

Minutes of the St. Joseph City Commission Meeting held in the Commission Chambers, 700 Broad St, St Joseph, MI 49085 on August 28, 2017.

Call to Order

The meeting was called to order at 6:00 PM by Mayor Michael Garey

Attendee Name	Title	Status	Arrived
Fran Chickering	Mayor Pro Tem	Present	
Michael Garey	Mayor	Present	
Chris Heugel	Commissioner	Present	
Jeffrey Richards	Commissioner	Present	
Mary Goff	Commissioner	Present	
John Hodgson	City Manager	Present	
Laurie Schmidt	City Attorney	Present	
Sara McCallum	City Clerk	Present	

Order of Business

1. Pledge of Allegiance
2. Approval of Agenda

MOTION: To approve the agenda, as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeffrey Richards, Commissioner
SECONDER:	Chris Heugel, Commissioner
AYES:	Mayor Pro Tem Chickering, Mayor Garey, Commissioner Heugel, Commissioner Richards, Commissioner Goff

New Employee Introduction

Public Works Director Tom MacDonald introduced new Water Sewer Department employee, Austin Hutching.

4. Public Comment

Consent Agenda

MOTION: To approve the consent agenda, as presented.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Heugel, Commissioner
SECONDER:	Fran Chickering, Mayor Pro Tem
AYES:	Mayor Pro Tem Chickering, Mayor Garey, Commissioner Heugel, Commissioner Richards, Commissioner Goff

5. Regular Meeting Minutes of Monday, August 14, 2017
6. Disbursements - Invoices Paid August 18, 2017 - \$868,328.78
7. Disbursements - Tax Distributions Paid August 15, 2017 - \$1,167,391.12
8. Vending License - Daily - Private Property - Sammy Arepas and Baja Gringo Tacos
9. Tax and Assessing Services Agreement
10. 3/4 Ton Pickup Truck with Snow Plow Bid Approval
11. Heavy Haul Agreement - Berrien County
12. Water Plant South Boiler Replacement
13. Special Event: Krasl Art Center's 2nd Annual EnVision Party 2017 - 9/30
14. Special Event: Slumberland's & BH Sunrise Rotary's Great Bed Race - 9/22

15. Special Event: WIPRO 2nd Annual Run 2017 - 9/17
16. Special Event: Old St. Joseph Neighborhood Annual Picnic - 9/10
17. Special Event: BSA Troop 623 Brat Fry - 9/2 & 9/3
18. Redevelopment Ready Communities - Michigan Economic Development Corporation - Resolution of Support

Reports

Housing Commission Update

19. Housing Commission Update

Zachariah Meyer, President of the St. Joseph Housing Commission Board of Directors, gave an update on the status of a major maintenance project that began in March and is slated to conclude by the end of September to address buckling of the brick veneer on the Lake View Terrace Highrise building. Window replacement is also included as a part of the project and that leg of the work is scheduled to be completed in November. He noted that the roof has been determined to be in need of repair. The project is funded by HUD, and has come in under budget. The Housing Commission is requesting that excess HUD funding for the brick and window replacement be used toward the needed roof repairs.

Old Business

20. Special Event: Berrien County Sheriff's Back the Blue 5K - 9/9

Lt. Cambell and Sgt. Johnson from the Berrien County Sherrif's Department were on hand to answer questions regarding the new special event, Berrien County Sherrif's Back the Blue 5K, which is planned for September 9 at Riverview Park. Sgt. Johnson explained that he had taken this event on as a project. The funds raised will be used locally to support the families of fallen officers. The officers answered questions about the organization and the event.

MOTION: To approve the Special Event, Back the Blue 5K, to be held Saturday, September 9 with the race to take place at 9 a.m., as outlined in their application; and issue a Special Event permit.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary Goff, Commissioner
SECONDER:	Jeffrey Richards, Commissioner
AYES:	Mayor Pro Tem Chickering, Mayor Garey, Commissioner Heugel, Commissioner Richards, Commissioner Goff

New Business

21. Wallace Avenue Reconstruction Project - Concept Selection

Design options for the Wallace Avenue Reconstruction Project were presented by Abonmarche Consultants. Abonmarche recommended Option 1 as it offered a non-motorized path which would allow the project to be eligible for \$460,000 in TIP funding. He explained that Option 3 did not offer a non-motorized path - a requirement for eligibility for the funding, as well as a goal established in the City's Master Plan. Option 2 did offer a path, but in that option the path was in the road way, rather than separated from traffic by green space as in Option 1. A full list of advantages and disadvantages of each option was presented. Many residents of the area were in attendance. They asked many questions and voiced concerns over the potential loss of parking, and the plans for trimming of the sycamore trees in the construction area. Many residents spoke in favor of Option 3. A petition signed by residents in the area opposing Options 1 and 2, and

favoring Option 3 had been presented to the City Commission prior to the meeting. Through lengthy discussion Option 3 was identified as lacking viability due to the loss of funding which would cause the project to stall and which would result in further deterioration of the road and underlying infrastructure.

MOTION: To approve design Option 1, as presented, for the Wallace Avenue Reconstruction Project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Chris Heugel, Commissioner
SECONDER:	Jeffrey Richards, Commissioner
AYES:	Mayor Pro Tem Chickering, Mayor Garey, Commissioner Heugel, Commissioner Richards, Commissioner Goff

22. Industrial Development District - Public Hearing

Mayor Garey opened a Public Hearing at 7:35 to hear comments on the establishment of an Industrial Development District.

Rob Cleveland, Cornerstone Alliance, explained that Whirlpool Corporation was seeking the establishment of an Industrial Development District for their properties at Upton Drive.

MOTION: To close the public hearing at 7:41.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Fran Chickering, Mayor Pro Tem
SECONDER:	Chris Heugel, Commissioner
AYES:	Mayor Pro Tem Chickering, Mayor Garey, Commissioner Heugel, Commissioner Richards, Commissioner Goff

23. Request to Establish Industrial Development District - Upton Drive

RESOLUTION 2017-RES-30
REQUEST TO ESTABLISH INDUSTRIAL DEVELOPMENT DISTRICT - UPTON DRIVE

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

**RESOLUTION TO ESTABLISH AN
INDUSTRIAL DEVELOPMENT DISTRICT**

WHEREAS, pursuant to PA 198 of 1974, as amended, this City Commission has the authority to establish "Industrial Development Districts" within the City of St. Joseph; and

WHEREAS, Whirlpool Corporation has petitioned this City Commission to establish an Industrial Development District on its property located in the City of St. Joseph hereinafter described; and

WHEREAS, construction, acquisition, alteration, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Herald Palladium and/or public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on August 28, 2017 a public hearing was held at which all owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of St. Joseph were afforded an opportunity to be heard thereon; and

WHEREAS, the City Commission deems it to be in the public interest of the City of St. Joseph to establish the Industrial Development District as proposed; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of St. Joseph that the following described parcels of land situated in the City of St. Joseph, Berrien, and State of Michigan, to wit:

11-76-0014-0033-01-2

COM 30'N & 754'W OF SE COR SEC 14 T4S R19W TH N 170'TH W 11'TH N 450'TH W 3.4'TH N5DEG57'W 30.25'TH N1DEG 45'W 30'TH W TO A PT ON ELY LN OF STATE ST THAT IS 0.13' NLY FROMSWLY COR OF LOT 15 EDGEWATER ADD TH SLY ALONG STATE ST TO SWLY COR SD LOT 15 TH W 5'TH S PAR TO STATE ST TO A PT 30'N OF S LN SEC 14 TH E 391'TO BEG INCLUDING ALL OF LOT H & LOTS 2 TO 14 INCL & PT OF LOTS 1 & 15 & M EDGEWATER ADD TO ST JOSEPH ALSO COM 1139.8'W & 12'N 0 DEG55'35"E OF SE COR SD SEC 14 TH N 0 DEG55'35"E 18'TH E 350'TH S 0 DEG55'35"W 24' TH W 318'TH N 0 DEG55'35"E 6'TH W 32'TO POB EXC THEREFROM LOT 5 EDGEWATER ADD TO CITY OF ST JOSEPH

11-76-0014-0035-04-0

BEG AT PT 604' W & 30' N OF SE COR SEC 14 T4S R19W TH W 150' TO E LN WHIRLPOOL PROP TH N ON SD E LN 170' TO S LN GRAVES ST (VAC) TH W ON SAME 11' TH N 450' TH W 3.4' TH N05DEG57'W 30.25' TH N01DEG45'30"W 30' TH W PAR & 110' N OF S LN LOT M EDGEWATER ADD TO ST JOSEPH TO PT 20' E OF E LN LOT 15 SD ADD TH NWLY TO NELY COR SD LOT 15 TH NELY ALONG ELY LN LOTS 16 THRU 29 SD EDGEWATER ADD TO NE COR LOT 29 TH SE ALONG EXT OF NLY LN SD LOT 29 200' TH SWLY PAR WITH ELY LN LOTS 28 & 29 IN SD EDGEWATER ADD 281' MOL TO PT N OF POB TH S 930' MOL TO POB

11-76-1900-0015-01-7

PT OF LOT M EDGEWATER ADD TO CITY OF ST JOSEPH IN SEC 14 T4S R19W COM AT NELY COR LOT 15 SD ADD TH SELY TO A POINT 20'E OF E LN LOT 15 & 110'N OF S LN LOT M TH W 20'TH NELY TO POB ALSO PT OF LOT 15 SD ADD COM ON ELY LN OF N STATE ST 0.13'NLY OF SWLY COR LOT 15 TH E ON A LN 60'N OF & PAR TO S LN LOT 14 131.75'TO ELY LN LOT 15 TH NLY ON SD ELY LN 38.05'TO NELY COR LOT 15 TH NWLY ON NLY LN SD LOT 125'TO NWLY COR LOT 15 TH SLY 89.87'TO POB ALSO LOTS 16 THRU 29 SD EDGEWATER ADD

is established as an Industrial Development District pursuant to the provisions of PA 198 of 1974, as amended, to be known as Whirlpool Corporation Industrial Development District.

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, County of Berrien, Michigan, as a regular meeting held on August 28, 2017.

Clerk

Printed Name

MOTION: To adopt the resolution establishing an Industrial Development District.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Fran Chickering, Mayor Pro Tem
SECONDER:	Mary Goff, Commissioner
AYES:	Mayor Pro Tem Chickering, Mayor Garey, Commissioner Heugel, Commissioner Richards, Commissioner Goff

24. Paw Paw River Pedestrian Bridge

Rob Cleveland of Cornerstone Alliance presented a Power Point presentation of a pedestrian bridge across the Paw Paw River connecting the public waterfront trails adjacent to the Harbor Village development to a future trail in the City of Benton Harbor east of the river. He explained that Harbor Shores would maintain the asset per a planned development agreement.

25. License Agreement for Access to 2629 Cleveland Ave.

City Attorney, Laurie Schmidt presented a license agreement for access to 2629 Cleveland Avenue. She explained that owners of the property commonly known as Roxy's have requested a formal document to address access issues for their property that were created in 2006 during the redesign and relocation of the Cleveland Avenue and Lakeshore Drive intersection.

MOTION: To approve the proposed License Agreement, and authorize staff to further explore its value and terms of a proposed sale for further consideration by the City Commission.

26. Coastal Study Update

Mike Morphey of Abonmarche Consultants and Colin Hassenger of Edgewater Resources presented an update on the progress of the 5-year update of the 2012 Coastal Study.

27. 2015 International Property Maintenance Code - First Reading

Staff have reviewed an analysis of the 2003 and the 2015 International Property Maintenance Code and have determined that the updated Code would benefit the city in its property maintenance and residential rental programs.

MOTION: To approve the first reading of the Ordinance to Amend Chapter 8, Article VI - Housing and Property Maintenance Code, Section 8-96(a) as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey Richards, Commissioner
SECONDER:	Mary Goff, Commissioner
AYES:	Mayor Pro Tem Chickering, Mayor Garey, Commissioner Heugel, Commissioner Richards, Commissioner Goff

City Manager Comments

28. Old Lakeshore Drive Revetment Update

City Manager, John Hodgson, gave an update on the Old Lakeshore Road protection request.

29. Short-term Rental Legislation Update

Hodgson gave an update on the proposed Short Term Rental Legislation.

City Commission Comments

Adjournment

The meeting was closed at 8:38 PM

Presiding Officer

City Clerk/ Recording Secretary