

Richard Massa resident stated he lives on a 33' wide parcel and the mechanical equipment at his house is approximately 20-years old and needs to be replaced; currently it is tucked on the side of the house. A new unit will likely be less than 3' from the side lot line and there is little space in the rear yard. He believes there should be rules for existing noncompliant equipment to be replaced in the existing location. His equipment is not visible from the street or alley due to fencing.

Ms. Burczak questioned where the International Fire Code references fire spread.

Mr. O'Toole stated Section 302.1 of the Michigan Residential Code references fire resistant construction.

Ms. Burczak stated she has no issue regarding the cost when the regulations address safety. Based on comments provided, it sounds like there is a difference between condenser units and other mechanical equipment and the need for the setback.

Mr. Plichta stated other types of mechanical equipment are regulated by the zoning ordinance.

Mr. O'Toole stated that some mechanical devices store fuel which requires a minimum separation.

Ms. Burczak stated maybe the type of equipment should be studied with different regulations. She believes that new construction must comply with the current regulations and maybe there could be some allowance for nonconforming equipment in the side yards. She is not supportive of nonconforming equipment in the front yard remaining. The process for enforcement should not become burdensome to city staff.

Ms. Wilder stated that reviewing requests on an individual basis can be difficult as things change there might be a chain link fence that is replaced with a wood fence.

Ms. Burczak stated maybe if the equipment is not combustible and based on the manufacturers installation information the equipment could be within 3' of the side lot line.

Mr. Jewell stated the larger concern is with generators as they rely on gas and give off carbon monoxide.

Mr. Plichta questioned if the three foot setback requirement could be appealed to the Zoning Board of Appeals.

Chair Hartzell stated yes, the process would be through the Zoning Board of Appeals.

Ms. Burczak questioned if the variance request would be approved.

Mr. Ebbert stated that the Zoning Board of Appeals relies on the standards as found in the Zoning Ordinance to grant variances.

Ms. Burczak stated she wondered if the ZBA would look at the reasonableness of expense of moving the equipment with the existing dwelling location.

Ms. Gundersen stated that someone could request a variance from the Zoning Board of Appeals and since 2007 there have been two requests. The ZBA approved a request for the equipment to be located in the front yard with the condition that the equipment be screened and the piping for the equipment be painted to match the building. The second property withdrew the request after determining the equipment was not located on their property.

Mr. Massa stated there should be some type of exemption for condenser units but believes generators must follow the regulations.

Mr. Sanderson stated the manufacturers installation document must be met. He does not believe there is an access issue. The equipment can be noisy and that happens. The type of fuel for the generator is the issue. Fueled appliances have regulations. It can be difficult for new construction on long narrow lots.

Ms. Burczak stated she believes new construction needs to follow the existing regulations as the property owner has created the situation. Noncompliant equipment should be not allowed to remain in the front or secondary front yards. The regulations help to create an attractively pleasing community.

Mr. Miller stated that fire response access is important and understands landscaping can also be located in these areas which can be easily removed as they are not fixed. The placement of the equipment can be a nuisance because of the noise. Many of the newer units have horizontal venting and it is not appropriate to rely on using the neighbors' property to service equipment. The three-foot area would allow all equipment to be on the owner's property. Regulations can change along with manufacturer guidelines. The Zoning Board of Appeals does not receive many requests for this type of variance.

Chair Hartzell questioned if Deputy Director Connell's thoughts on the memorandum included in the agenda packet had changed.

Deputy Director Connell stated that as a fire fighter, access is important. The desire is to have a 3' clearance to help provide access in case of an emergency. There are no regulation in the fire codes for a minimum distance to a lot line. Typically items close to a building or lot line are moveable to allow for easy emergency access to a different part of the property. He agrees with the recommendation in the memorandum and believes access is important.

Chair Hartzell asked if there was specific information staff should work on for the next meeting.

Mr. Ebbert read the existing language found in Section 3.9.3.C and stated the Planning Commission was asked to review, study and discuss.

Attorney Schmidt stated one of the concerns referenced by the City Commission was replacement of nonconforming units.

Chair Hartzell questioned if the discussion could be divided new construction versus nonconforming equipment.

Ms. Burczak stated she would like to see draft language associated with noncompliant condensing units located in the side yard. She believes no new or nonconforming equipment should be allowed in the front or secondary front yards. New equipment should be located a minimum of 3' from the side or rear lot lines.

Mr. Ebbert stated he would like to see draft language regarding nonconforming equipment; however, noncompliant generators must comply with the regulations.

Mr. Jewel stated that many of the replacement condenser units are larger and taller than the equipment being replaced because of the high efficiency equipment. He has been on properties that he can touch the outside of the two adjacent buildings and wondered what happens when fences are constructed.

Chair Hartzell stated that different concerns have been discussed and the Planning Commission needs to work on finding a balance. Staff will work on draft language based on comments received today. Changes recommended may not address all situations and a property owner may need to appeal to the Zoning Board of Appeals.

4. Discussion - Table 18-1 Parking Standards

Ms. Gundersen stated staff would like to complete changes to Table 18-1 and has provided the attached information since it had been a while since it was discussed and there are several new members.

5. Joint Meeting - Monday, November 18, 2024 - City Commission, Planning Commission and Downtown Development Authority

Chair Hartzell stated the joint meeting has been scheduled for Monday, November 18th and questioned what was being discussed since the document is adopted.

Mr. Ebbert stated a specific time for the meeting to start would be helpful to get the most members to attend.

Ms. Gundersen stated that is the date she has been given and at this time there is no specific start time for the joint meeting.

Attorney Schmidt stated the joint meeting is required to be advertised as a special meeting due to a quorum of board members attending and the requirements of the Open Meetings Act. The intent is to have as many members present as possible.

6. General Information - Child Care - Discussion 1

Commissioners asked general questions. This item will be discussed at a later time.

Public Comments

Commission Comments

Adjournment

The meeting was closed at 6:53 PM

Presiding Officer

City Clerk/ Recording Secretary

Attachment: 11072024 - Excerpt PC Packet with Approved Minutes and handouts- mechanical equipment - Discussion 2 (10578 : Zoning

Agenda Item

TO: Planning Commission

FROM: Kristen Gundersen, Community Development Director

RE: Mechanical Equipment - Section 3.9.3.C of Zoning Ordinance - Discussion 2

MEETING DATE: November 7, 2024

History and Background of Request

On October 3, 2024 the Planning Commission received a request from the City Commission to review, study, discussion changes related to the placement of mechanical equipment as found in Section 3.9.3.C of the zoning ordinance and recommend any changes. Staff provided: 1) Zoning Ordinance regulations and comparison of other communities; 2) Zoning Board of Appeals case information; 3) Building and Fire Code regulations; and 4) Inspection Department history research and information pertaining to mechanical equipment regulations. Please refer back to the October 3, 2024 Planning Commission for this information.

During the meeting, the Planning Commission reviewed the information provided, heard comments from city staff regarding need for the regulations, how the regulation has been enforced and from some residents expressing concern regarding the burden to relocated noncompliant equipment when replaced. During the discussion, the consensus of the Planning Commission was equipment should not be allowed in the front yard (area between the dwelling and front or secondary front lot lines). The Planning Commission requested written information from Public Safety regarding the importance of the 3-foot setback for mechanical equipment from side and rear lot lines as it relates to fire safety regulations and potential consequences of reducing the distances. The Commission also requested information from the Engineering Department regarding any concerns they may have.

Public Safety Comments

The Public Safety Department and the Inspection Department have completed the attached 2-page memorandum which outlines four points associated with fire safety. The points as explained include:

- 1) Fire Code Compliance and Life Safety;
- 2) Importance of 3' Foot Setback in Multiple Fire Safety Contexts;
- 3) Fire Hazard Mitigation; and
- 4) Additional Considerations – Noise, Ventilation, and Manufacturer Guidelines.

The authors of the memorandum concluded: “The 3-foot setback for mechanical equipment is essential for meeting fire code requirements and ensuring community safety. Reducing this setback increases the risk of fire spreading between properties, hampers firefighting efforts, and compromises the overall safety and welfare of residents. Given the comprehensive references to the 3-foot standard in fire codes and other regulations, it is strongly recommended that the 3-foot setback be maintained without exception.

Both the Public Safety Deputy Director and the two Building Officials recommend that the 3-foot setback remain in place to protect life, property, and the community at large.

Engineering Department Comments

Staff discussed the Planning Commissions request with the City Engineer along with providing information regarding the regulations found in Section 3.9.3.C for placement of mechanical equipment. The City Engineer stated from an engineering perspective there is minimal concern. If there was a majority of parcels with recorded easements along lot lines that are used for utilities or drainage this would be a concern as most easements limit what can be placed within an easement (i.e., landscaping or fencing both installed at the owner's risk), however, this is not the case.

Inspection Department Comments

The Inspection Department also included the attached 2-page memorandum with three areas of information:

1. Michigan Building Code regulations associated with 3' clearances found in the Michigan Residential Code, Plumbing Code and Mechanical Code;
2. Dimensional Variances Granted comments regarding how in the past variances were granted to decrease the side building setbacks to less than 5' with several found at 3' which would eliminate any placement of mechanical equipment along the side lot lines;
3. Manufacturers – Installation Guidelines were reviewed from different manufactures and diagrams from two were included to show the recommended clearances for placement of equipment

Number of Nonconforming Mechanical Units in the Front or Secondary Front Yards or the Side and Rear Yards

It is difficult to determine the exact number nonconforming units within the city for several reasons including: 1) lot lines might not be visible; 2) equipment is located behind fence lines; or 3) existing mature landscaping may block the equipment from view. City staff and mechanical contractors hired to install or update equipment have concluded noncompliant equipment has been removed and new equipment installed in an allowed location since the 2017. In some cases, mechanical contractors that see work done by other contractors not in compliance with zoning ordinance regulations call because they may have quoted a price and explained the regulations.

Section 3.9.3.C of the Zoning Ordinance

The City of St. Joseph Zoning Ordinance was adopted in January 2007 and included language in Section 3.9.3 that allows for certain items to be located in required setbacks. Section 3.9.3.C specifically calls out mechanical structures and allows them in the side and rear yards when located a minimum of three feet from the lot line.

3.9.3. *Location in Required Setbacks.*

- C. Mechanical structures, such as heat pumps, air conditioners, emergency generators, and water pumps may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.

Why do the regulations exist in the Zoning Ordinance – Section 1.2.1 General Purposes

All zoning ordinances have a purpose section. This is found within Section 1.2.1 which calls out 16 different references to what the zoning ordinances is designed to accomplish based on the Master Plan document. Underlined below are four items that are related to placement of mechanical equipment. Some could conclude there are others that address mechanical equipment.

- 1.2.1. *General Purposes.* The districts and other provisions of this ordinance are based upon the

future land use map and policies of the City of St. Joseph Comprehensive Plan. This plan and this zoning ordinance are designed to: 1) promote the public health, safety, and general welfare; 2) to provide adequate light and air, and protect air and water quality; 3) to encourage the use of lands in accordance with their character and adaptability; 4) to limit the improper use of land; 5) to conserve natural resources and energy; 6) to meet the needs of the state's residents for food, fiber and other natural resources, places of residence, recreation, industry, trade, service and other uses of land; 7) to ensure that uses of land are situated in appropriate locations and relationships; 8) to avoid population overcrowding; 9) to lessen congestion on public streets and highways; 10) to reduce hazards to life and property due to fire, flooding, erosion, pollution, or excessive dust, fumes, smoke, noise, vibration, noxious odors or other hazards; 11) to prevent the overburdening of public services and utilities; 12) to facilitate the provision of adequate systems of transportation, sewage disposal, solid waste disposal, drainage, public water supply, education, recreation and other public requirements; 13) to conserve the expenditure of funds for public improvements and services; 14) provide advantageous uses of land, resources and properties; 15) to conserve land, community character and property values; and 16) to prevent nuisances.

2016 Master Plan

While adopted after the 2007 zoning ordinance Table 3.1 Action Plan states under “Community and Place” an action item of “Ensure definitions in the zoning ordinance are consistent with conditions in neighborhoods and are appropriate for the desired characteristics of the community.” The regulations found in Section 3.9.3.C help to create the desired characteristic of the community as it relates to placement of mechanical equipment.

Reasoning used to explain regulations

To help better explain the purpose for the regulations and why the setback of 3' from the side and rear lot lines was established staff calls out the following concerns:

1. Providing sufficient space to allow for routine maintenance;
2. Equipment needs to be installed in compliance with the Manufacturers Installation Guidelines – the guidelines helps the equipment run efficiently and maintain necessary airflow;
3. Providing access to the rear of the property by others in case of emergency;
4. Helping to maintain quality of life of the adjacent properties – some unit may be located under the adjacent properties bedroom windows and they may not rely on air conditioning to cool the building, the added noise may be harmful to them; and
5. The equipment cannot be located or encroaching onto an adjacent parcel or public owned land.

2022 Survey of other Communities

In the October 3, 2024 packet, staff included a 2022 survey of 26 surrounding communities along with others along the west side of state were reviewed. Communities from other parts of the state may that may have 33' wide lots not were. Following are communities that required a minimum distance to a lot line:

Language does not allow any projection/encroachment –

Berrien Springs

Chikaming Township

Language allows mechanical equipment projection/encroachment in side or rear

Bridgeman – 5 feet from side lot line

Grand Haven 3' side lot line

Saugatuck – 2 feet side lot line

Watervliet – 3' side lot line

South Haven – unclear but want 2' from side lot line

Zoning Board of Appeals Actions

Review of requests associated with placement of mechanical equipment found two requests since 2007. One of the requests was withdrawn when it was found the equipment was located on the adjacent property. The second request was approved as there were no appropriate locations for the installation of the new mini-splits so each of the 18 dwelling units could control heating and cooling in the 100-year old building.

Mechanical Permit Process Changes

Most of the Inspection Department, including the third-party contract inspectors, have been with the city since spring 2017. Permits for mechanical work are issued by the Inspection Department and can include work on new construction, repairing existing equipment, replacing existing equipment or installing new equipment. Care has been taken to inform mechanical contractors about the Zoning Ordinance requirements for placement of mechanical equipment on all properties and the need to screen equipment installed on commercial properties. In addition, the permit issued also references the allowable location of equipment on the property.

Replacement equipment at existing dwelling 2016 - 2021

During the past few years, some contractors have not followed the Zoning Ordinance regulations regarding placement of the equipment and have had to: 1) relocate the equipment; 2) purchase equipment that would comply with the minimum setback of three feet; or 3) request a variation from the Zoning Board of Appeals. Between 2016 and 2021 twelve properties moved equipment that was improperly placed. Attached is "Examples of Relocated Mechanical Equipment" which provides examples of equipment that has been relocated.

Mechanical Permits Issued 2022 - 2024

In 2022 and 2023, approximately 300 residential permits for new AC or heating units were issued. Equipment had to be moved at several properties to an allowed location. Staff has learned that a property owner contacted two different mechanical contractors for the replacement of equipment and were told the equipment would need to be relocated to the rear yard as there was not sufficient space in the side yard, they used a third contractor who later had to relocate the equipment to the rear yard.

In 2024, staff is working with a property owner that had emergency repairs done to a believed vacant dwelling without a permit, the contractor hired did not obtain the necessary permit after the emergency work was completed. The owner was informed a permit was necessary for the work to take place and the equipment was located in a noncompliant secondary front yard. The contractor that completed the work is local.

New construction residential permits

All new construction and building expansions require a site plan to be submitted showing the location of the existing and proposed structures and including mechanical equipment along with dimensions to the drip line and of the structures. This allows staff to determine compliance with the Zoning Ordinance regulations. Between 2017 and 2023, 134 new residential dwelling units have been reviewed and approved. This includes attached townhome buildings found in the Harbor Village development north of the St. Joseph River, developed as a planned unit development which allows some equipment to be located at the rear of the building at the lot line with the alley. The detached single-family dwellings are required to keep mechanical equipment three feet off of the side or rear lot lines. No equipment is allowed in the front yard.

Next Steps

Review and discuss the information provided. Direct staff to obtain additional information if needed. The discussion should include:

1. Are the existing rules appropriate;
2. Should there be different rules for existing mechanical equipment when being replaced.

ATTACHMENTS:

- Public Safety Comments and Recommendation - 11072024 PC meeting(PDF)
- Building Inspection Memo - mechanical equipment - 11072024 PC meeting (PDF)
- Examples of Relocated Mechanical Equipment (PDF)



CITY OF ST. JOSEPH
INSPECTION DEPARTMENT
700 Broad Street
St. Joseph, MI 49085
Phone (269) 983-1212
www.sjcity.com

MEMO

TO: Planning Commission
FROM: Jeremy Connell- Deputy Public Safety Director
Caleb O'Toole – Building Official
DATE: 10-4-24
RE: 3- Foot Fire Separation as it relates to placement of mechanical equipment

Purpose

During the October 3rd Planning Commission meeting additional information was requested from the Public Safety Department regarding the importance of the 3-foot setback for mechanical equipment from interior lot lines, with a focus on fire safety regulations and potential consequences of reducing this distance.

Staff Comments

Following are comments associated with Public Safety and the Inspection Department as it relates to fire safety.

1. Fire Code Compliance and Life Safety

The 3-foot setback for mechanical equipment is not just a zoning or noise regulation—it is a critical fire safety requirement. The Michigan Residential Code (MRC) and International Fire Code (IFC) consistently reference 3 feet as a minimum safety distance to prevent the spread of fire between structures. Mechanical equipment like HVAC units and generators carry potential fire hazards, including electrical malfunctions or overheating. Reducing the setback increases the risk of fire spreading between properties, endangering lives and property.

For example, the Michigan Building and Fire Codes state that walls located 3 feet or closer to property lines must meet a minimum 1-hour fire rating and cannot have penetrations like windows or doors (MRC R302.1). This requirement is crucial to protect not only the property in question but also neighboring structures during an emergency.

2. Importance of the 3-Foot Setback in Multiple Fire Safety Contexts

The 3-foot clearance is deeply integrated into fire safety standards across various systems and contexts. For instance, the IFC mandates a 3-foot clearance around fire hydrants (IFC 507.5.5), which ensures accessibility for fire

departments. Similarly, when dealing with roof-mounted solar arrays, a 3-foot perimeter is required for safe fire operations (MRC R605.11). These codes are specifically designed to enhance the safety and welfare of all community members.

Mechanical equipment positioned too close to property lines may hinder fire suppression efforts, thereby reducing the effectiveness of emergency response and increasing the risk of fire escalation. Furthermore, limited clearance around such equipment heightens the potential for injury. As outlined in Section 3.9.3(C) of the Zoning Ordinance, a minimum separation of 3 feet for mechanical equipment is currently required. In addition, the City Commission adopted the Solar Energy Systems Ordinance in July, which specifies a 3-foot clearance for maintenance access in Section 3.16.1(A)(5).

3. **Fire Hazard Mitigation**

A primary function of the 3-foot setback is to provide a buffer that mitigates fire hazards. This space can prevent flames from spreading to adjacent buildings during a fire or contain hazards from malfunctioning equipment. Reducing the setback heightens the risk of neighboring structures catching fire, increasing the potential for property damage and personal injury.

As fire codes evolve based on real-life emergencies, the 3-foot requirement has been reaffirmed as a crucial safety margin in numerous scenarios. The setback distance serves as an essential component of overall fire protection strategy, particularly in dense residential areas.

4. **Additional Considerations: Noise, Ventilation, and Manufacturer Guidelines**

Beyond fire safety, the 3-foot setback also serves other important functions. Manufacturers often specify minimum distances from windows and other openings to prevent sound disturbance and ensure proper ventilation. Adhering to this distance helps maintain good relationships with neighboring properties and ensures equipment functions optimally without creating additional hazards such as blocked airflow or excessive noise.

Conclusion

The 3-foot setback for mechanical equipment is essential for meeting fire code requirements and ensuring community safety. Reducing this setback increases the risk of fire spreading between properties, hampers firefighting efforts, and compromises the overall safety and welfare of residents. Given the comprehensive references to the 3-foot standard in fire codes and other regulations, it is strongly recommended that the 3-foot setback be maintained without exception.

Both the Public Safety Deputy Director and the building officials recommend that the 3-foot setback remain in place to protect life, property, and the community at large.



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MEMO

To: Planning Commission
From: Building Department, Building Officials, Trudy Wilder and Caleb O'Toole
Date: 10-9-24
Re: PC information for reviewing 3 ft clearances pertaining to mechanical equipment

After listening to the October 3, 2024 Planning Commission discussion regarding the placement of mechanical equipment, staff has included some additional information for review:

Michigan Building Codes

The Michigan Building/Residential Codes, including the Plumbing, Electrical, and Mechanical Codes use 36" as an industry standard measurement for clearances for service and general safety requirements. Examples for the different codes are as follows:

- Michigan Residential Code
 - Section 3405 .1 Minimum clearance at electrical panels is 36".
 - Sections 311.2, 311.3, 311.7 Minimal width of exit doors are 36", stairs and landings are 36", and heights for guard rails are 36".
- Plumbing Code:
 - Section 708.1.10 "at not less than 36" from, and perpendicular to....any obstruction" for required clearance for cleanouts.
- Mechanical Code:
 - Minimal distance for termination of exhaust vents is 36" from a window.

Dimensional Variances Granted

In some cases, variances were granted that reduced the side building setback to a distance that would not allow for equipment to be placed in the side yard while meeting the 3' setback. Following are some examples of variances granted:

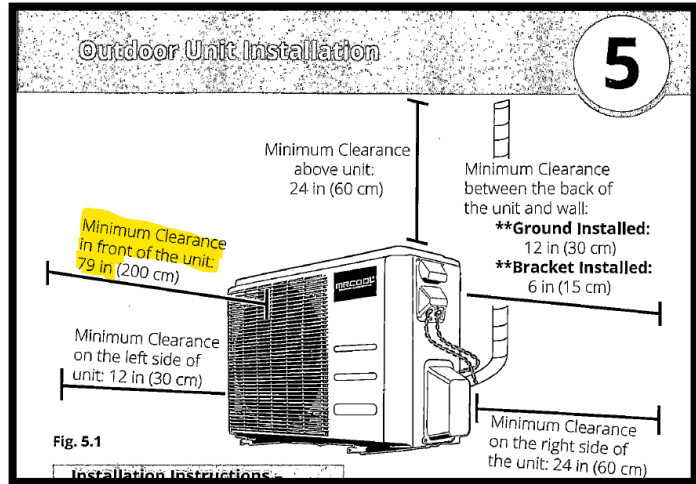
1. In June 2010 a property was granted 5 variances one of which decreased the side building setback from 7 to 3 feet and side building setback from 7' to 1'9". The reduced setback does not allow space for placement of mechanical equipment in this area.

- 2. A variance from January 2002 allowed the side setback to be decreased from 7' to 3'. The reduced setback does not allow space for placement of mechanical equipment in this area.

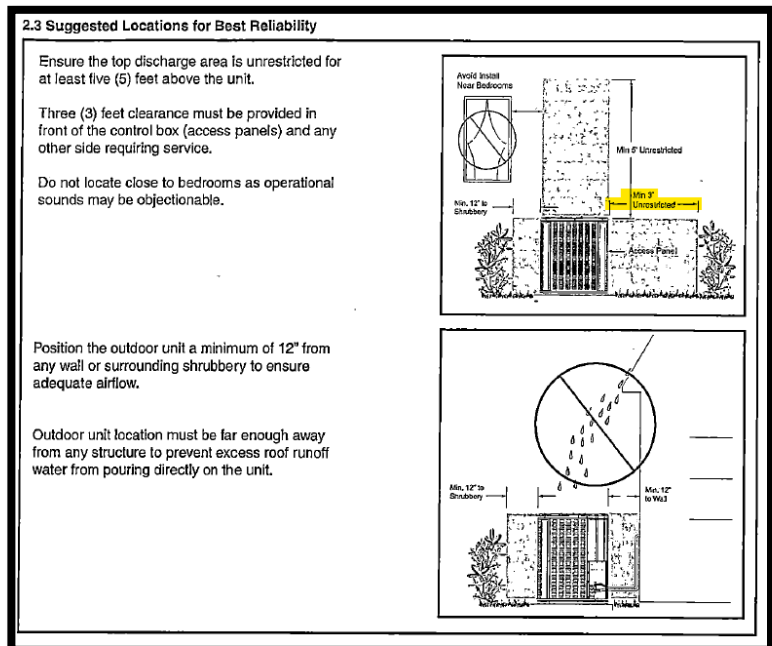
Manufacturers – Installer Guides

In addition, staff was able to review the cut sheets from different manufacturers of mechanical equipment. The manufacturer creates the “Installer Guides” which provides for how equipment is installed. The Inspector typically requests to view this document at time of inspection. The Inspector cannot change the requirements made by the manufacturers. Following are excerpts from two different manufacturers:

- The adjacent example requires a minimum 79” clearance in the front of the unit.

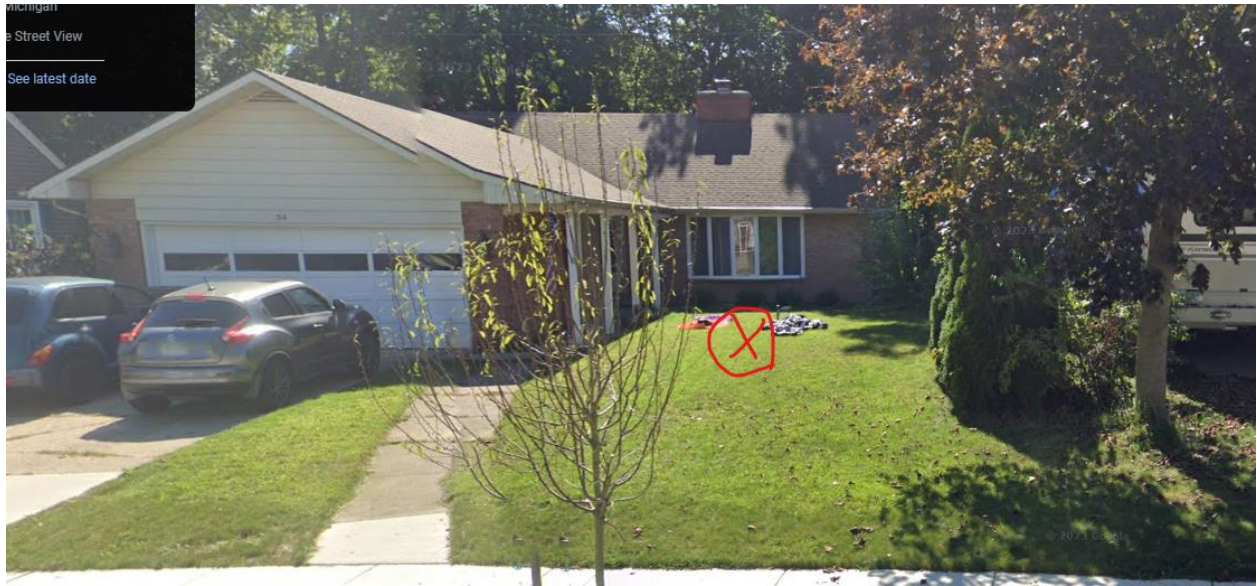


- The adjacent example requires a minimum 36” clearance.



Examples of Mechanical Equipment Relocated

514 Donna PM22-0144 was relocated from the front yard to the west side yard and permit finalized 8-1-22



509 Madison PM20-0031 moved toward house and 3 ft. from the property line finalized 7-22-2020



Attachment: 11072024 - Excerpt PC Packet with Approved Minutes and handouts- mechanical equipment - Discussion 2 (10578 : Zoning

917-915 Lions Park Dr. 2 new units installed north side of 917 PM22-0204 10-14-22



2 units relocated 9-18-24 photo



617 Lions Park- In 2022, two HVAC units located adjacent to front stairs. Options available on north side of house or in rear yard.



2022 unit closest to sidewalk was replaced with the unit shown. Work done without permit. Variance request made, found equipment was partially located on adjacent property. Variance request withdrawn and equipment moved. Property owner determined basement best location.



Early 2024 one HVAC unit located adjacent to exterior stairs.



September 2024, nonconforming HVAC unit removed. Unknown if moved. No permits.

2215 Wilson. 2021 generator installed in front yard under PM21-0152 which clearly stated no equipment in front yard and must be a minimum of 3' from side lot line. Equipment located ____



view of equipment in front yard – east of driveway



view from driveway looking east.

2720 Sunnydale equipment installed in secondary front yard without a permit, situation still unresolved



Google Streetview 2023 with old equipment in secondary front yard



New equipment installed without permit - found in July 2024. Equipment appears to be larger than previous equipment on property.

Attachment: 11072024 - Excerpt PC Packet with Approved Minutes and handouts- mechanical equipment - Discussion 2 (10578 : Zoning



St. Joseph Planning Commission
Commission Chambers
700 Broad Street, St Joseph, MI 49085

AGENDA
October 3, 2024
4:30 PM

Call to Order

Approval of September 5, 2024 Meeting Minutes

1. Regular Minutes of Thursday, September 05, 2024

Old Business

2. Continued Discussion #6 - Landscaping, Lot Coverage, Planter Boxes and Retaining Walls

New Business

3. Mechanical Equipment - Section 3.9.3.C of Zoning Ordinance - Discussion 1
4. Discussion - Future Zoning Ordinance Changes
5. Joint Meeting Rescheduled to October 28, 2024

Public Comments

Adjournment

Minutes of the St. Joseph Planning Commission Meeting held Commission Chambers, 700 Broad Street, St Joseph, MI 49085 on October 3, 2024.

Call to Order

The meeting was called to order at 4:30 PM by Chair Patsy Hartzell

Attendee Name	Title	Status	Arrived
Patsy Hartzell	Chair	Present	
Kathy Burczak	Commissioner	Present	
Sean Ebbert	Commissioner	Present	
Aaron Miller	Commissioner	Present	
Becky Rice	Commissioner	Present	
Anthony Uhrick	Commissioner	Present	
Dustin Tefs	Commissioner	Present	
Pam Porter	Commissioner	Present	
Michael Plichta	Commissioner	Present	
Kristen Gundersen	Community Development Director	Present	
Laurie Schmidt	City Attorney	Present	
Trudy Wilder	Building Inspector	Present	
Caleb O'Toole	Building Inspector	Present	

Approval of September 5, 2024 Meeting Minutes

1. Regular Minutes of Thursday, September 05, 2024

Chair Hartzell stated that on packet page 3, the fourth speaker from the top should read ...about the calculation of the three signs, “calculation of” needed to be added. On packet page 5 the second paragraph, should be corrected to identify Ms. Gundersen at the speaker beginning with the sentence “They are...”

RESULT:	ACCEPTED AS AMENDED [UNANIMOUS]
MOVER:	Sean Ebbert, Commissioner
SECONDER:	Aaron Miller, Commissioner
AYES:	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Miller, Commissioner Rice, Commissioner Uhrick, Commissioner Tefs, Commissioner Porter, Commissioner Plichta

Old Business

2. Continued Discussion #6 - Landscaping, Lot Coverage, Planter Boxes and Retaining Walls

Chair Hartzell explained that staff has provided revised language based on comments from the September meeting pertaining to landscaping, planter boxes and retaining walls. Two options defining the term lot coverage are also available for review and discussion.

Mr. Uhrick questioned the existing rules regarding accessory structures not exceeding the size of the main building.

Ms. Gundersen stated that most zoning ordinances include this provision with the exception of agricultural areas where large barns are needed. It helps to stop a property owner from building a small home with a large detached garage building which may look out of place in a residential neighborhood.

Ms. Burczak questioned if stairs should be excluded from the lot coverage calculation since there are provisions to allow them to encroach into the required front and secondary front setback areas.

Mr. Miller stated rules are designed to be good and sometimes they do not work well. However, the consistent use of the term setback creates a clear location.

Chair Hartzell asked if a dimensional variance could be requested.

Ms. Gundersen stated a dimension variance could be requested. The applicant would need to meet the review standards as found in the zoning ordinance.

Chair Hartzell asked the Commission to review and discuss the two different options being proposed regarding lot coverage.

The Commission concurred that major planter boxes in the front yard should be allowed if they are outside the front setback, minor planter boxes should be allowed in any yard and within the setback, and that the lot coverage definition in option 1 should be used as that is how the zoning ordinance has been interpreted for many years and at one time was working to address the conflict.

Chair Hartzell and the Commission directed staff to schedule the proposed text amendments for a public hearing at the November meeting.

Mr. Uhrich left the meeting at 4:55 p.m.

New Business

3. Mechanical Equipment - Section 3.9.3.C of Zoning Ordinance - Discussion 1

Ms. Gundersen stated the City Commission is requesting the Commission to review the existing language and recommend whether the language needs to be changed to the location requirements for mechanical equipment. Some City Commissioners have heard concerns from property owners who have had to move their equipment. The 2007 Zoning Ordinance requires mechanical equipment and similar items to be located a minimum of three feet from any side or rear lot line and the equipment cannot be located in the front yard. Since 2017 when the current mechanical inspector started, the regulations have been enforced; when equipment is being replaced and it is in a nonconforming location, it must be relocated to comply with the regulations. For all new construction or building expansion, site plans are now required to show the location of mechanical equipment.

Mr. Uhrick returned at 5:02 p.m.

Mr. Miller asked whether a variance was possible.

Ms. Gundersen stated since 2007, staff is aware of two-dimensional variance requests. One request was for placement in the front yard; it was granted for a nonconforming multiple family building that was upgrading and installing air conditioning units in the form of a mini-split. In that case, the building was set far from the front and secondary front lot lines and screening was required. The second request was to allow equipment less than 3' from the side lot line. In that case, once the legal notice was sent out, the adjacent property owner provided a survey showing the equipment encroached onto the adjacent property. The applicant withdrew the request and concluded the best location for the equipment was in the basement; however, other locations were available.

Mr. Miller asked about the regulations in the previous zoning ordinances.

Ms. Gundersen stated does not believe the previous zoning ordinances had regulations pertaining to mechanical equipment placement.

Mr. Uhrick questioned the typical cost for moving equipment.

Ms. Wilder stated the building code does not address the cost of doing work and there are several ways it can be addressed so it is hard to conclude the cost.

Ms. Burczak requested information regarding building code regulations and need for safety and if there is a distance for venting based on information on packet page 29.

Ms. Wilder stated that exhaust vents have a minimum distance to windows. There have been places where a new exhaust fan was installed that blew onto the adjacent property and the water discharge would freeze on the front landing. The building codes rely on a 3' separation for many things.

Ms. Burczak questioned what other options are available.

Mr. O'Toole stated the building code really does not want anything less than 3' to the lot line. This helps to maintain fire separation and decrease opportunities for exhaust and noise on adjacent properties.

Chair Hartzell asked if public safety and the engineering department could provide written comments regarding 3' setback requirement for the November meeting.

Jack Sanderson, city resident stated he has been hearing concerns expressed about the regulations requiring the relocation of nonconforming mechanical equipment for several years. There are many factors that go into the cost of replacing equipment and agrees it is difficult to determine the average price. In some cases, a new condenser requires higher pressure, a new service line and electrical work which increases the cost of moving equipment. A typical condenser unit is roughly \$3,000. Some units last 20 years with no issues. He believes most line sets have a maximum distance of 50 to 60 feet.

Mr. Sanderson stated his neighbor's unit is near his bedroom and was not an issue until it started running constantly. Because the parcels are long and narrow, the line set could be 20 or more feet long which makes the equipment run harder. A resident at 909 Lions Park Drive has a long house and the furnace was located near the front of the dwelling, they placed the condenser in the basement, however, it releases heat and heat rises so the equipment warms the basement up. The change cost approximately \$7,000. He believes the regulations should be changed for existing equipment that would allow them to be 6' from the lot line rather than the 3' now required. He noted that there are no regulations for air conditioning units placed in windows.

Dick Massa, city resident stated they have a 33' wide parcel and the equipment located in the side yard needs to be replaced which will require extending pipes, wiring and hard surface for the new equipment. The new units are smaller and quieter so they should not bother the neighbors. There is a lot of extra cost associated with moving the equipment.

Lorell Nihart, city property owner stated there are many 33' wide parcels. The inspector should be able to use common sense and discretion to allow the equipment closer to the lot line. Units are now smaller and narrower than in the past. People get used to the noise like listening to the train horn. Equipment should be allowed within the 3' setback area. Standby generators could

cause a problem, carbon monoxide needs to be considered but the current regulations are overreaching for air conditioning units.

Chair Hartzell stated no decisions would be made during this meeting.

Mr. Miller stated that generators should comply with the 3' setback in the side yards, noting the noise and hazard from output gasses. He wondered if equipment in the front yard could be screened.

Mr. Uhrick asked for clarification on when replacing equipment would require compliance with the zoning ordinance and what part of the system is a condenser considered.

Ms. Wilder stated the condenser unit which is located within the metal cover can be replaced within no permit. However, if new equipment being installed such as a smaller metal cabinet with compressor unit, a mechanical permit is required and the new the equipment must comply with the setbacks.

Mr. Ebbert stated the condenser is part of the equipment.

Ms. Wilder stated the metal cabinet, condenser, new wiring requires a permit and compliance. No permit is required to replace the existing motor within the existing metal cabinet.

Ms. Burczak stated she lives on Lions Park Drive and does not believe mechanical equipment in the front yard is appropriate, many times landscaping in a side yard does not work to screen it. For new construction, the equipment should be located at the rear of the structure. She is concerned with noise, fire separation, and exhaust fumes and would like to hear more information from the public safety department.

Mr. Sanderson stated the condenser unit is not a separate item, rather part of the entire system. He does not believe the mechanical code is being interpreted correctly and is not sure a permit is required to replace the condenser unit. He does not believe people notice mechanical equipment in the front yard.

Chair Hartzell stated Ms. Burczak has consistently expressed concern about items placed in the front setback or yard and asked if staff could provide photographs of equipment in the side yards.

4. Discussion - Future Zoning Ordinance Changes

Ms. Gundersen explained that the City Commission discussion on September 16th evolved with a request of items that need to be looked at within the zoning ordinance. The list provided is something staff prepared and asked the Commission to let staff know if there are additional concerns.

Chair Hartzell asked if there is anything that could be started for the November meeting.

Ms. Gundersen stated the city participated in the review of child care amendments and we could work on putting something together.

5. Joint Meeting Rescheduled to October 28, 2024

Ms. Gundersen stated she believes the meeting will not take place on October 28th.

Commissioners asked the purpose of the meeting.



Agenda Item

TO: Planning Commission

FROM: Kristen Gundersen, Community Development Director

RE: Mechanical Equipment - Section 3.9.3.C of Zoning Ordinance - Discussion 1

MEETING DATE: October 3, 2024

History and Background of Request

The September 12, 2024 City Commission agenda included an item to request that the Planning Commission review, study, discuss Section 3.9.3.C of the zoning ordinance and recommend any changes. Concerns have been expressed by some residents that requiring existing mechanical equipment located in the front or secondary front yards or equipment less than 3' from the side lot line be moved to an allowed location when being replaced is burdensome and costly. Attached is an excerpt from the September 12th City Commission agenda packet which includes letters of support for changing the regulations along with letters requesting no change take place.

This memorandum is broken down into 5 sections: 1) Zoning Ordinance regulations and survey work completed; 2) Zoning Board of Appeals case information; 3) Building Code regulations; 4) Inspection Department history; and 5) Next Steps.

1. Zoning Ordinance regulations and survey work completed

Zoning Ordinance regulations

The City of St. Joseph Zoning Ordinance was adopted in January 2007 and included language in Section 3.9.3 that allows for certain items to be located in required setbacks. Section 3.9.3.C specifically calls out mechanical structures and allows them in the side and rear yards when located a minimum of three feet from the lot line.

Please note during the September 5th Planning Commission discussion regarding Landscaping - planter boxes and retaining walls called out the inconsistency in the language within Section 3.9.3 and staff included draft language for review in the October 3rd packet. Below is the existing language,

3.9.3. *Location in Required Setbacks.*

A. Accessory structures, except for fences, trellises not more than eight feet in height, and arbors not more than ten feet in height, may not be located in the front yard or secondary front yard. The total width of trellises and arbors exempt under this section may not total more than 25 percent of the width of the principal structure on the lot.

B. Accessory structures not more than 14 feet in height may be located in required rear setbacks if they do not occupy more than 33 percent of the actual rear yard area and are located at least

five feet from any lot line. Except, in those instances where the rear lot line is coterminous with an alley right-of-way, the accessory structure may be as close as one foot to such rear lot line.

C. Mechanical structures, such as heat pumps, air conditioners, emergency generators, and water pumps may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.

D. Fences or screening walls, as permitted by [chapter 12 <https://library.municode.com/mi/st._joseph/codes/code_of_ordinances?nodeId=PTIICOOR_CH12FE](https://library.municode.com/mi/st._joseph/codes/code_of_ordinances?nodeId=PTIICOOR_CH12FE) of the Code of Ordinances, may be located in any required setback.

To help better explain the purpose for the regulations and why the setback of 3' from the side and rear lot lines was established staff calls out the following concerns:

1. Providing sufficient space to allow for routine maintenance;
2. Providing access to the rear of the property by others in case of emergency;
3. Helping to maintain quality of life of the adjacent properties - some units may be located under the adjacent properties bedroom windows and they may not rely on an air conditioner to cool the building, the added noise maybe harmful to them; and
4. Verifying the equipment is not located or encroaching onto an adjacent parcel or publicly owned land.

The three basic statements listed above can be tied back to the Purpose of the Zoning Ordinance as stated in Section 1.2.1 which calls out 16 different references to what the zoning ordinances is designed to accomplish. Underlined below are four items that are related to placement of mechanical equipment.

1.2.2. *General Purposes.* The districts and other provisions of this ordinance are based upon the future land use map and policies of the City of St. Joseph Comprehensive Plan. This plan and this zoning ordinance are designed to: 1) promote the public health, safety, and general welfare; 2) to provide adequate light and air, and protect air and water quality; 3) to encourage the use of lands in accordance with their character and adaptability; 4) to limit the improper use of land; 5) to conserve natural resources and energy; 6) to meet the needs of the state's residents for food, fiber and other natural resources, places of residence, recreation, industry, trade, service and other uses of land; 7) to ensure that uses of land are situated in appropriate locations and relationships; 8) to avoid population overcrowding; 9) to lessen congestion on public streets and highways; 10) to reduce hazards to life and property due to fire, flooding, erosion, pollution, or excessive dust, fumes, smoke, noise, vibration, noxious odors or other hazards; 11) to prevent the overburdening of public services and utilities; 12) to facilitate the provision of adequate systems of transportation, sewage disposal, solid waste disposal, drainage, public water supply, education, recreation and other public requirements; 13) to conserve the expenditure of funds for public improvements and services; 14) provide advantageous uses of land, resources and properties; 15) to conserve land, community character and property values; and 16) to prevent nuisances.

2022 survey work completed

Attached is a survey completed by staff in 2022 where 26 zoning ordinances from surrounding communities along with others along the west side of state were reviewed. Communities from the metro Detroit were not reviewed. While many zoning ordinances were silent as it relates to placement of mechanical equipment, staff did reach to some communities to learn more. Following is a summary of the attached survey:

Language regarding projection/encroachment with no reference to mechanical equipment:	17
No language in ordinance regarding projection/encroachment:	4
Language does not allow any projection/encroachment	2

Language allows mechanical equipment projection/encroachment in side or rear only with distances of 2 feet, 3 feet and 5 feet	3
Language allows mechanical equipment project/encroach into side/rear only no dimension	1

2. Zoning Board of Appeals case log

Until recently the Zoning Board of Appeals had not heard any cases since the adoption of the Zoning Ordinance in 2007. However, on June 9, 2022, one public hearing took place for a nonconforming 18-unit multi-family building located at 917 Pearl Street. The new owner of the 100-year-old building was completing several upgrades to the structure, including installation of mini-splits that would eliminate the need for window air-conditioning units. A variance was needed to allow the equipment to be located in the Pearl Street front yard and Wayne Street secondary front yard. After much discussion, the Zoning Board of Appeals approved the request with several conditions regarding the painting of the line-sets and screening of equipment located on the ground. The Board concluded that the building is located far from the two streets with a multiple family building to the north which has a solid fence separating the properties. In addition, other options such as placing the equipment on the roof would be difficult and manufacturer guidelines require this particular equipment to be near its intended use.

A similar request at a residential property at 917 Lions Park Drive was scheduled for June 9, 2022, however, prior to the hearing, new information was received that the dimensions referenced in the application were not accurate and the equipment was placed on the adjacent property. The property owner requested that the item be continued to the September meeting to allow time to review other options. The applicant later withdrew the request and the property owner chose to place the equipment in the basement as allowed by the manufacturer. Staff suggested to the property owner that space was available along the north side of the dwelling in the side yard or in the rear yard.

3. Building Code Information

The Inspection Department utilizes the Michigan Building Code to review plans and issue permits. The need for a fire separation distance is consistent throughout the Building Codes. The intent of the Codes is to establish minimum requirements to provide a reasonable level of safety - including safety to live and property from fire and other hazards and to provide a reasonable level of safety to fire fighters and emergency responders during emergency situations.

To help further explain the minimum three-foot dimension required in the Zoning Ordinance, the Michigan Building Code - Table 705.8 Maximum Area of Exterior Wall Openings Based on Fire Separation Distance and Degree of Opening Projection finds the "Fire separation distance for building in 0 to less than 3 feet" does not allow any openings even if the building is protected, sprinklered or not sprinklered.

Besides the fire separation distance another concern is for exhaust air which may contain carbon monoxide or other noxious substances. Within "Section M1506.3 of the Michigan Residential Code: EXHAUST OPENINGS: Air exhaust openings shall terminate not less than three feet from property lines; three feet from operable and non-operable openings into the building and ten feet from mechanical air intakes except where the opening is located three feet above the air intake." The City, has also required equipment installed not complying with this Section of the Michigan Residential Code to be moved. In one case the exhaust was able to melt snow on an adjacent property's landing which caused ice to form, thus creating a hazard for the resident.

4. Inspection Department history

Most of the Inspection Department including the contract inspectors have been with the city since spring

2017. Permits for mechanical work are issued by the Inspection Department and can include work on new construction, repairing existing equipment, replacing existing equipment or installing new equipment. Care has been taken to inform mechanical contractors about the Zoning Ordinance requirements for placement of mechanical equipment on all properties and the need to screen equipment installed on commercial properties. In addition, the permit issued also references the allowable location of equipment on the property.

Replacement or new equipment at existing dwelling

During the past few years, some contractors have not followed the Zoning Ordinance regulations regarding placement of the equipment and have had to: 1) relocate the equipment; 2) purchase equipment that would comply with the minimum setback of three feet; or 3) request a variation from the Zoning Board of Appeals. Below is a list of properties that modified their design to comply with the requirements of the Zoning Ordinance between 2016 and 2021:

1. 500 Jones - equipment was moved to the roof;
2. 811 Michigan - moved from side of house to rear;
3. 1112 Lions Park Drive - installed narrow unit on side yard;
4. 1200 Lake Boulevard - replaced nonconforming side yard to rear yard;
5. 1020 Lions Park Drive - relocated equipment within side yard to comply;
6. 923 Lake Boulevard - relocated equipment to compliant location in side yard;
7. 2525 Willa - relocated nonconforming equipment to compliant location in side yard;
8. 2215 Wilson - moved the back-up generator from the front yard to side yard;
9. 501 Church Street - relocated nonconforming equipment to compliant location in side yard;
10. 509 Madison Street - relocated nonconforming equipment to compliant location in side yard;
11. 1018 Michigan - Inspection Department continues to follow-up with contractor to address the issue; and
12. 520 State Street - consists of a nonconforming multi-tenant residential building with limited location for equipment. Prior to installing equipment on the exterior of the building, research was completed and equipment was purchased that could be safely installed in the basement per manufacturer standards.

In 2022, 154 residential permits for new AC or heating units were issued. The properties at 514 Donna moved the unit from the front yard to the side yard. It is staffs understanding that a property on Lions Park Drive reached out to 2 mechanical contractors for the replacement of equipment and were told the equipment would need to be in the rear yard, they used a third contractor who later had to relocated the equipment to the rear yard.

In 2023, 151 residential permits for new AC or hearing units were issued. Staff is aware that 232 N Sunnybank had to move the equipment to a proper location. So far in 2024, staff is aware of on property on Sunnydale that is reviewing options for equipment installed without a permit and another property on South Sunnybank that moved equipment as part of the permit process.

New construction residential permits

All new construction and building expansions require a site plan to be submitted showing the location of the existing and proposed structures and including mechanical equipment along with dimensions to the drip line and of the structures. This allows staff to determine compliance with the Zoning Ordinance regulations. Between 2017 and 2023, 134 new residential dwelling units have been reviewed and approved.

This number includes the attached townhome buildings found within the Harbor Village development north of the St. Joseph River being developed as a planned unit development. As part of the Harbor Village planned unit development approval, waivers were granted allowing mechanical equipment to be located zero feet from the rear lot line adjacent to the private alley rather than the required three feet. The detached housing is required to keep mechanical equipment three feet off of the side or rear lot lines. No equipment is allowed in the front yard.

2017	19 dwelling units	2021	16 dwelling units
2018	27 dwelling units	2022	16 dwelling units
2019	11 dwelling units	2023	9 dwelling units
2020	16 dwelling units		

5. Next Steps

Review and discuss the information provided. Direct staff to obtain additional information if needed. The discussion should include are the existing rules appropriate, should there be different rules for existing mechanical equipment when being replaced.

ATTACHMENTS:

- Excerpt from 09092024 City Commission meeting - mechanical equipment (PDF)
- 2022 Mechanical Equipment Survey (PDF)



St. Joseph City Commission
 Commission Chambers
 700 Broad Street, St Joseph, MI 49085

AGENDA
 September 9, 2024
 6:00 PM

This meeting will be held in person: the public can view the meeting by going to Zoom.us on a computer or mobile device, or by calling 312.626.6799 (or 877.853.5247 toll free). Comments will not be received via Zoom; persons wishing to speak should be present in person.

Meeting ID: 844 8860 9278 Password: 49085 49085

Telecommunications relay services to assist individuals with disabilities are available by calling 7-1-1 and providing the meeting information to the relay operator; there is no charge to the caller.

Call to Order

Order of Business

1. Pledge of Allegiance
2. Introduction of Public Works Employees
3. Approval of Agenda
4. Public Comment - For Items on the Consent Agenda or Not on the Agenda - Please Limit Comments to Three Minutes

Consent Agenda

5. Regular Meeting Minutes of Monday, August 26, 2024
6. Invoice and Tax Disbursements
7. Board and Commission Vacancies
8. Public Works Dump Truck Chassis Purchase
9. Short-term Rental Legislation Update
10. Special Event Application - LECO Fit 4 Fall
11. Special Event Application - Walk to End Alzheimer's
12. Update on City Operations
13. Whirlpool Centennial Fountain Caulking

Old Business

14. PFAS Class Action Settlement: BASF and Tyco

New Business

15. Mechanical Structures Ordinance Modification

Reports

16. Downtown Parking

City Comments

17. City Manager Comments
18. City Commission Comments
19. Recognition of John Hodgson

Closed Session

20. Request to Enter Closed Session - Potential Purchase or Lease of Property
21. Return to Open Session

Adjournment



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Michael Sarola, Commissioner

RE: Mechanical Structures Ordinance Modification

MEETING DATE: September 9, 2024

Section 3.9.3.c of the Zoning Ordinance states that mechanical structures, such as heat pumps, air conditioners, and generators, must be located in rear or side yards, at least three feet from rear and side lot lines. Commissioner Sarola notes that this has created an inconvenience for home owners who need to replace an existing structure - such as an air conditioning unit - and would like to discuss options for revising the Zoning Ordinance.

ATTACHMENTS:

- Mechanical Structures (PDF)
- comments received by 0845 Mon Sep 9 2024 (PDF)
- comments on mechanical received by 445 pm Sep 9 (PDF)
- comments received later Sep 9 added to packet after meeting (PDF)

Sec. 3.9. - Accessory uses and structures.

3.9.1. *General Standards.*

- A. *Subordinate to Principal Use.* Accessory uses and structures must be subordinate to the principal use and structure on the subject lot in terms of area, extent and purpose.
- B. *Time of Establishment.* Accessory structures must be constructed in conjunction with or after the principal building, and may not be constructed prior to the construction of the principal building. Accessory uses may be established no earlier than the commencement of the principal use.

3.9.2. *Building Coverage.* The combined footprint of all detached covered accessory structures, and all porches or decks six inches or more above finished grade, may not exceed the building footprint of the principal building.

3.9.3. *Location in Required Setbacks.*

- A. Accessory structures, except for fences, trellises not more than eight feet in height, and arbors not more than ten feet in height, may not be located in the front yard or secondary front yard. The total width of trellises and arbors exempt under this section may not total more than 25 percent of the width of the principal structure on the lot.
- B. Accessory structures not more than 14 feet in height may be located in required rear setbacks if they do not occupy more than 33 percent of the actual rear yard area and are located at least five feet from any lot line. Except, in those instances where the rear lot line is coterminous with an alley right-of-way, the accessory structure may be as close as one foot to such rear lot line.
- C. **Mechanical structures, such as heat pumps, air conditioners, emergency generators, and water pumps may only be located in rear or side yards and may be within rear or side yard setbacks if located at least three feet from rear and side lot lines.**
- D. Fences or screening walls, as permitted by chapter 12 of the Code of Ordinances, may be located in any required setback.

3.9.4. *Height of Accessory Buildings.* Unless otherwise expressly stated, no accessory building in a residential district may exceed 14 feet in height. In a nonresidential district, no accessory building may exceed the height of the principal building on the same lot.

3.9.5. *Open Storage.* The open storage of utility trailers, boat trailers, and other similar conveyances shall be permitted only within the rear yard and shall further comply with the setback requirements of this section applicable to accessory buildings, insofar as distances from principal buildings, lot lines, and easements are concerned. See Section 18.2.11 for additional requirements regarding storage in residential districts.

3.9.6.

Attachment: Mechanical Structures (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: Jack Sanderson <belowthebluff@gmail.com>
Sent: Sunday, September 8, 2024 1:29 PM
To: Brook Thomas; Michele Binkley; Mike Sarola; Tess Ulrey; Michael Fernandez
Cc: John Hodgson
Subject: [EXTERNAL] Tomorrow's Agenda Item #15: Mechanical Structures Ordinance Modification

September 8, 2024

City Commissioners:

Section 3.9.3.c of the Zoning Ordinance desperately needs to be reconsidered. In the SJ area Below the Bluff, as well as in many other areas of the city, many lots are only 33 feet wide and there are few other places besides side yards to locate mechanical devices, especially air conditioners and other mechanical devices.

Even when such devices have existed without issue for decades in these locations, our building officials are demanding they be relocated when they wear out, often at great expense, even going so far as to order they be relocated to rooftops. This ordinance needs to be reconsidered to relieve homeowners from these unnecessary demands.

On behalf of the Below-the-Bluff Neighborhood Association, I respectfully request you direct the SJ Plan Commission to reconsider and revise this section of the ordinance.

Best regards,

Jack Sanderson, Chairman
Below-the-Bluff Neighborhood Association
BelowTheBluff@gmail.com

Attachment: comments received by 0845 Mon Sep 9 2024 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: Mark Cavanaugh <mark.cavanaugh@comcast.net>
Sent: Sunday, September 8, 2024 8:14 PM
To: John Hodgson
Subject: [EXTERNAL] Reconsideration of Zoning Ordinance 3.9.3.c

Thank you for your attention to our letter,

Section 3.9.3.c of the Zoning Ordinance desperately needs to be reconsidered. In the SJ area Below the Bluff, as well as in many other areas of the city, many lots are only 33 feet wide and there are few other places besides side yards to locate mechanical devices, especially air conditioners and other mechanical devices.

Even when such devices have existed without issue for decades in these locations, our building officials are demanding they be relocated when they wear out, often at great expense, even going so far as to order they be relocated to rooftops. This ordinance needs to be reconsidered to relieve homeowners from these unnecessary demands.

We respectfully request you direct the SJ Plan Commission to reconsider and revise this section of the ordinance.

Laurie and Mark Cavanaugh
1005 Lions Park Drive
269 930-5778
mark.cavanaugh@comcast.net

Attachment: comments received by 0845 Mon Sep 9 2024 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: Jean Johnson <jeanajohnson@sbcglobal.net>
Sent: Sunday, September 8, 2024 8:35 PM
To: John Hodgson; Michael Fernandez; Tess Ulrey; Mike Sarola; Brook Thomas; Michele Binkley
Cc: Jack Sanderson
Subject: [EXTERNAL] Zoning ordinance section 3.9.3.c

City Commissioners:

Section 3.9.3.c of the Zoning Ordinance needs to be revised. In the Lions Park area, many lots are only 33 feet wide and there are few other places besides side yards to locate mechanical devices.

Please reconsider and revise this section of the ordinance.

Sincerely,

Jean Johnson
1013 Lions Park Drive

Attachment: comments received by 0845 Mon Sep 9 2024 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: Robert Knudsen <pdpbob@aol.com>
Sent: Sunday, September 8, 2024 10:16 PM
To: Brook Thomas; Michele Binkley; Mike Sarola; Tess Ulrey; Michael Fernandez; John Hodgson
Subject: [EXTERNAL] Section 3.9.3.c of the Zoning Ordinance

City Commissioners:

Section 3.9.3.c of the Zoning Ordinance desperately needs to be reconsidered. In the SJ area Below the Bluff, as well as in many other areas of the city, many lots are only 33 feet wide and there are few other places besides side yards to locate mechanical devices, especially air conditioners and other mechanical devices.

Even when such devices have existed without issue for decades in these locations, our building officials are demanding they be relocated when they wear out, often at great expense, even going so far as to order they be relocated to rooftops. This ordinance needs to be reconsidered to relieve homeowners from these unnecessary demands.

As a City of St. Joseph resident, I respectfully request you direct the SJ Plan Commission to reconsider and revise this section of the ordinance.

Best regards,

Robert W. Knudsen Jr.
 810 Lions Park Dr
 Saint Joseph, MI 49085

Attachment: comments received by 0845 Mon Sep 9 2024 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: F & M Larson <mcorky94@yahoo.com>
Sent: Monday, September 9, 2024 11:16 AM
To: John Hodgson
Subject: [EXTERNAL] Zoning Ordinance

Here a copy of letter that was sent to all the Commissioners.

City Commissioner:

I feel that section 3.9.3.c of the Zoning Ordinance needs to be kept as it is stated.

Since many of the lots are 33', it is essential to keep the side yard setbacks clear and free from any mechanical structures, such as air conditioning condensers, generators, heat pumps, or other structures.

When we built our home 23 years ago, the condenser unit had to be placed behind the home - not on the side yard. I have been in a fire (Our Lady of the Angels School fire) and feel that it is imperative to keep the side yard clear and free of any obstacles or equipment so that the Public Safety Officers/Firefighters can do their job safely and efficiently and quickly. They need to be able to carry hoses, ladders and other equipment in an obstacle free manner and not be hindered by structures. I feel there should be no compromise regarding the Public Safety Officers or residents' safety in this manner.

The ordinance should remain intact.

As a final note, why after all these years and after all the new homes have been built adhering to this ordinance, why the change now?

Sincerely,

Flo Larson
 1114 Lions Park Drive

Attachment: comments on mechanical received by 445 pm Sep 9 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

September 9, 2024

Dear Commissioners:

Please do NOT change the zoning ordinance that currently requires heat pumps, air conditioners and generators be located in side yards at least three feet from property lines. Here below the bluff it would enable your neighbor's units be located right up against your fence only a few feet under your bedroom windows. This location would make it much too loud to sleep even with the windows closed especially since most people now have multiple units. It also means once a neighbor turns on one of their units you must turn yours on just to try to reduce the noise level in your home day and night.

Please also do not allow any more units in the front. It's also very loud with the air conditioning units in the front of homes and along the sidewalks.

In the past variances have not been granted to reduce cost or hardship and neither should zoning requirements be eased for those reasons. We strongly oppose making the zoning ordinance any more lenient.

We moved our two units as required which is part of the cost of replacing the units. The new locations have actually made it quieter in our home and in the neighborhood. It's nice to be green and have the option to open the windows at night.

Please keep the ordinance as it stands. Thank you!

The Murphys
John and Carol

RECEIVED
SEP 09 2024
CITY OF ST. JOSEPH
ST. JOSEPH, MI 49085

Attachment: comments on mechanical received by 445 pm Sep 9 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: Timothy McCabe <mccabet16@yahoo.com>
Sent: Monday, September 9, 2024 1:31 PM
To: Brook Thomas; Michele Binkley; Mike Sarola; Tess Ulrey; Michael Fernandez; John Hodgson
Subject: [EXTERNAL] Section 3.9.3.c of the Zoning Ordinance

City Commissioners:

I understand that a discussion concerning Section 3.9.3.c of the Zoning Ordinance may be underway this evening. As you may be aware, lots in many parts of St. Joe, including Below the Bluff, are only 33 feet wide. As a result, equipment such as air conditioners and generators are best suited for side yards due to limited space.

My understanding is that when an air conditioner, for example, needs to be replaced, city officials are requiring that new equipment be relocated in order to comply with the existing ordinance, despite these devices having been in place without issue for a number of years.

I would therefore ask the City Commissioners to strongly consider revising this particular section of the ordinance as it seems to fall under the heading of common sense. I appreciate your consideration in this matter.

Tim and Meg McCab
 914 Lions Park Drive

Attachment: comments on mechanical received by 445 pm Sep 9 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: Susan Hosty <schmanage@aol.com>
Sent: Monday, September 9, 2024 3:50 PM
To: John Hodgson
Subject: [EXTERNAL] Zoning Ordinance

City Commissioners:

Section 3.9.3.c of the Zoning Ordinance desperately needs to be reconsidered. In the SJ area Below the Bluff, as well as in many other areas of the city, many lots are only 33 feet wide and there are few other places besides side yards to locate mechanical devices, especially air conditioners and other mechanical devices.

Even when such devices have existed without issue for decades in these locations, our building officials are demanding they be relocated when they wear out, often at great expense, even going so far as to order they be relocated to rooftops. This ordinance needs to be reconsidered to relieve homeowners from these unnecessary demands.

As a City of St. Joseph resident, I respectfully request you direct the SJ Plan Commission to reconsider and revise this section of the ordinance.

Best regards,
Susan Hosty

[Sent from the all new AOL app for iOS](#)

Attachment: comments on mechanical received by 445 pm Sep 9 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: richard massa <massark@sbcglobal.net>
Sent: Monday, September 9, 2024 3:58 PM
To: John Hodgson
Subject: [EXTERNAL] Section 3.9.3.c of the Zoning Ordinance

Hello City Manager Hodgson,

Section 3.9.3.c of the Zoning Ordinance desperately needs to be reconsidered. In the SJ area Below the Bluff, as well as in many other areas of the city, many lots are only 33 feet wide and there are few other places besides side yards to locate mechanical devices, especially air conditioners and other mechanical devices.

Even when such devices have existed without issue for decades in these locations, our building officials are demanding they be relocated when they wear out, often at great expense, even going so far as to order they be relocated to rooftops. This ordinance needs to be reconsidered to relieve homeowners from these unnecessary demands. Also, since more recent design air conditioners are generally smaller and quieter than existing units, relocating them when replacing existing units is not necessary.

As a City of St. Joseph resident, I respectfully request you direct the SJ Plan Commission to reconsider and revise this section of the ordinance.

Best regards... Richard Massa, 607 Lake Street

Attachment: comments on mechanical received by 445 pm Sep 9 (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

John Hodgson

From: Merry Stover <merryoboe@gmail.com>
Sent: Monday, September 9, 2024 5:21 PM
To: John Hodgson
Subject: [EXTERNAL] Section 3.9.3.c of the Zoning Ordinance

Dear City Manager Hodgson:

I am a victim of Section 3.9.3.c of the Zoning Ordinance. My lot is only 33 feet wide. Besides next to my front steps, where the AC units were for 35 years, I have only the back yard or the basement. The back yard is 60 feet away; the maximum recommended distance is 20 feet. More than 20 feet causes excessive loss of cooling and wastes electricity. I made the other choice, putting the replacement AC unit in my basement. It produces a lot of heat; I measured it at 110 degrees. The excess heat reduces cooling, so I had to install a special exhaust fan that cost about \$1,500. I now have a \$6,500 AC that does not cool well and wastes electricity.

My house needs a second AC unit for the main floor, but this is impossible. The heat from one AC is too much, so I cannot add a second one. This ordinance needs to be reconsidered to relieve homeowners from these unnecessary demands.

When the code department was questioned about newly installed units that violated the ordinance, their reply was, "Well, I guess they didn't get a permit." So the ordinance also encourages some people to skip this safety precaution.

As a City of St. Joseph resident, I respectfully request you direct the SJ Plan Commission to reconsider and revise this section of the ordinance.

Best regards,
Merry Stover
617 Lions Park Dr,

Attachment: comments received later Sep 9 added to packet after meeting (10086 : Mechanical Structures Ordinance Modification)

Attachment: 10032024 - Excerpt PC Packet with Approved Minutes - mechanical equipment - Discussion 1 (10578 : Zoning Ordinance Text

2022 Mechanical Equipment Survey - similar communities regarding placement of mechanical equipment

Below is a summary of the language found in the zoning ordinance from 27 communities zoning ordinance as it relates to placement of mechanical equipment and from the language found.

Language regarding projection/encroachment with no reference to mechanical equipment	17
No language in ordinance regarding projection/encroachment	4
Language does not allow any projection/encroachment	2
Language allows mechanical equipment projection/encroachment in side or rear only with distances of 2 feet, 3 feet and 5 feet	3
Language allows mechanical equipment project/encroach into side/rear only no dimension	1

Based on the number communities that had zoning ordinances that referenced projections but no reference to mechanical equipment, city staff attempted to learn additional information from some communities which is included within the community synopsis below. In some cases, the equipment was allowed to be placed on the side lot line and in others staff was informed that a minimum three-foot separation would be required.

Ann Arbor, City of	Zoning Ordinance specifically calls out mechanical equipment being allowed to be located anywhere on a Lot except in the required Front Setback Area. Section 5.18.B.2
Battle Creek, City of	Zoning Ordinance provides section on projections into required yards. There is no reference to mechanical equipment. Section 1241.07
Benton Harbor, City of	Zoning Ordinance provides for encroachments into required yard, however, no reference to mechanical equipment. Section 2.8.8.A Staff contacted the Building Department for clarification and learned that there is a minimum 5-foot setback in the residential district and that they would require an air conditioning unit to be located two feet from the side lot line.
Berrien Springs, Village of	No portion of the building or any appurtenance shall encroach into a required front, side or rear yard. Section 16.06
Bridgman, City of	Zoning Ordinance has specific list of encroachments. Mechanical equipment is not listed. Section 3.07. Staff was able to discuss with the building inspector who stated that the ordinance is silent, however, they have a minimum 10-foot side building setback which in most cases would keep mechanical equipment more than 5 feet from the lot line. They do receive noise complaints about generators.
Buchanan, City of	Zoning Ordinance states “Unless otherwise specified below, projections into required yard are covered by the provisions of the Michigan Construction Code.” The items listed do not include mechanical equipment. Section 17.13 Staff was unable to make contact with representative after several voice mails back and forth.
Chikaming Township	Exterior Heating and Air Conditioning Equipment, Pool Motors, Pool Heaters, and any similar device. Not allowed to project into required Front, Rear, Interior Side, Street Side or Waterfront required setbacks. Table 4.1
Coloma, City of	Zoning Ordinance does not reference allowed projections.

Dowagiac, Village of	Zoning Ordinance provides list of allowed projections into yards. There is no reference to mechanical equipment. Section 2.7. Request for information was not received.
Grand Haven, City of	Zoning Ordinance describes “Projections into required front yards and required side and rear yards.” Mechanical equipment is not listed and therefore not allowed to encroach into a required yard. Section 40-306.05 A and B. City staff was able to speak with someone from Grand Haven and learned that mechanical equipment is allowed to encroach into required side or rear yards, but must be a minimum of three feet from the lot line and is not permitted in the front yard.
Holland, City of	HVAC (Heating, Ventilation, Air-Conditioning), Emergency Generators, and other similar equipment. Equipment shall be setback a minimum of two feet from the side and rear property lines and a minimum of five feet from a secondary street property line. Shall not be permitted in front yards. Section 39-9.06.C
Jackson, City of	Zoning Ordinance provides list of allowed projections in the R districts. There is no reference to mechanical equipment. Section 28-86
Kalamazoo, City of	Zoning Ordinance provides 8 types of “Allowed Encroachments into Required Setbacks.” There is no reference for mechanical Equipment. Section 5.3.D.5 (a-h). Minimum side setback five feet. Kalamazoo staff stated that mechanical equipment could be installed on the side lot line.
Ludington, City of	Zoning Ordinance provides list of permitted projections into required yards. There is no reference to mechanical equipment. Section 500.10:1 The voicemail response received states they are aware of equipment in the side yard, but the questions has not come up before and they did not know how it would be reviewed.
Manistee, City of	Zoning Ordinance allows specific items to encroach into front, side and rear yard setbacks. There is no reference to mechanical equipment. Section 502.D City representative stated for residential uses the mechanical equipment would be accessory to the house and the zoning/planning department would not require permit. Based on the voicemail received it suggests they would allow the equipment in the side yard.
New Buffalo, City of	Zoning Ordinance provides list of permitted architectural element encroachments. No encroachment shall be permitted into the required side yard of the lot. Mechanical equipment is not included. No response to request for information received.
Niles, City of	Zoning Ordinance provides list of “Permitted Obstructions in Required Yards,” there is no reference to mechanical equipment. Section 303.4
Paw Paw, Village of	Zoning Ordinance does not reference allowed projections.

Saugatuck, City of	Zoning Ordinance lists allowed projections. “Pad-mounted air-conditioning, heating or ventilating equipment, located in side or rear yards provided that they are no closer than two feet from any side or rear yard lot line.” Section 154.022(G)(17)
St. Joseph Charter Township	Zoning Ordinance provides list of “Permitted obstructions in required yards.” Mechanical equipment is not listed. Section 8.03.E. Staff stated that minimum side setbacks are 10-feet and that items can encroach into required setback. Rely on manufacturer recommendations for air conditioner units and generators which typically state 3 to 5 feet from lot line. Also rely on fire safety which requires minimum 3-foot fire separation.
St. Joseph, City of	Zoning Ordinance allows mechanical equipment to be located in side yard when placed more than three feet from interior or rear lot line. Section 3.9.3
Stevensville, Village of	Projections into Required Yards provides detailed information, no reference to mechanical equipment allowed to be located in required yards. Section 13.07
South Haven, City of	Zoning Ordinance “allows existing buildings and structures to encroach into the minimum yard area and setback requirements with architectural elements that are necessary to the integrity of the structure of the building...” examples are provided which do not include mechanical equipment maximum side yard projection is one foot and nothing can be closer than two feet from the property line. Section 1723.1 New staff person stated language is unclear, but try to keep mechanical equipment at least 2 feet from side lot line.
Three Oaks, Village of	Zoning Ordinance did not provide any information regarding allowed projections.
Traverse City	No encroachments into the required setbacks are allowed except (1-5 which does not reference any mechanical equipment) Section 1332.05. No response received to request made.
Watervliet, City of	Zoning Ordinance is silent. Staff was able to speak with inspector who stated that the fire separation requirement of 3’ is enforced, equipment would need to be a minimum of 3-feet from side lot lines.
Ypsilanti, City of	Zoning Ordinance provides list of items that can encroach into require setback. Mechanical equipment is not listed. Section 122.654



Agenda Item

TO: Members of the St. Joseph City Commission

FROM: Ben Reynnells, Finance Director

RE: FY26 Budget Study Session - Explanation of City Funds & Draft Capital Projects

MEETING DATE: April 7, 2025

General Funds

General Fund (101) - The General Fund is used to account for all financial resources except those required to be accounted for in another fund.

Revenue – Taxes, Intergovernmental Revenue, Charges for Services, Licensees & Permits
 Expense – City Commission, City Manager, City Clerk & Elections, Finance/City Treasurer, City Assessor, Building & Grounds, City Attorney, Personnel, Public Safety, Building Department, Public Works Admin, City Engineer, Paid Parking – Downtown, Community & Economic Development, & Parks

Budget Stabilization Fund (102) – The Budget Stabilization Fund is subject to the restrictions of PA 30 of 1978, MCL 141.441 to MCL 141.445. The use of these funds requires an ordinance or resolution adopted by 2/3 of the members elected and serving the governing body.

Revenue – Action by 2/3 of Governing Body
 Expense - Action by 2/3 of Governing Body

Cemetery Fund (209) – The Cemetery Fund is combined with the general fund on our financials and is used to account for the operations of the Cemetery system.

Revenue – Charges for Services
 Expense – Cemetery Operations

Special Revenue Funds

Major Street Fund (202) - The Major Street Fund is used to account for the receipts and expenditure of state motor fuel taxes, which are earmarked by laws (Act 51, PA1951) for major street and highway purposes and state trunk line maintenance contracts.

Revenue – Act 51
 Expense – Major Street Construction & Maintenance

Local Street Fund (203) - The Local Street Fund is used to account for the activities of construction and maintenance of smaller, local streets, which are financed primarily through state-shared revenue and transfers from Major Street and Street Improvement funds.

Revenue – Act 51, Transfer from General Fund & Major Street Fund

Expense – Local Street Construction & Maintenance

Municipal Street Fund (204) - The Street Improvement Fund is used to account for the activities related to street infrastructure improvements, which are financed primarily through local tax revenue.

Revenue – Transfer In from Tax Revenue

Expense – Transfers Out to Road & Water Funds, Small Projects

Depot Fund (214) - The Depot Fund is used to account for the revenues and expenditures related to maintaining and improving the railroad depot.

Revenue – Rent from Amtrak and Silverbeach Pizza

Expense – MMRMA, Misc Small Projects

Rubbish Collection Fund (226) – The Rubbish Collection Fund is used to account for revenue restricted for the purpose of the removal of solid waste, including rubbish, recycling, as well as, leaves, brush, sweepings, etc. from streets.

Revenue – Taxes

Expense – Rubbish Collection Operations

Law Enforcement Training Fund (264) - The Law Enforcement Training Fund is used to account for revenue received in the form of state grants that are restricted for police training purposes only.

Revenue - Grants

Expense – Training Expense

Drug Law Enforcement Fund (265) - The Drug Law Enforcement Fund is used to account for property seized in the violation of controlled substance statutes. Authorized expenditures include expenses of seizure, forfeiture and sale of property. Remaining funds are restricted to enhance law enforcement efforts.

Revenue – Investment Income

Expense – Misc Law Enforcement Expenses

Law Enforcement Fund Criminal Forfeiture (266) – The Law Enforcement Criminal Forfeiture Fund is used to account for property seized. Authorized expenditures include expenses of seizure, forfeiture and sale of property. Remaining funds are restricted to enhance law enforcement efforts.

Revenue – Investment Income

Expense – Misc Law Enforcement Expenses

Band Fund (275) - The Band Fund is used to account for restricted revenue for operating and long-term maintenance of the Municipal Band and Municipal Band Shell.

Revenue - Taxes

Expense – Band Operations

Debt Service Funds

General Debt Service Fund (301) – The General Debt Service Fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest.

Revenue - Taxes

Expense – 2011 CSO Bonds

Capital Project Funds

Capital Projects Fund (401) - The Capital Projects Fund is used to account for the construction of capital assets not financed by the issuance of debt.

Revenue – Transfer from the General Fund
Expense – Capital Projects

State Street Rehabilitation Project Fund (419) – The State Street Rehabilitation Project Fund was established in 2019 to hold transfers from the 204, 590 & 592 funds to help fund the State Street project.

Revenue – None
Expense – Transfers Out

CSO Separation Project Fund (450) – The CSO Separation Projection Fund is used to account for the construction of the CSO projects. Due to preparation of the AFR, this fund is being phased out.

Revenue – Transfers In
Expense – Project Expenses

Lighthouse Capital Improvement Fund (485) - The Lighthouse Improvement Fund is used to account for all revenue assigned for future maintenance of the St. Joseph Lighthouse.

Revenue – Transfers In from the General Fund
Expenses – Lighthouse Capital Projects

Permanent Funds

Cemetery Trust Fund (151) - The Cemetery Trust Fund is used to account for money held by the City for perpetual care of the cemeteries. Expendable fund balance contains the amounts placed with the City to be invested. The interest earned on the investments is expendable fund balance and may only be used for the maintenance of the cemeteries.

Revenue – Investment Income
Expenses – Transfers Out to Cemetery Fund

Enterprise Funds

Sewer Fund (590) - The Sewer Fund is used to account for the activities related to the maintenance of the sanitary system and pays for the treatment of wastewater. The costs (expenses, including depreciation) are financed and recovered primarily through user charges.

Revenue – Charges for Services
Expense – Sewer Operations

Water Fund (591) – The Water Fund is used to account for activities associated with the general operation of the combined City and Authority water systems, as described in the water service agreement. These activities include water production and treatment; billing and recordkeeping; meter installation, reading, maintenance, and replacement; systemwide distribution maintenance, operations, and repair activities; and activities of certain major transmission facilities; and the administration and management of these activities, including state-mandated water testing. These exclude distribution system construction and replacement activities, which are the responsibility of the owners of the individual distribution systems, including the replacement of lead water services. The costs (expenses, including depreciation) are financed and recovered primarily through system-wide user charges.

Revenue – Charges for Services
Expense – Water System and Water Plant Operations

City System Development Fund (592) - The City Water Fund is used to account for activities associated with the construction and replacement of elements of the city water distribution system, which is the responsibility of the City under the water service agreement. This includes the installation of new water mains, replacement of existing mains and public services, and replacement of lead water services within the city system. The costs (expenses, including depreciation) are financed and recovered primarily through user charges levied on city users.

Revenue – Charges for Services

Expenditures – City Water Operations

Internal Service Funds

Motor Pool Fund (661) - The Motor Pool Fund is used to account for the provisions of vehicles, vehicle maintenance and materials to other funds and departments.

Revenue – Charges to Other Funds

Expense – Vehicle & Equipment Purchase & Maintenance

Self-Insurance Fund (677) - The Self-Insurance Fund is used to account for revenues from various other funds and provide those funds with unemployment, workers' compensation and other like insurance benefits.

Revenue – Contributions from Employer

Expense – Unemployment & Workers Comp

Health Care Fund (690) - The Health Care Fund is used to account for revenues from various other funds and employees and to account for payment to health care providers on behalf of City employees; including premiums, administration fees and self-funding costs.

Revenue - Contributions from Employees and Employer

Expense – Health Insurance

Component Units

Brownfield Redevelopment Authority Fund (243) – The Brownfield Redevelopment Authority Fund is used to account for the revenues and expenditures of the authority.

Revenue – Act 381 Tax Increment Financing

Expense - Brownfield Redevelopment Authority Fund Operations

Downtown Development Authority Fund (248) – The Downtown Redevelopment Authority Fund is used to account for the revenues and expenditures of the authority.

Revenue - Taxes

Expense – DDA Operations

Fiduciary Funds

Pension Trust Fund

Retirement System Fund (731) - The Employees' Retirement System Fund is used to account for resources for pension benefit payments to qualified employees of the City of St. Joseph, the City of St. Joseph Housing Commission; and the Benton Harbor - St. Joseph Joint Wastewater Treatment Plant. This fund has its own AFR, but is still incorporated into the City's AFR.

Revenue – Contributions from Employees and Employer

Expense – Pension Payroll

Custodial Funds

General Agency Fund (701) - The General Agency Fund is used to account for resources held in a purely custodial capacity. The money held in this fund will eventually be paid out.

Assets In – Fire Escrow, Performance Bonds, Public Safety Evidence

Assets Out - Fire Escrow, Performance Bonds, Public Safety Evidence

Current Tax Collection Fund (703) - The Current Tax Collection Fund is used to account for taxes on behalf of all the taxing authorities (City of St. Joseph, City of St. Joseph DDA, Berrien County, Berrien County Brownfield Authority, Benton Harbor Area Schools, St Joseph Public Schools, Southwest Michigan Regional Airport, Lake Michigan College and Berrien County Intermediate School District). All the money held in this account is paid out before year end. Because of the timing of the tax season and our year end, this fund will not have a balance in our financials.

Assets In – Taxes Collected

Assets Out – Taxes Distributed

Housing Payroll Fund (755) – The Housing Payroll Fund is used to record payroll transactions for the Houring Commission because the City processes their payroll. Each pay period the cash paid out for those payroll transactions is reimbursed. This fund is not incorporated into our financials because the Houring Commission keeps their own.

Assets In – Housing Commission Payroll Reimbursements

Assets Out – Housing Commission Payroll

Funds Controlled by Other Boards

Special Revenue Funds

Library Fund (271) - The Library Fund is used to account for revenue and expenses for the operation of a library.

Revenue – Taxes, Fines and Forfeitures

Expense – Library Operations

Capital Project Funds

Library Capital Project Fund (471) - The Library Capital Project Fund is used to record the revenue and expenses for Library capital projects.

Revenue – Transfers from 271

Expense – 2020 Equipment Lease Purchase Agreement

Permanent Funds

Library Endowment Fund (155) - The Library Endowment Fund is used to account for money held in trust for the purpose stated in the Library Endowment gift.

Revenue – Investment Income

Expense – Eligible Endowment Activities

Enterprise Funds

Marina Fund (594) - The Marina Fund is used to account for the operations of the Marina.

Revenue - Charges for Services

Expense – Marina Operations

Proposed Capital Projects – Draft Values and Timing

Water Fund (591)

Fund Project	FY26	FY27	FY28	FY29	FY30	FY31
591 Water Plant Roof	766,000	766,000	400,000	-	-	-
591 Paint Water Towers - City	380,400	380,400	-	-	-	-
591 WTP HVAC Improvements	298,500	298,500	-	-	-	-
591 Paint Water Towers - Authority	-	240,900	240,900	-	-	-
591 Lab Improvements	-	-	540,000	540,000	-	-
591 South Low Lift Pump Station	-	-	-	250,000	500,000	500,000
591 SCADA Upgrades	-	-	-	200,000	-	-
	1,444,900	1,685,800	1,180,900	990,000	500,000	500,000

Capital Projects Fund (401)

Fund Project	FY26	FY27	FY28	FY29	FY30	FY31
401 City Parking Lot Improvements	1,700,000	-	60,000	500,000	75,000	700,000
401 Public Works Facility Improvements	600,000	400,000	550,000	-	-	-
401 Dickinson Park Restroom & Parking Lot	500,000	-	-	-	-	-
401 Kiwanis Park Improvements	150,000	-	-	-	-	-
Kiwanis Park Skate Park Equipment						
401 Replacement	150,000	-	-	-	-	-
401 Boiler Replacement Howard Ice Arena	135,000	-	-	-	-	-
401 City Hall Elevator Upgrades	125,000	-	-	-	-	-
401 Dickinson Park Playground	125,000	-	-	-	-	-
401 PS Vehicle Equipment Outfitting	110,000	-	-	-	-	-
401 Zoning Ordinance	75,000	75,000	-	-	-	-
401 Computer added dispatch/2FA	75,000	-	-	-	-	-
401 Park Sign Replacement	63,000	-	-	-	-	-
Benelii Shotguns - Paid for by Officers - Moved						
401 to FY26 from FY27	60,000	-	-	-	-	-
401 Carpet Replacement City Hall	60,000	-	-	-	-	-
401 AV Commission Chambers	50,000	-	-	-	-	-
401 BS&A Cloud Upgrade	50,000	-	-	-	-	-
401 City Hall Parking Lot Storm Drain	50,000	-	-	-	-	-
St. Joseph Department of Public Safety Bullet						
401 Proof Vests - 50% Grant Match	50,000	-	-	-	-	-
401 Cemetery Road Paving	37,500	37,500	-	-	-	-
Axon In Car Video & Body Camera - Add to						
401 FY26	31,200	31,200	31,200	-	-	-
401 5 Year Parks and Recreation Master Plan	30,000	-	-	-	-	-
401 Downtown Plan Implementation Project	29,000	-	-	-	-	-
401 Light Up the Bluff Refurbishment	20,000	20,000	20,000	20,000	20,000	20,000
401 Painting Lions Beach Shelters	15,000	-	-	-	-	-
401 Riverfront Trail	10,000	-	-	-	-	-
401 Axon Taser 7 - Add to FY26	5,200	5,200	5,200	-	-	-
401 Kayak Canoe Launch	-	400,000	-	-	-	-
401 Paddler Park Improvements	-	200,000	-	-	-	-
401 Tiscornia Restroom Renovation	-	125,000	-	-	-	-
401 Ice Arena Flooring	-	95,000	-	-	-	-
401 FY25 Mako Air Fill Station	-	60,000	-	-	-	-
Whirlpool Fountain Cannon Stands						
401 Replacement	-	60,000	-	-	-	-
401 Kiwanis Park Master Plan	-	30,000	-	-	-	-
401 Disc Golf Design Riverview	-	20,000	-	-	-	-
Paint & Sandblast Art Piece Along Water						
401 Street	-	20,000	-	-	-	-
401 Bluff Stairs Reconstruction	-	-	300,000	-	-	-
401 City Master Plan	-	-	150,000	-	-	-
401 City Hall LED Light Conversion	-	-	100,000	-	-	-
401 APX4500 In Car Radios	-	-	42,000	-	-	-
401 HVAC Improvements	-	-	-	200,000	200,000	-
401 Ice Arena Zamboni	-	-	-	150,000	-	-
401 Topographical Aerial Maps	-	-	-	150,000	-	-
	4,305,900	1,578,900	1,258,400	1,020,000	295,000	720,000

Motor Pool Fund (661)

Fund Project	FY26	FY27	FY28	FY29	FY30	FY31
661 Excavator	200,000	-	-	-	-	-
661 Public Safety Squad Cars	125,000	-	-	-	-	-
661 Purchase of Crack Seal Machine	80,000	-	-	-	-	-
661 Retro Fit Salt Truck	75,000	-	-	-	-	-
661 Leaf Truck	-	280,000	-	-	-	-
661 Water & Sewer Service Truck	-	75,000	-	-	-	-
661 3/4 Ton Pick-Up Truck	-	58,000	-	-	-	-
661 1/2 Ton Pick-Up Truck	-	55,000	-	-	-	-
661 Stump Grinder	-	40,000	-	-	-	-
661 Ford Escape	-	32,000	-	-	-	-
661 John Deere Gator	-	20,000	-	-	-	-
	480,000	560,000	-	-	-	-

Infrastructure Projects

Project	Total			FY26 Ex	FY27 Ex	FY28 Ex	FY29 Ex	FY30 Ex	FY31 Ex
	Total Streets Funding	Water/Sewer Funding	Total Grants Funding						
Hawthorne Lift Station Renovation	-	1,550,000	-	1,550,000	-	-	-	-	-
Lead Service Line Replacements - 2018	-	-	-	-	-	-	-	-	-
Lead & Copper Rule Compliance Program	-	8,100,000	-	1,500,000	2,500,000	150,000	1,750,000	2,000,000	200,000
State Street Rehabilitation	600,000	450,000	-	1,050,000	-	-	-	-	-
CSO Storage Project - Phase 2	-	22,750,000	-	800,000	900,000	13,015,000	7,880,000	155,000	-
Cleveland Ave Resurfacing	266,800	-	518,500	785,300	-	-	-	-	-
Kingsley Avenue Watermain Replacement Project	-	775,000	-	775,000	-	-	-	-	-
Main Street Reconstruction	6,397,000	4,539,900	-	631,000	7,571,700	2,734,200	-	-	-
Water Street Retaining Wall Rehabilitation	575,000	-	-	575,000	-	-	-	-	-
Anchors Ct./Way Crush & Shape - Mill & Fill Project	550,000	-	-	550,000	-	-	-	-	-
Lions Park Upper Road Crush & Shape Pavement Preventive Maintenance Program	775,000	-	-	350,000	425,000	-	-	-	-
Annual Drain Repairs/Improvements	1,700,000	-	-	300,000	500,000	-	350,000	550,000	-
Biennial Sidewalk Replacement Program	1,686,000	-	-	255,000	255,000	281,000	281,000	307,000	307,000
Anchors Way Drainage	530,500	-	223,500	221,000	1,200	251,400	1,600	276,800	2,000
Biennial Sewer Clean and Televising Program	2,140,000	1,680,000	75,000	150,000	-	145,000	3,600,000	-	-
Water Distribution System Reliability Program	227,500	227,500	-	130,000	-	150,000	-	175,000	-
Asset Management Program	-	420,000	-	120,000	25,000	70,000	100,000	30,000	75,000
Alco Lift Station Renovation	138,000	276,000	-	57,000	65,000	115,000	80,000	90,000	145,000
North Pier Lift Station Replacement	-	816,500	-	41,400	775,100	-	-	-	-
Asphalt Resurfacing Program	-	575,100	-	28,800	546,300	-	-	-	-
Biennial Sewer Rehabilitation Project	2,100,000	-	-	-	600,000	-	700,000	-	800,000
Upton Drive Reconstruction Project - Phase 2	675,000	675,000	-	-	400,000	-	450,000	-	500,000
Mohawk Lane and Sunset Drive & Court Reconstruction	1,518,000	1,650,000	932,000	-	300,000	3,800,000	-	-	-
Myrtle Avenue and Riverwood Terrace Reconstruction Project	2,925,000	2,750,000	-	-	-	475,000	5,200,000	-	-
Harrison Area Sewer Replacement	1,650,000	1,815,000	-	-	-	-	290,000	3,175,000	-
Napier Avenue Reconstruction	-	1,200,000	-	-	-	-	72,000	1,128,000	-
	3,300,000	2,950,000	-	-	-	-	-	550,000	5,700,000
	27,753,800	53,200,000	1,749,000	9,869,500	14,864,300	21,186,600	20,754,600	8,436,800	7,729,000