Regular Meeting of the City Commission  
Monday, October 28, 2019  
7:00 p.m.

AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

PROCLAMATIONS AND PRESENTATIONS:
  1. Departmental presentation by Utility Billing/Cashier Supervisor Sue Jones.

ADDITIONS/ DELETIONS TO AGENDA:

PUBLIC INPUT ON AGENDA ITEMS:

RECEIPT OF PETITIONS AND COMMUNICATIONS:
  2. City Manager report on pending items.
      a. Follow-up on matters from prior communication related to the zoning ordinance.
  3. Third Quarter Investment Report.
  4. Minutes of the Airport Advisory Board (September).

CONSENT CALENDAR: DESIGNATED (*) ITEMS

CITY COMMISSION MINUTES:
  * 5. Approval of the minutes of the regular meeting held October 14, 2019.

PUBLIC HEARINGS:

STAFF RECOMMENDATIONS AND REPORTS:
  * 6. Bids and Quotations
      a. Stop Loss Carrier
      b. Environmental Consulting Services
  * 7. Consider resolution in support of final approval of Temporary Traffic Control Order #3-2019.

  8. Consider resolution in support of the 2020 Census.
  * 9. Introduce an ordinance to amend Chapter 133: Fireworks to comply with state law and set a public hearing for November 11, 2019 on the same.

  * 10. Consider additional contribution to Municipal Employees Retirement System (MERS) and budget amendment for the same.
11. Consider amendment to prior approval for the purchase of self-unloading trailers and appropriate budget amendment for the same.

12. Confirm road salt purchase from the State of Michigan MiDeal Extended Purchasing Program and budget amendment for the same.

13. Consider closed session pursuant to subsection 8(e) of the Open Meetings Act to consult with counsel regarding pending litigation Fisher Transportation Company et al v. Union Township et al.

14. Approval of payrolls and warrants.

ANNOUNCEMENTS ON CITY-RELATED ISSUES AND NEW BUSINESS:

PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS:

RECESS:

CLOSED SESSION: (Conference Room E)

RECESS:

STAFF RECOMMENDATIONS AND REPORTS (continued):

15. Consider recommendation from City Attorney regarding pending litigation.

WORK SESSION: (Conference Room A-upstairs)


ADJOURNMENT:
This report on pending items reflects the current status of tasks that have been agreed to and upcoming priorities.

1. Task Related Issues:

<table>
<thead>
<tr>
<th>SHORT DESCRIPTION OF TOPIC</th>
<th>MEETING TOPIC WAS AGREED TO</th>
<th>REQUESTED DUE DATE</th>
<th>STATUS AS OF 10.23.19</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yield to Pedestrian Signage on Broadway</td>
<td>April 8</td>
<td>None</td>
<td>Information to be provided November 11</td>
</tr>
<tr>
<td>Staff to review sign placement; effectiveness and whether a different option exists to minimize cars/trucks hitting sign.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Non-motorized Plan/Complete Streets</td>
<td>May 13</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Recommend amendments to ordinances, plan and/or guidelines to reduce requirement to implement on all streets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Website Content Policy</td>
<td>May 28</td>
<td>Anytime in the next year.</td>
<td></td>
</tr>
<tr>
<td>Develop draft policy regarding purpose of website and what information should/should not be posted</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Motions/Amended Motions Onscreen</td>
<td>July 8</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Staff to investigate ability to put typed version of new and amended motions on big screen</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Principal Shopping District</td>
<td>July 8</td>
<td>None</td>
<td></td>
</tr>
<tr>
<td>Investigate for next assessment roll whether new businesses can be granted a lower special assessment amount in first years of business</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
2. Tentatively scheduled work session topics:
   October 28   Operating Budget
   November 11  Operating Budget
   November 25  Operating Budget, if needed

3. Items that will be scheduled for work session in 2019, but exact timing is unknown at this point:
   Potential Airport Partners Agreement
   Results of Charter Committee research into Mayor elected by voters-Research is being conducted by CARRS
   Joint water study results-Joint meeting presentation held September 30; future discussion on next steps to be held at a later date.
   Potential Master Plan topics-Presentation by McKenna and Associates scheduled for October 14 regular meeting. Written comments to City Manager by November 15.
   Rental Housing-additional inspections for converted units

4. Items that were not prioritized or removed-will need further discussion/direction at some point:
   Medical Marihuana Ordinance review
   Property Maintenance Ordinance
   Conference Room E renovation options
   Policy issues follow-up from OMA/FOIA Training
   Building inspection-coordination of inspections with County
   Dumpsters located in paved alleys
   Effectiveness of storm water ordinance-(Note: still working with partners county-wide on stormwater matters)
   Rental Housing Inspections: frequency based on good inspections
   Sustainability goals
   Incentives/strategy for owner-occupied conversions
   Homeowner loan and emergency program-needs to be coordinated with above topic
   Mt. Pleasant Center preferred development
   Review of general guidelines used for snow removal on streets and parking lots
   Review ordinance application/interpretation related to commercial/industrial properties
5. Items to remove from work session list:
   Indian Pines South-see what Master Plan process and Parks & Recreation Commission recommend

Please note items that have changed since the last report are highlighted in yellow for easy reference.
DATE: October 17, 2019

TO: City Commission

FROM: Nancy Ridley, City Manager

SUBJECT: Communications Received Regarding Zoning Ordinance and Other City Ordinances/ Policies

Over the last several months the City Commission has received communications regarding concerns with various City ordinances and policies. This communication is an attempt to summarize the more specific concerns brought forward so the City Commission can give direction as to whether a referral or review of specific items should be initiated. Data on building activity and property values is also provided for reference.

A. Concerns related to the zoning ordinance

1. Items previously addressed:
   a. Parking lot reconstruction
      • Ordinance change approved September 2019 which allows reconstruction of parking lots without having to comply with the location requirements in the zoning ordinance.

   b. Mission Street
      • Zoning ordinance requires new construction on Mission Street with zero lot line at the frontage in an effort to transform Mission Street into a vibrant and safe mixed use corridor consistent with the community’s vision.
         o Since 2009 placement of buildings was a priority
         o Mission Street overlay zoning amendment was approved in 2010 to incent buildings closer to the front lot line by granting flexibility to the Planning Commission regarding other development standards.
            ▪ Mission/Pickard DDA provided funding toward some projects which had preferred building placement
         o Feedback received during that time period indicated concern about no requirements for adjacent property owners to have buildings closer to the lot line (lack of consistency) and not wanting to negotiate every site
plan (uncertainty of process and lengthy process). Feedback indicated the standard should be set of what was expected so there was consistency and so that individual property owners did not have to negotiate.

- Character-based zoning ordinance codified the desired standards to facilitate the desired transformation of the street.
- Current Master Plan Consultant has indicated that public infrastructure investment (street redesign) is also needed to help the transformation occur.

**c. Mixed Industrial/Commercial Uses**

- Zoning Ordinance has always and continues to allow certain commercial activities in the industrial district, including when the commercial activity is accessory to a principal industrial activity.
- Co-location allowed for medical marijuana provisioning facilities and recreational marijuana retail establishments in industrial districts is consistent with what has previously been allowed.
  - Co-location requirement is more strict than the recommendation provided by the ad-hoc committee to allow provisioning centers as stand-alone special uses in the industrial district.
- Please note that feedback from one individual (Theisen) indicates that no commercial should be allowed in industrial and feedback from another individual (Holton) indicates the advantages of being able to have commercial and industrial in one location in the township.

**2. New Issues Raised**

**a. Signage**

- McDonalds-Requested multiple variances from the Zoning Board of Appeals which were denied. (sign height, sign type, sign replacement and internal illumination)
- Five Guys-this establishment was allowed and has signage on both the east and the north facing parts of the space based on the prior placement of signs before the façade was improved.
- Acknowledge the sign standards have always been and continue to be different between the City and Union Township.

**b. Signage Lighting**

- Zoning ordinance requires that all sign lighting be externally illuminated.

**c. State Residential Building Code**

- Communication received in the October 14 City Commission packet indicated a referral to the State of Michigan Bureau of Construction Codes regarding a potential conflict with the State Residential Building Code; we will comply with any inquiries from the Bureau of Construction Codes. We do not believe our zoning ordinance creates a conflict with the construction standards. The zoning
regulates roof pitch in a similar manner to the 1984 ordinance, whereas the building codes regulate design loads and use of building materials to comply with the loading criteria. The 1984 zoning code included standards for door location, minimum width, minimum square footage, etc.

B. Other City Ordinances/City Policies Mentioned
   a. Parking Lot/Stormwater
      • Stormwater Ordinance approved in 2015
         o Ordinance is intended to protect property, adjacent properties and properties within that storm sewer district by regulating the input of water from private properties to the City’s storm sewer system.
         o Based upon an unpermitted parking lot reconstruction in 2017 significant discussion occurred at the City Commission level regarding stormwater requirements for parking lots. At that time the only change agreed to in the ordinance was to only exempt full compliance for parking lots that are 2,600 square feet or smaller which have no increase in impervious area.
         o Note: The Yorkshire Commons parking lot referenced in the communication could complete a mill and overlay of the parking lot without being required to comply with stormwater requirements. If a reconstruction occurs, compliance with the stormwater ordinance is required (just like any other reconstructed parking lot throughout the city since 2015) and compliance with current zoning standards other than location is required.

   b. Affordable Housing/Senior Housing
      • Policy on not granting Payment in Lieu of Taxes (PILOT) has been in place since 2001

   c. Brownfield Redevelopment Plans
      • Policy was reviewed in depth and updated in 2017

C. Data
   a. Attachments
      • Taxable values since 2012
      • Planning Commission Reviews since 2012
      • Building Permit Activity since 2012

D. Public Information
   • Recent communications reaffirm that the form based/character based zoning code is not fully understood by some in the community.
   • Some items of concern relate to standards continuously in place since 1971 or 1984.
• All specific items of concern related to the Zoning Ordinance which have previously been brought forward have been referred to the Planning Commission and have been addressed with the exception of the residential garage/accessory buildings, which the Planning Commission will address in December.

• Staff is working on developing informational documents to better explain the form based code and its advantages and will test the documents with the two newly elected City Commissioners during their orientation. Assuming they are helpful, strategies to provide additional information to the public will be developed.

• When the idea for a form based code was initiated in 2016, the City paid for online training for all Planning and City Commissioners to better understand what a form based code is and its advantages. We may want to consider offering the training to new City Commissioners.

Based on the above information we would request that the City Commission provide direction to staff if you would like to:

A. Refer any additional zoning specific items to the Planning Commission for review and recommendation (Identify which ones)
   1. Mission Street buildings at frontage line in CD-5
   2. Mixed Commercial/Industrial in industrial districts
   3. Signage standards
   4. Signage lighting

AND/OR

B. Discuss, review or reconsider other referenced City ordinances or tax abatement policies.
   1. Stormwater ordinance for parking lot reconstructions
   2. PILOT policy
   3. Brownfield policy

Please let me know if you need additional information.

Attachments
## CITY OF MT. PLEASANT
### BOARD OF REVIEW CERTIFICATION
#### TAXABLE VALUES 2012-2019

<table>
<thead>
<tr>
<th>Year</th>
<th>Board of Review</th>
<th>Dollar Change</th>
<th>Percent Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>$148,351,857</td>
<td>$160,765,396</td>
<td>8.37%</td>
</tr>
<tr>
<td>2013</td>
<td>$162,714,026</td>
<td>$166,875,819</td>
<td>2.56%</td>
</tr>
<tr>
<td>2014</td>
<td>$169,622,547</td>
<td>$178,833,805</td>
<td>5.43%</td>
</tr>
<tr>
<td>2015</td>
<td>$162,714,026</td>
<td>$178,833,805</td>
<td>1.21%</td>
</tr>
<tr>
<td>2016</td>
<td>$166,875,819</td>
<td>$182,714,026</td>
<td>1.21%</td>
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<tr>
<td>2017</td>
<td>$166,875,819</td>
<td>$182,714,026</td>
<td>1.21%</td>
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<tr>
<td>2018</td>
<td>$178,833,805</td>
<td>$194,699,983</td>
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</tr>
<tr>
<td>2019</td>
<td>$182,714,026</td>
<td>$194,699,983</td>
<td>1.17%</td>
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</tbody>
</table>

#### REAL

**Commercial**
- 2012: $148,351,857
- 2019: $178,833,805
- 2012-2019 Change: 1.21%

**Industrial**
- 2012: $13,276,228
- 2019: $5,711,241
- 2012-2019 Change: -56.98%

**Residential**
- 2012: $232,425,147
- 2019: $242,143,003
- 2012-2019 Change: 1.51%

**Subtotal Real**
- 2012: $394,053,232
- 2019: $426,130,489
- 2012-2019 Change: 3.25%

#### Personal

- 2012: $35,839,960
- 2019: $27,852,281
- 2012-2019 Change: -2.89%

#### Grand Total

- 2012: $429,893,192
- 2019: $453,982,770
- 2012-2019 Change: 3.25%

### Inflation Rate Multipliers

- 2012: 1.24%
- 2019: 2.40%

### Capture Districts

#### CBD
- 2012: $16,259,947
- 2019: $17,060,660
- 2012-2019 Change: 4.40%

#### CBD % of Commercial
- 2012: 3.78%
- 2019: 3.62%

#### Mission Street
- 2012: $67,490,403
- 2019: $74,303,157
- 2012-2019 Change: 1.36%

#### LDFA
- 2012: $19,659,584
- 2012-2019 Change: 8.37%
<table>
<thead>
<tr>
<th></th>
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<td>24</td>
<td>24</td>
<td>19</td>
<td>22</td>
<td>12</td>
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<td>Map Amendments (Rezoning)</td>
<td>3</td>
<td>1</td>
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<td>Text Amendments</td>
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<td>1</td>
<td>3</td>
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<td><strong>Total Applications</strong></td>
<td><strong>39</strong></td>
<td><strong>35</strong></td>
<td><strong>50</strong></td>
<td><strong>43</strong></td>
<td><strong>42</strong></td>
<td><strong>42</strong></td>
<td><strong>29</strong></td>
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</table>

Planning Commission Reviews since 2012
## Building Permit Activity since 2012

<table>
<thead>
<tr>
<th></th>
<th></th>
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</thead>
<tbody>
<tr>
<td>Commercial Accessory</td>
<td>11</td>
<td>8</td>
<td>4</td>
<td>3</td>
<td>4</td>
<td>4</td>
<td>2</td>
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<tr>
<td>Commercial Addition</td>
<td>3</td>
<td>5</td>
<td>1</td>
<td>5</td>
<td>3</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Commercial Alteration</td>
<td>35</td>
<td>29</td>
<td>38</td>
<td>26</td>
<td>32</td>
<td>40</td>
<td>35</td>
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<tr>
<td>Commercial New</td>
<td>4</td>
<td>2</td>
<td>9</td>
<td>5</td>
<td>1</td>
<td>3</td>
<td>0</td>
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<td>Demolition</td>
<td>15</td>
<td>23</td>
<td>21</td>
<td>11</td>
<td>16</td>
<td>11</td>
<td>9</td>
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<td>Fence</td>
<td>49</td>
<td>41</td>
<td>43</td>
<td>62</td>
<td>55</td>
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<td>4</td>
<td>22</td>
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<td>Reroof</td>
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<td>163</td>
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<td>173</td>
<td>140</td>
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<td>Reside</td>
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<td>11</td>
<td>10</td>
<td>19</td>
<td>18</td>
<td>12</td>
<td>14</td>
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<tr>
<td>Residential Accessory</td>
<td>32</td>
<td>25</td>
<td>22</td>
<td>17</td>
<td>18</td>
<td>16</td>
<td>13</td>
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<td>6</td>
<td>2</td>
<td>2</td>
<td>7</td>
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<td>Residential Alteration</td>
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<td>112</td>
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<td>125</td>
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<td>3</td>
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<tr>
<td>Residential New Multi-family</td>
<td>2</td>
<td>5</td>
<td>6</td>
<td>2</td>
<td>2</td>
<td>4</td>
<td>2</td>
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<tr>
<td>Sign</td>
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<td>51</td>
<td>46</td>
<td>44</td>
<td>51</td>
<td>46</td>
<td>35</td>
</tr>
<tr>
<td>Totals</td>
<td>495</td>
<td>520</td>
<td>498</td>
<td>522</td>
<td>528</td>
<td>482</td>
<td>358</td>
</tr>
</tbody>
</table>

As of October, 2019
PORTFOLIO SUMMARY

PORTFOLIO BY INVESTMENT TYPE:

<table>
<thead>
<tr>
<th>Investment Type</th>
<th>30-Sep-19 Balance</th>
<th>Interest Rate</th>
<th>Percentage of Portfolio</th>
</tr>
</thead>
<tbody>
<tr>
<td>Demand Deposits:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Isabella Bank Checking</td>
<td>$1,157,388.04</td>
<td>0.1200%</td>
<td>4.8549%</td>
</tr>
<tr>
<td>Federated Government Obligations</td>
<td>58,090.43</td>
<td>1.8950%</td>
<td>0.2437%</td>
</tr>
<tr>
<td>MBIA CLASS Investment Pool</td>
<td>3,688,214.12</td>
<td>2.1300%</td>
<td>15.4710%</td>
</tr>
<tr>
<td>Horizon Bank Money Market</td>
<td>257,609.87</td>
<td>1.7200%</td>
<td>1.0806%</td>
</tr>
<tr>
<td>CIBC Money Market</td>
<td>266,215.50</td>
<td>1.6000%</td>
<td>1.1167%</td>
</tr>
<tr>
<td>Isabella Bank -Insured Cash Sweep</td>
<td>5,342,989.51</td>
<td>1.6500%</td>
<td>22.4124%</td>
</tr>
<tr>
<td>Fixed Income:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Certificates of Deposit</td>
<td>104,006.49</td>
<td>2.4500%</td>
<td>0.4363%</td>
</tr>
<tr>
<td>Commercial Paper</td>
<td>749,825.29</td>
<td>1.9320%</td>
<td>3.1453%</td>
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<td>CDARS</td>
<td>1,000,000.00</td>
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<tr>
<td>Government Agencies</td>
<td>8,303,728.30</td>
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<td>34.8318%</td>
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<td>US Treasuries</td>
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<tr>
<td><strong>Portfolio Total</strong></td>
<td><strong>$23,839,479.65</strong></td>
<td></td>
<td><strong>100.00%</strong></td>
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</tbody>
</table>

PORTFOLIO BY FINANCIAL INSTITUTION/BROKER:

<table>
<thead>
<tr>
<th>Financial Institution/Broker</th>
<th>30-Sep-19 Balance</th>
<th>Percentage of Portfolio</th>
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</thead>
<tbody>
<tr>
<td>Meader Investment Management</td>
<td>$12,023,056.12</td>
<td>50.44%</td>
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<tr>
<td>MBIA CLASS</td>
<td>3,688,214.12</td>
<td>15.47%</td>
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<tr>
<td>Chemical Bank</td>
<td>104,006.49</td>
<td>0.44%</td>
</tr>
<tr>
<td>Isabella Bank</td>
<td>1,157,388.04</td>
<td>4.85%</td>
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<tr>
<td>CIBC</td>
<td>266,215.50</td>
<td>1.12%</td>
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<tr>
<td>Horizon Bank</td>
<td>257,609.87</td>
<td>1.08%</td>
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<tr>
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<td>Insured Cash Sweep</td>
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<td><strong>Portfolio Total</strong></td>
<td><strong>$23,839,479.65</strong></td>
<td><strong>100.00%</strong></td>
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</tbody>
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All investments were made in accordance with the investment policy dated May 26, 1998 including CDARS revision dated September 14, 2009.
PORTFOLIO SUMMARY (Continued)

Quarterly Investment Rates
# CITY OF MT. PLEASANT
## INVESTMENT REPORT
### 9/30/2019

**FIXED INCOME PORTFOLIO - Balance September 30, 2019**

### Certificates of Deposit/CDARS:

<table>
<thead>
<tr>
<th>Bank Name</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
<th># of Days</th>
<th>Interest Rate</th>
<th>Par Amount</th>
<th>Discount Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chemical Bank - CD</td>
<td>20-Dec-18</td>
<td>20-Dec-19</td>
<td>365</td>
<td>2.4500%</td>
<td>$104,006.49</td>
<td>$104,006.49</td>
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<tr>
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<td>$1,000,000.00</td>
<td>$1,000,000.00</td>
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</tbody>
</table>

**Total Certificate of Deposit/CDARS**

- $1,104,006.49
- $1,104,006.49

### Commercial Paper:

<table>
<thead>
<tr>
<th>Issuer</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
<th># of Days</th>
<th>Par Amount</th>
<th>Discount Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agricole</td>
<td>23-Aug-19</td>
<td>22-Apr-20</td>
<td>243</td>
<td>$380,000.00</td>
<td>$375,313.33</td>
</tr>
<tr>
<td>MUFG Bank</td>
<td>13-Aug-19</td>
<td>08-May-20</td>
<td>269</td>
<td>$380,000.00</td>
<td>$374,511.96</td>
</tr>
</tbody>
</table>

**Total Commercial Paper**

- $760,000.00
- $749,825.29

### Government Agencies:

<table>
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<tr>
<th>Issuer</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
<th># of Days</th>
<th>Interest Rate</th>
<th>Par Amount</th>
<th>Discount Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>FFCB</td>
<td>09-Aug-19</td>
<td>16-Aug-24</td>
<td>1834</td>
<td>1.6100%</td>
<td>$750,000.00</td>
<td>$749,512.50</td>
</tr>
<tr>
<td>FFCB</td>
<td>19-Aug-19</td>
<td>20-Aug-24</td>
<td>1828</td>
<td>2.2700%</td>
<td>$500,000.00</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>FFCB</td>
<td>13-Aug-19</td>
<td>20-Aug-24</td>
<td>1834</td>
<td>2.1000%</td>
<td>$750,000.00</td>
<td>$750,000.00</td>
</tr>
<tr>
<td>FFCB</td>
<td>09-Sep-19</td>
<td>09-Sep-24</td>
<td>1827</td>
<td>1.6500%</td>
<td>$300,000.00</td>
<td>$300,000.00</td>
</tr>
<tr>
<td>FFCB</td>
<td>05-Sep-19</td>
<td>05-Sep-24</td>
<td>1827</td>
<td>1.4900%</td>
<td>$310,000.00</td>
<td>$309,435.80</td>
</tr>
<tr>
<td>FFCB</td>
<td>22-Aug-19</td>
<td>15-Aug-23</td>
<td>1454</td>
<td>2.1800%</td>
<td>$500,000.00</td>
<td>$499,750.00</td>
</tr>
<tr>
<td>FHLB</td>
<td>15-Aug-19</td>
<td>15-Aug-24</td>
<td>1827</td>
<td>1.5500%</td>
<td>$1,000,000.00</td>
<td>$997,650.00</td>
</tr>
<tr>
<td>FHLB</td>
<td>23-Sep-19</td>
<td>28-Jul-23</td>
<td>1404</td>
<td>1.9400%</td>
<td>$350,000.00</td>
<td>$348,250.00</td>
</tr>
<tr>
<td>FHLB - Step Bond</td>
<td>22-Sep-16</td>
<td>22-Sep-21</td>
<td>1826</td>
<td>1.2500%</td>
<td>$1,000,000.00</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>FHLMC</td>
<td>23-Sep-19</td>
<td>23-Jun-23</td>
<td>1369</td>
<td>2.0000%</td>
<td>$250,000.00</td>
<td>$250,000.00</td>
</tr>
<tr>
<td>FHLMC</td>
<td>05-Sep-19</td>
<td>05-Sep-23</td>
<td>1461</td>
<td>1.8300%</td>
<td>$300,000.00</td>
<td>$299,130.00</td>
</tr>
<tr>
<td>FHLMC</td>
<td>09-Sep-19</td>
<td>09-Sep-24</td>
<td>1827</td>
<td>1.6250%</td>
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<td>$300,000.00</td>
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<tr>
<td>FNMA</td>
<td>28-Sep-16</td>
<td>28-Sep-21</td>
<td>1826</td>
<td>1.5500%</td>
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<td>$1,000,000.00</td>
</tr>
<tr>
<td>FNMA</td>
<td>30-Sep-16</td>
<td>30-Sep-20</td>
<td>1461</td>
<td>1.4500%</td>
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<td>$1,000,000.00</td>
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</table>

**Total Government Agencies**

- $8,310,000.00
- $8,303,728.30

### US Treasuries:

<table>
<thead>
<tr>
<th>Issuer</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
<th># of Days</th>
<th>Interest Rate</th>
<th>Par Amount</th>
<th>Discount Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>US Treasury</td>
<td>19-Sep-19</td>
<td>30-Jun-20</td>
<td>285</td>
<td>1.9100%</td>
<td>$500,000.00</td>
<td>$498,906.25</td>
</tr>
<tr>
<td>US Treasury</td>
<td>13-Sep-19</td>
<td>15-Jul-20</td>
<td>306</td>
<td>1.8400%</td>
<td>$500,000.00</td>
<td>$498,574.22</td>
</tr>
<tr>
<td>US Treasury</td>
<td>19-Sep-19</td>
<td>31-Jul-20</td>
<td>316</td>
<td>1.9100%</td>
<td>$500,000.00</td>
<td>$498,789.06</td>
</tr>
<tr>
<td>US Treasury</td>
<td>18-Sep-19</td>
<td>31-Aug-20</td>
<td>348</td>
<td>1.9000%</td>
<td>$500,000.00</td>
<td>$497,519.53</td>
</tr>
<tr>
<td>US Treasury</td>
<td>26-Aug-19</td>
<td>15-Sep-20</td>
<td>386</td>
<td>1.6900%</td>
<td>$390,000.00</td>
<td>$388,720.31</td>
</tr>
<tr>
<td>US Treasury</td>
<td>29-Aug-19</td>
<td>31-Aug-23</td>
<td>1463</td>
<td>1.4300%</td>
<td>$530,000.00</td>
<td>$528,902.73</td>
</tr>
</tbody>
</table>

**Total US Treasuries**

- $2,920,000.00
- $2,911,412.10

**Total Fixed Income Portfolio September 30, 2019**

- $13,094,006.49
- $13,068,972.18
## FIXED INCOME PORTFOLIO - Transactions During Quarter

### PURCHASES:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
<th># of Days</th>
<th>Interest Rate</th>
<th>Interest Amount</th>
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<tr>
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<td></td>
</tr>
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<td></td>
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<td>374,511.96</td>
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<td>FHLB</td>
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<td>Agricole</td>
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<td>1463</td>
<td>2.2900%</td>
<td>600,000.00</td>
<td>599,940.00</td>
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</tr>
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<td>FHLMC</td>
<td>23-Sep-19</td>
<td>23-Jun-23</td>
<td>1369</td>
<td>2.0000%</td>
<td>250,000.00</td>
<td>250,000.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total Purchases**

| $9,590,000.00 | $9,564,905.69 |

### MATURITIES:

<table>
<thead>
<tr>
<th>Company Name</th>
<th>Purchase Date</th>
<th>Maturity Date</th>
<th># of Days</th>
<th>Interest Rate</th>
<th>Interest Amount</th>
<th>Par Amount</th>
<th>Carrying Amount</th>
</tr>
</thead>
<tbody>
<tr>
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<td>29-Aug-19</td>
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<td>29-Aug-19</td>
<td>182</td>
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<tr>
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<td>29-Aug-19</td>
<td>31-Aug-23</td>
<td>1463</td>
<td>2.2900%</td>
<td>600,000.00</td>
<td>599,940.00</td>
<td></td>
</tr>
</tbody>
</table>

**Total Maturities**

| $2,610,072.48 | $2,610,012.48 |

* - Called early by issuer
INVESTMENT EARNINGS

SUMMARY:
Interest Earned on Fixed Income Maturities: $35,546.53
Interest on Demand Deposits 52,779.90
Interest on Government Agency/Treasuries 28,825.00
Accrued Interest at Purchase (11,839.73)
Investment Fees (546.75)
Interest Accrual June 30, 2019 (58,570.00)
Interest Accrual September 30, 2019 41,740.00
Total Interest Earned for Quarter $87,934.95

INTEREST EARNINGS BY FUND:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Quarterly Interest</th>
<th>Year to Date Interest</th>
<th>Amended Budget</th>
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<tbody>
<tr>
<td>General</td>
<td>$17,880</td>
<td>$46,028</td>
<td>$55,000</td>
</tr>
<tr>
<td>Major Street</td>
<td>10,814</td>
<td>37,445</td>
<td>42,300</td>
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<tr>
<td>Local Street</td>
<td>4,145</td>
<td>12,274</td>
<td>14,580</td>
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<tr>
<td>Cemetery Trust</td>
<td>922</td>
<td>2,964</td>
<td>1,900</td>
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<tr>
<td>Special Assessment</td>
<td>1,387</td>
<td>4,443</td>
<td>7,600</td>
</tr>
<tr>
<td>Downtown Improvements/Parking</td>
<td>167</td>
<td>755</td>
<td>350</td>
</tr>
<tr>
<td>Capital Improvements</td>
<td>10,381</td>
<td>29,048</td>
<td>25,000</td>
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<tr>
<td>Economic Development Corporation</td>
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<tr>
<td>Mission Street DDA</td>
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<td>LDFA</td>
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<td>BRDA</td>
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<td>2,600</td>
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<tr>
<td>Sewer</td>
<td>16,231</td>
<td>45,749</td>
<td>48,270</td>
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<td>Water</td>
<td>12,052</td>
<td>37,687</td>
<td>41,420</td>
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<td>Solid Waste</td>
<td>5,496</td>
<td>17,485</td>
<td>20,050</td>
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<tr>
<td>Restricted Donations</td>
<td>367</td>
<td>1,187</td>
<td>-</td>
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</table>

$87,937 $259,649 $283,270
Call to Order / Roll Call
The meeting was called to order at 5:32 p.m.
Present: Glen Irwin, Patty Stangle-Krcmarik, Sam Staples, and Cathy Tilmann
Absent: Mark Drumheller
City Staff Present: Jason Moore, Assistant DPW Director

Approval of Agenda
Motion by Staples, support by Stangle-Krcmarik, to approve the agenda
Motion passed unanimously

Public Comment on Agenda Items
None

Approval of Meeting Minutes
Motion by Stangle-Krcmarik, support by Staples, to approve the August 8, 2019 meeting minutes.
Motion passed unanimously

Airport Manager's Report
Assistant DPW Director Jason Moore gave the airport manager’s report.

Old Business
None

New Business
Discussed who is interested in being reappointed to the Airport Advisory Board.

Announcements on Airport Related Issues and Concerns
The Wings and Wheels Event is scheduled for September 14.

Adjournment
Motion by Stangle-Krcmarik, support by Staples, to adjourn the meeting.
Motion passed unanimously
Meeting adjourned at 5:52 p.m.
Minutes of the regular meeting of the City Commission held Monday, October 14, 2019, at 7:02 p.m., in the City Commission Room.

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

Commissioners Present: Mayor Joseph and Vice Mayor Gillis; Commissioners Kulick, Ling, Perschbacher and Tolas

Commissioners Absent: Commissioner LaLonde

Others Present: City Manager Ridley, City Clerk Howard and City Attorney Homier

**Proclamations and Presentations**

Mayor Joseph read and presented a proclamation to Saginaw Chippewa Tribal Council Members recognizing “Indigenous Peoples Day - October 14, 2019”.

Paul Lippens, Director of Transportation and Urban Design, McKenna & Associates, gave a presentation on the status of the 2050 Master Plan.

Discussion ensued.

**Receipt of Petitions and Communications**

Received the following petitions and communications:
1. City Manager report on pending items;
   a. Monthly report on police related citizen complaints received.
2. Downtown Development Authority Board Meeting Minutes. (June)
3. Parks & Recreation Commission Meeting Minutes. (July & September)
4. Tax Increment Finance Authority Board Meeting Minutes. (August)
5. Planning Commission Meeting Minutes. (September)
6. Correspondence received from Kevin Keating, 2026 Independence Dr. and Doug LaBelle, 405 S. Mission St., regarding zoning ordinance.
7. Correspondence received from Emily Kreusch, 1111 West Campus Dr. and Alexander Giles, 1810 Edgewood Dr., regarding Census 2020.
8. Correspondence received from Martha Riggs, 600 E. Gaylord St., regarding the election of Mayor.
9. Correspondence received from Doug Rustin, 5081 Silverberry Dr., Mt. Pleasant, regarding advertising.
10. Correspondence received from Doug Janes, owner, Woodside Condominiums, regarding storm water.
12. Resignation of Rick Rautanen from the City/CMU Student Liaison Committee.
13. Resignation of Desirea Woodworth from the Isabella County Material Recovery Facility Governing Board.
Moved by Commissioner Kulick and supported by Commissioner Perschbacher to approve the following items on the Consent Calendar:

1. Minutes of the regular meeting of the City Commission held September 23, 2019.
2. Minutes of the closed session of the City Commission held September 23, 2019.
3. Minutes of the special meeting of the City Commission held September 30, 2019.
4. Receive proposed Ordinance to add a new Subsection 154.410.B.4.b and to amend table 154.410.A of the Mt. Pleasant Zoning Ordinances to regulate marihuana establishments as special uses and set a public hearing for Monday, November 11, 2019 at 7:00 p.m. in the City Commission Chambers, 320 W. Broadway Street, Mt. Pleasant, MI.
5. Fireworks display on Saturday, December 7, 2019 and authorize Public Safety Director Paul Lauria to represent the City in the State of Michigan application process for a pyrotechnic display.
6. Mayor Joseph made the following appointment of City Commissioners to City standing and special committees:
   - Study Committee for Recreation Authority
     William Joseph, Mayor
7. Warrants dated September 17 & 27 and October 2, 3, 4 & 9, 2019 and Payrolls dated September 20 and October 4, 2019 all totaling $2,347,355.47.

Motion unanimously adopted.

Public Hearing on an Application for a Neighborhood Enterprise Zone New Certificate at 410 W. Broadway St., Mt. Pleasant, Michigan. Marilyn Crowley, Vice President, Michigan Community Capital, spoke regarding the current status of the project and in support of the Application for a Neighborhood Enterprise Zone (NEZ) Certificate for the property. There being no additional public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Commissioner Ling to approve the Resolution Approving the Neighborhood Enterprise Zone Certificate for the property at 410 W. Broadway St., Mt. Pleasant, Michigan for Michigan Community Capital as presented. (CC Exh 12-2019)

AYES: Commissioners Joseph, Kulick, Ling & Perschbacher
NAYS: Commissioners Gillis & Tolas
ABSENT: Commissioner LaLonde
Motion carried.

Public Hearing on an Application for a Commercial Facility Exemption Certificate at 410 W. Broadway St., Mt. Pleasant, Michigan. There being no public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Ling and supported by Commissioner Kulick to approve the Resolution Approving the Commercial Facility Exemption Certificate at 410 W.
AYES: Commissioners Joseph, Kulick, Ling & Perschbacher
NAYS: Commissioners Gillis & Tolas
ABSENT: Commissioner LaLonde
Motion carried.

Public Hearing on proposed amendment to the Zoning Map of Chapter 154: ZONING ORDINANCE of the Code of Ordinances of the City of Mt. Pleasant to rezone McGuirk Subdivision, Lots 1-10 from CD-3, Sub-Urban to CD-4, General Urban with a Residential/Dwelling Use Only Special Requirement. Pat McGuirk, Jr., 3695 S. Lincoln Rd., spoke in support of rezoning request for McGuirk Subdivision, Lots 1-10. There being no additional public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Commissioner Tolas that Ordinance 1049, an Ordinance to amend the Zoning Map of Chapter 154: ZONING ORDINANCE of the Code of Ordinances of the City of Mt. Pleasant to rezone McGuirk Subdivision, Lots 1-10 from CD-3, Sub-Urban to CD-4, General Urban with a Residential/Dwelling Use Only Special Requirement having been introduced and read now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Joseph, Kulick, Ling, Perschbacher & Tolas
NAYS: None
ABSENT: Commissioner LaLonde
Motion unanimously adopted.

Public Hearing on proposed amendment to Chapter 154: ZONING ORDINANCE, Section 154.411.C, Trash Receptacle Requirement of the Code of Ordinances of the City of Mt. Pleasant to regulate recycling receptacle requirements. There being no public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Vice Mayor Gillis that Ordinance 1050, an Ordinance to amend Chapter 154: ZONING ORDINANCE, Section 154.411.C, Trash Receptacle Requirement of the Code of Ordinances of the City of Mt. Pleasant to regulate recycling receptacle requirements having been introduced and read now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Joseph, Kulick, Ling, Perschbacher & Tolas
NAYS: None
ABSENT: Commissioner LaLonde
Motion unanimously adopted.

Public Hearing on proposed amendment to Chapter 154: ZONING ORDINANCE, Section 154.412, Parking, Loading, Driveway, Service, Storage, Drive Through, Trash Receptacle/Dumpster, Equipment, & Other Items Locations & Standards of the Code of Ordinances of the City of Mt. Pleasant to permit stacked parking where parking areas are accessed only by a rear alley or rear lane and also a limited amount of stacked parking (up
to 5 spaces) associated with a House that is used for a non-residential or mixed-use purpose. There being no public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Vice Mayor Gillis that Ordinance 1051, an Ordinance to amend Chapter 154: ZONING ORDINANCE, Section 154.412, Parking, Loading, Driveway, Service, Storage, Drive Through, Trash Receptacle/Dumpster, Equipment, & Other Items Locations & Standards of the Code of Ordinances of the City of Mt. Pleasant to permit stacked parking where parking areas are accessed only by a rear alley or rear lane and also a limited amount of stacked parking (up to 5 spaces) associated with a House that is used for a non-residential or mixed-use purpose having been introduced and read now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Joseph, Kulick, Ling, Perschbacher & Tolas
NAYS: None
ABSENT: Commissioner LaLonde
Motion unanimously adopted.

Public Hearing on proposed amendment to Chapter 154: ZONING ORDINANCE, Table 154.405.A, District Standards of the Code of Ordinances of the City of Mt. Pleasant to modify standards for fences and walls, roofs, and driveways in the CD-3L (Sub-Urban Large Lot) and CD-3 (Sub-Urban) districts. Mike Tenison, 3942 E. River Rd., spoke of concerns with roof pitch in the zoning standards. There being no additional public comment or communications, the Mayor closed the public hearing.

Moved by Commissioner Kulick and supported by Vice Mayor Gillis that Ordinance 1052, an Ordinance to amend Chapter 154: ZONING ORDINANCE, Table 154.405.A, District Standards of the Code of Ordinances of the City of Mt. Pleasant to modify standards for fences and walls, roofs, and driveways in the CD-3L (Sub-Urban Large Lot) and CD-3 (Sub-Urban) districts having been introduced and read now be passed, ordained and ordered published.

AYES: Commissioners Gillis, Joseph, Kulick, Ling & Perschbacher
NAYS: Commissioner Tolas
ABSENT: Commissioner LaLonde
Motion unanimously adopted.

Moved by Commissioner Kulick and supported by Commissioner Perschbacher to approve the program guidelines for the Make It Mt. Pleasant program and authorize the Mayor to sign the agreement with Lake Trust Credit Union as presented.

Moved by Mayor Joseph and supported by Commissioner Kulick to amend the original motion to add language that Economic Initiative Funds would cover the fees for permits that can be waived according to the policy out of that fund.

AYES: Commissioners Gillis, Joseph, Kulick, Ling & Perschbacher
NAYS: Commissioner Tolas
ABSENT: Commissioner LaLonde
Motion carried.
The Commission considered the original motion with amendment.

AYES: Commissioners Gillis, Joseph, Kulick, Ling & Perschbacher
NAYS: Commissioner Tolas
ABSENT: Commissioner LaLonde
Motion carried.

Moved by Commissioner Kulick and supported by Vice Mayor Gillis to authorize the Mayor and City Clerk to sign the time of use contracts with Consumers Energy for the Water Treatment Plant and the facilities at 1775 E. Broomfield Road as presented. Motion unanimously adopted.

Announcements on City-Related Issues and New Business

Commissioner Kulick reminded residents of leaf pick-up dates. He also announced Trick or Treat hours will be Thursday, October 31 from 6:00 p.m. to 8:00 p.m.

Week of October 21: rake leaves  Week of October 28: leaf collection
Week of November 4: rake leaves  Week of November 11: leaf collection
Week of November 18: rake leaves November 25-27: final leaf collection

Commissioner Tolas spoke of concerns with development of Green Tree at 410 West Broadway St.

Vice Mayor Gillis announced that there are openings on boards and commissions and encouraged residents to go to the City’s website: www.mt-pleasant.org to apply. She also announced that there are two Commission seats open and that information on the candidates is available from the League of Women Voters and at www.vote411.org. Absent Voter Ballots are available at City Hall during normal business hours. The Clerk’s department will be open for absentee voting on Saturday, November 2 from 8:00 a.m. to 4:00 p.m.

Mayor Joseph announced that the Isabella County Restoration House (ICRH) opens its doors soon and is looking for volunteers. There will be an International Relations Committee (IRC) fundraising banquet on Thursday, November 7th at Mid-Michigan Community College, Mt. Pleasant Campus.

The Commission recessed at 8:48 p.m. and went into a work session at 8:58 p.m.

WORK SESSION - 2020 Operating Budget

Mayor Joseph and City Manager Ridley led a discussion on the 2020 Operating Budget.

Discussion ensued.

Staff will incorporate generally agreed upon ideas and additions to the 2020 goals document and will bring the document back to the Commission for review. Further
discussion on the 2020 Operating Budget will be had at future work sessions over the next several Commission meetings.

Mayor Joseph adjourned the meeting without objection at 10:05 p.m.

_______________________________  ___________________________________
William L. Joseph, Mayor    Jeremy Howard, City Clerk
TO: MAYOR AND CITY COMMISSION
FROM: NANCY RIDLEY, CITY MANAGER
SUBJECT: BIDS AND QUOTATIONS

a. **Stop Loss Carrier**
   The attached memo from Human Resources Director Susanne Gandy summarizes the quotes received and the analysis that was completed by staff for stop loss coverage insurance for 2020. Two providers submitted quotes and our current carrier, Tokio Marine HCC, provided a quote with the lowest increase. Based on our established relationship and the completed analysis, staff recommends the Commission approve the contract to continue with Tokio Marine HCC for 2020 stop loss coverage.

   **Recommended Motion:**
   Move to approve a contract with Tokio Marine HCC for stop loss insurance coverage as presented.

b. **Environmental Consulting Services**
   The attached memo from DPW Director John Zang recommends a sole source contract with AKT Peerless for additional testing at the former landfill site and the appropriate budget amendment.

   The memo outlines the recent history of the testing that has been completed in that area. The City has complied with the requirements from both the Michigan Department of Environment, Great Lakes and Energy (EGLE) and United States Environmental Protection Agency (EPA) to this point regarding initial pipes that were found adjacent to the river. This additional testing is recommended due to current recommended monitoring for landfill sites.

   **Recommended Motion:**
   Move to approve a sole source contract with AKT Peerless for environmental consulting services at a not-to-exceed amount of $30,000 and to provide the appropriate budget amendment.

NJR/ap
The City of Mt. Pleasant is primarily self-funded for the health insurance currently offered to employees. To minimize the City’s risk of extraordinarily high cost claim(s) and to smooth out claims cost fluctuations, stop loss coverage is purchased each year. We utilize our Third-Party Administrator, Trustmark (formerly CoreSource) to gather renewal quotes annually following the close of the third quarter. Stop loss coverage premiums are based on the total health insurance plan claims experience. The current stop loss structure is coverage for claims up to a deductible of $150,000 per individual per year with a flat rate corridor of an additional $25,000 on the first claim to reach the stop loss coverage point. The corridor only applies to the first claim of the year (or combination of claims for an individual) in excess of $150,000. Once the $25,000 corridor is applied to the covered individual’s claim(s) we pay a total of $175,000 for that calendar year, and then the stop loss kicks in and covers any remaining balances. Any additional individuals with high claims in that calendar year have a deductible of $150,000 for stop loss for health and prescription claims.

Trustmark requested quotes from six stop loss carriers. Quotes were only received from two providers, 4 providers declined to respond. The quotes reflect a premium increase from of 22% and 27% over our current premiums.

Tokio Marine HCC provided a quote with a 22% increase which appears to be on trend with the market. We have seen an increase in rates each year. The market has shifted with the federal government’s prohibition of lifetime maximums in health care plans, the proliferation of expensive specialty drugs, the erosion of network discounts on high cost claims, and catastrophic medical claims are going up at an alarming rate throughout the health insurance industry. We have an established relationship with Tokio Marine HCC and have contracted with their stop loss coverage for the past three years. Tokio Marine’s quote is firm, meaning regardless of the claims experience throughout the remainder of 2019 their quoted premiums will not increase or decrease, the proposed rate is locked until October 31, 2019.

HIIG provided a quote with a 27% increase and their offer is not firm, which means they can look at all claims for the remainder of 2019 and then decide to lower or increase their quote based on total claims experience. It would not be wise to put the City in the position of this unknown quote from HIIG.

The Human Resource staff have reviewed the current year claims, quotes, various deductible levels, corridor amounts and carriers. Tokio Marine HCC, our current carrier, has the lowest proposed increase at 22% for a total dollar increase of $36,184 and recommend approval of their quote.

The Tokio Marine HCC allows for claims incurred, but not paid to be included in the aggregate claim amount for an individual for up to two years. This has the potential to save the City money
on claims over future years. Typically, other companies will look back for one year when assessing claims incurred but not paid.

The rates quoted by Tokio Marine HCC are $48.50 per month for single coverage and $143.31 for family coverage. This will result in estimated premiums of $202,818. There is a potential additional flat rate cost of $25,000, to meet the first claim of the year threshold of $175,000 as noted earlier in the memo. If it isn’t met, we don’t spend the $25,000. Based on the estimates we made for 2020 health funding, there will be adequate funds in the self-insurance fund to cover the stated premiums, as well as, the additional $25,000 corridor, if needed.

Therefore, I request the City Commission authorize the Mayor to sign a contract with Tokio Marine HCC for 2020 stop loss coverage as outlined above.
TO: Nancy Ridley, City Manager
FROM: John Zang, DPW Director
DATE: October 14, 2019
SUBJECT: Approve Sole Source Contract with AKT Peerless and Budget Amendment

Request:
The City Commission is requested to approve a proposal from AKT Peerless to perform environmental consulting services and additional testing at the former landfill site, located at 1303 N. Franklin Street, for a not-to-exceed amount of $30,000. The Commission also is requested to amend the 2019 budget.

Reason:
The City of Mt. Pleasant has been working in conjunction with the Michigan Department of Environment, Great Lakes and Energy (EGLE) regarding a parcel of land, located at 1303 N. Franklin Street, near the area that had operated as a landfill from the 1950s to 1975. During surface water sampling of the Chippewa River, we identified a clay tile pipe located on the riverbank had groundwater draining into the river. This pipe was not specified on the City’s historical maps, EGLE or U.S. Environmental Protection Agency’s records. City staff began consulting with the EGLE immediately and researching the pipe’s origin. This exploration led to the discovery of a total of five pipes near the former landfill area.

An independent lab conducted tests of the pipe water as a precaution. The tests results reveal that compared to surface water, the pipe water contained elevated levels of ammonia, boron, PFOS, and selenium. After the initial testing was complete, the City contracted with AKT Peerless, an environmental services company, to determine the impact the former landfill was having on the groundwater runoff in the area. AKT recommended installing temporary monitoring wells along the westerly edge of the landfill deposition area, and completed the work in June. After further investigation, they recommended capping the pipes; this work also has been completed. The work thus far ensures there is no direct discharge from the pipes to the river.

At the suggestion of the EGLE, due to new landfill monitoring standards, we are seeking to test areas around the perimeter of the former landfill. AKT Peerless has provided a proposal that, if accepted, first would provide four wells for testing groundwater within the landfill deposition area. They will then provide lab test results for a wide spectrum of potential contaminants in the four initial wells. Once possible contaminants, if any, are identified, they will provide 10 more wells around the perimeter of the site to conduct further sampling for the contaminants found in the earlier tests. These testing processes are necessary to determine whether additional remediation may be warranted.
The environmental services contract with AKT Peerless should be approved as a sole source contract for the following reasons:

1. They already have a working knowledge of the site and could complete the work within a few weeks of authorization. This would allow AKT to complete the work before weather conditions become too harsh.
2. They have been in direct contact with the EGLE and have an in-depth understanding of the testing required.
3. Although the contract exceeds the standard bid threshold for City contracts, more than half of the proposed fees are lab fees that any firm, including the City, would incur from other providers. Without the lab fees, the proposal is under the sealed bid threshold.
4. AKT Peerless has a long history of providing high quality work for the City.

Recommendation:
I recommend the City Commission approve the proposal from AKT Peerless to provide environmental consulting services and additional testing at the former landfill site, located at 1303 N. Franklin Street, for a not-to-exceed amount of $30,000, and to amend the 2019 budget.
TO: MAYOR AND CITY COMMISSION
FROM: NANCY RIDLEY, CITY MANAGER
SUBJECT: CONSIDER RESOLUTION IN SUPPORT OF FINAL APPROVAL OF TEMPORARY TRAFFIC CONTROL ORDER #3-2019

The following traffic control order has been in place for 90 days and staff is recommending it be approved as a final order.

**TCO #3-2019** - Reconfigure stop signs at Hopkins and Washington to create a 4-way stop at the intersection. Place stop bars on Washington. Place “All Way” signs on all 4 stop signs.

No comments have been received during the 90-day time period.

*Recommended motion:*
Move to approve the resolution as drafted in support of final approval for Traffic Control Order #3-2019.

NJR/ap
Traffice Control Order

TRAFFIC CONTROL ORDER NO. 3-2019

Issued By: Traffic Engineer

Date: 6-27-19

Signs/work by: Street Department

Date: 8/5/19

Filed/Attested: City Clerk

Date: ____________

This Traffic Control Order shall be presented to the City Commission and may receive final approval not more than 90 days from the date the work was performed by the Street Department. It shall not be renewed or extended except upon action by the City Commission.

Content: Reconfigure stop signs at Hopkins and Washington to create a 4-way stop at the intersection. Place stop bars on Washington. Place “All Way” signs on all 4 stop signs.
WHEREAS, the Traffic Engineer of the City of Mt. Pleasant requests that the City Commission issue Traffic Control Order No. 3-2019 (Reconfigure stop signs at Hopkins and Washington to create a 4-way stop at the intersection. Place stop bars on Washington. Place “All Way” signs on all 4 stop signs.). Said traffic control order was presented to the City Commission on October 28, 2019, for review and after reviewing said control order and being fully advised in the premises,

BE IT RESOLVED, that the City Commission approves traffic control order No. 3-2019 as a permanent traffic control order.
TO: MAYOR AND CITY COMMISSION
FROM: NANCY RIDLEY, CITY MANAGER
SUBJECT: CONSIDER RESOLUTION IN SUPPORT OF THE 2020 CENSUS

Based on prior discussion it is apparent that the City Commission fully recognizes the importance of the 2020 Census. The City Commission’s proposed 2020 goals include this item as the top priority for 2020.

The attached memo from City Clerk Jeremy Howard recommends the passage of a resolution to show the public support to ensure a fair and accurate count. We recommend the resolution be approved as presented.

Recommended Motion:
Move to approve the resolution recognizing the importance of the 2020 Census as presented.

NJR/ap
TO: Nancy Ridley  
FROM: Jeremy Howard  
City Clerk  
DATE: October 18, 2019  
SUBJECT: Resolution in Support of 2020 Census

As discussed by the City Commission in their Strategic Planning and recent work sessions, the City’s goal is to “Insure a Complete 2020 Census Count”. The decennial United States Census is the principal source of demographic information for the nation. The 2020 Census is quickly approaching and, as in past censuses, a substantial local effort will be required to ensure that every resident within the community is accurately counted. The educational outreach has begun already in 2019 and will continue into 2020 for the 2020 Census. The official date of the Census is April 1, 2020.

The entire community and each local unit of government benefits from an accurate and complete census count. The data is frequently utilized to support grant applications; inform private business development, expansion, and location decisions; and support local government project and program planning to meet future community needs. The data is also used to establish the districts of elected officials and determine representation in federal, state, and county governments.

Attached to this memo is a draft resolution in support of the 2020 census.

I recommend the City Commission approve the resolution in support of the 2020 census.
RESOLUTION RECOGNIZING THE IMPORTANCE OF THE 2020 CENSUS AND ENCOURAGING RESIDENTS OF THE CITY OF MT. PLEASANT TO PROMOTE AND COMPLETE THE CENSUS TO ENSURE A FAIR AND COMPLETE COUNT

WHEREAS, the U.S. Census Bureau is required by Article I, Section 2 of the U.S. Constitution to conduct an accurate count of the population every ten years; and

WHEREAS, the next enumeration will be April 1, 2020 and will be the first to rely heavily on online responses; and

WHEREAS, the primary and perpetual challenge facing the U.S. Census Bureau is the undercount of certain hard to count population groups; and

WHEREAS, the City of Mt. Pleasant has a large percentage of individuals that are considered traditionally hard to count; and

WHEREAS, these diverse communities and demographic populations are at risk of being missed in the 2020 Census; and

WHEREAS, the City of Mt. Pleasant receives federal funding that relies, in part, on census data; and

WHEREAS, a complete and accurate count of the City of Mt. Pleasant population is essential; and

WHEREAS, the data collected by the decennial Census determines the number of seats each state has in the U.S. House of Representatives and is used to distribute billions of dollars in federal funds to state and local governments; and

WHEREAS, the data is also used in the redistricting of state legislatures, county boards of supervisors and city councils; and

WHEREAS, the decennial census is a massive undertaking that requires cross-sector collaboration and partnership in order to achieve a complete and accurate count; and

WHEREAS, the City of Mt. Pleasant’s leaders have made it a priority that every citizen is counted once, only once and in the right place; and

WHEREAS, this includes coordination between city, county, tribal, state governments, community-based organizations, education, and many more; and

WHEREAS, the U.S. Census Bureau is facing several challenges with Census 2020, including constrained fiscal environment, rapidly changing use of technology, declining response rates, increasingly diverse and mobile population, thus support from partners and stakeholders is critical; and

WHEREAS, the City of Mt. Pleasant in partnership with other local governments, the State, businesses, schools, and community organizations, is committed to robust outreach and communication strategies, focusing on reaching the hardest-to-count individuals;

NOW, THEREFORE, BE IT RESOLVED the City of Mt. Pleasant recognizes the importance of the 2020 U.S. Census and supports helping to ensure a complete, fair, and accurate count of all residents of the City of Mt. Pleasant.

PASSED, APPROVED, AND ADOPTED this day Monday, October 28, 2019.
TO: MAYOR AND CITY COMMISSION

FROM: NANCY RIDLEY, CITY MANAGER

SUBJECT: INTRODUCE AN ORDINANCE TO AMEND CHAPTER 133: FIREWORKS TO COMPLY WITH STATE LAW AND SET A PUBLIC HEARING FOR NOVEMBER 11, 2019 ON THE SAME

As outlined by the Public Safety Director Paul Lauria in the attached communication, in late 2018 the State of Michigan amended the Michigan Fireworks Safety Act. In an effort to identify inconsistencies and to ensure compliance with the State law, a review by City Attorney Mike Homier of the updated Michigan Fireworks Safety Act in relation to our local ordinance was conducted.

The attached redline/strikeout version reflects the amendments recommended by the City Attorney. These amendments will eliminate the inconsistencies and bring the City’s ordinance into compliance with State law. Also attached for your reference is a clean version of the proposed ordinance. We recommend the City Commission receive the proposed draft ordinance and set a public hearing for November 11, 2109 to obtain public comment on the proposed amendments to Chapter 133: Fireworks.

Recommended Motion:
Move to accept the draft ordinance regarding fireworks as presented and set a public hearing for November 11, 2019 on the same.

NJR/ap
MEMORANDUM

DATE: October 17, 2019
TO: Nancy Ridley, City Manager
FROM: Paul Lauria, Director of Public Safety
SUBJECT: Firework Ordinance

On January 1, 2012 the State of Michigan enacted the Michigan Fireworks Safety Act (Act 256 of 2011). This act pertains to the laws that regulate certain types of fireworks. In August of 2012, the City adopted Chapter 133 (Fireworks) to the Mt. Pleasant Code of Ordinances. In December of 2018, the State of Michigan updated the Michigan Fireworks Safety Act. To be in compliance with state law we reviewed the City’s ordinance with assistance from the City's attorney. During the review we identified conflicts and inconsistencies between state law and the City’s ordinance. A strike out copy of the City’s current Fireworks Ordinance is attached to this memorandum. Listed below are the areas that were changed in the current Fireworks Ordinance.

133.01 Definitions
Added the definition for homemade fireworks.
Removed the definition of holidays.

133.02
Added the holidays and times listed in the Michigan Fireworks Safety Act.

133.04 (A) (B)
Added homemade fireworks to both paragraphs.

133.04 (C)
Changed from the National Weather Service to the Department of Natural Resources Fire Division criteria for burning restrictions.

133.06 (B)
Added homemade fireworks.

133.98
The amount of fines changed to $1000 as defined in the act.

All other items that are stricken are contained in the Michigan Fireworks Safety Act.

I recommend that the City Commission adopt the changes to the ordinance as presented by the City Attorney to be consistent and in compliance with state law.
CITY COMMISSION
CITY OF MOUNT PLEASANT
Isabella County, Michigan

Commissioner _______________, supported by Commissioner _______________, moved for adoption of the following ordinance:

ORDINANCE NO. _______

AN ORDINANCE AMENDING CHAPTER 133 OF CITY CODE

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF MOUNT PLEASANT:

Section 1. Amendment of Chapter 133 of City Code. The City of Mount Pleasant hereby amends chapter 133 of the City Code entitled “Fireworks” to read, in its entirety, as follows:

CHAPTER 133: FIREWORKS

§ 133.01 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALCOHOLIC LIQUOR. That term as defined in section 1 of the Michigan Vehicle Code, 1949 PA 300, M.C.L.A. § 57.1d, as amended.

APA STANDARD 87-1. 2001 APA standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, as published by the American Pyrotechnics Association of Bethesda, Maryland.

ARTICLES PYROTECHNIC. Pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

CONSUMER FIREWORKS. Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, as amended, and that are listed in APA Standard 87-1: 3.1.2, 3.1.3, or 3.5. CONSUMER FIREWORKS does not include low-impact fireworks.

CONTROLLED SUBSTANCE. That term as defined in section 8b of the Michigan Vehicle Code, 1949 PA 300, M.C.L.A. § 257.8b, as amended.

DISPLAY FIREWORKS. Large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effect by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.

FIREWORKS. Any composition or device, except for a starting pistol, a flare gun, or a flare,
designed for the purpose of producing visible or audible effect by combustion, deflagration, or
detonation.

**HOMEMADE FIREWORKS.** Any composition or device designed for the purpose of
producing a visible or audible effect by combustion, deflagration, or detonation that is not
produced by a commercial
manufacturer and does not comply with the construction, chemical composition, and labeling
regulations of the United States Consumer Product Safety Commission under 16 CFR parts 1500
and 1507.

**LOW-IMPACT FIREWORKS.** Ground and handheld sparkling devices as that phrase is
defined in APA standard 87-1: 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

**MINOR.** An individual who is less than 18 years of age.

**NFPA.** The National Fire Protection Association headquartered at 1 Batterymarch Park,
Quincy, Massachusetts.

**NFPA 1123.** The “Code of Fireworks Display,” 2000 edition, as amended, developed by
NFPA.

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**HOLIDAY.** Any of the following:

- (1) New Year’s Day, January 1.
- (2) Birthday of Martin Luther King, Jr., the third Monday in January.
- (3) Presidents’ Day, the third Monday in February.
- (4) Memorial Day, the last Monday in May.
- (6) Labor Day, the first Monday in September.
- (7) Columbus Day, the second Monday in October.
- (8) Veterans’ Day, November 11.
- (9) Thanksgiving Day, the fourth Thursday in November.

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**§ 133.02 IGNITION, DISCHARGE AND USE OF CONSUMER FIREWORKS.**

A person may ignite, discharge or use consumer fireworks within the city on the day
preceding, the day of, or the day after a holiday, but not between the hours of 1:00 a.m. and
8:00 a.m. the following dates at the following times:

1. After 11:00 a.m. on December 31 until 1:00 a.m. on January 1.

2. After 11:00 a.m. on the Saturday and Sunday immediately preceding Memorial Day until
   11:45 p.m. on each of those days.

3. After 11:00 a.m. from June 29 through July 4 and the day that the City observes the Fourth of
   July until 11:45 p.m. on each of those days.

4. After 11:00 a.m. on July 5, if that date is a Friday or Saturday, until 11:45 p.m.

5. After 11:00 a.m. on the Saturday and Sunday immediately preceding Labor Day until 11:45
   p.m. on each of those days.
The ignition, discharge, and use of consumer fireworks within the city are prohibited on all other days of the year.

§ 133.03 POSSESSION OF CONSUMER FIREWORKS BY A MINOR.

A minor shall not possess, ignite, discharge or use consumer fireworks.

§ 133.04 PROHIBITED CONDUCT.

(A) A person shall not ignite, discharge, or use consumer fireworks, homemade fireworks, articles pyrotechnics or display fireworks on public property, school property, church property, or the property of another person without that organization’s or person’s express permission to use those fireworks on those premises.

(B) A person shall not use consumer fireworks, homemade fireworks, articles pyrotechnics, display fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination thereof.

(C) A person shall not ignite, discharge, or use consumer fireworks, articles pyrotechnics, display fireworks or low-impact fireworks if the environmental concerns based on the department of natural resources fire division criteria are elevated to extreme fire conditions or if the environmental concerns based on the department of natural resources fire division criteria are elevated to very high for 72 consecutive hours during the pendency of “red flag” warnings as designated by the National Weather Service, Grand Rapids, Michigan. If a no burning restriction is instituted under this subsection, the commanding officer of the fire department enforcing the restriction will ensure that adequate notice of the restriction is provided to the public.

§ 133.05 PERMIT REQUIRED FOR ARTICLES PYROTECHNIC, DISPLAY FIREWORKS.

(A) A person shall not ignite, discharge, or use articles pyrotechnic or display fireworks for a public or private display within the city, without a permit issued by the Director of Public Safety.

(B) Application shall be made to the Director of Public Safety by the person seeking the permit on forms provided by the Michigan Department of Licensing and Regulatory Affairs, together with an application fee in an amount set from time to time by resolution of the City Commission.

(C) The Director of Public Safety shall not issue a permit unless he or she is satisfied that the applicant has sufficient bond or insurance protection as required in the Michigan Fireworks Safety Act, 2011 PA 256, as amended, M.C.L.A. § 28.466(2).

§ 133.06 SALE; MANUFACTURE OF FIREWORKS.

(A) The sale, possession and transportation of consumer fireworks, articles pyrotechnics, display fireworks or low impact fireworks in the city shall be prohibited, except as allowed by the Michigan Fireworks Safety Act, 2011 PA 256, as amended, M.C.L.A. §§ 28.451 et seq.

(B) The manufacture of consumer fireworks, homemade fireworks, articles pyrotechnics,
display fireworks or low-impact fireworks is prohibited within the city limits.

§ 133.07 Local, State and Federal Law Requirements.

Nothing contained within this chapter shall be construed to relieve a person of any duties and obligations imposed under any local, state or federal laws, rules, regulations, license or permit requirements.

§ 133.98 Determination of Violation; Seizure.

If a city police officer determines that a violation of any section of this chapter has occurred, the officer may issue a municipal civil infraction citation and seize the consumer fireworks, articles pyrotechnic, display fireworks or low-impact fireworks as evidence of the violation.

§ 133.99 Penalty.

(A) A violation of any section of this chapter shall be punishable as a municipal civil infraction with fines not to exceed $500, $500 of which shall be remitted to the City of Mt. Pleasant Police Department or other local law enforcement agency enforcing this Ordinance. Violations shall be prosecuted as set forth in Chapter 36 of this code.

(B) In addition to the penalties provided by this section, the district court shall have the equitable jurisdiction to enforce any judgment, writ, or order necessary to enforce any provision of this chapter, including, but not limited to, abatement of any violating condition or the granting of any injunctive relief.

(C) Following final disposition of a finding of responsibility for violating this chapter, the city may dispose of or destroy any consumer fireworks, articles pyrotechnic, display fireworks or low-impact fireworks that were retained as evidence in that prosecution.

(D) In addition to any penalty, a person that is found responsible for a violation of this chapter shall be required to reimburse the city for the costs of storing, disposing of, or destroying consumer fireworks, articles pyrotechnic, display fireworks or low-impact fireworks that were confiscated for a violation of this chapter.

Section 2. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 30 days after its adoption.

YEAS: Commissioner(s)

NAYS: Commissioner(s)

ABSTAIN: Commissioner(s)

ABSENT: Commissioner(s)

CERTIFICATION
As the City Clerk of the City of Mount Pleasant, Isabella County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Mount Pleasant City Commission at a regular meeting held on __________, 2019.

Date: ____________, 2019

William L. Joseph, Mayor

Date: ____________, 2019

Jeremy Howard, City Clerk

Introduced: ____________, 2019
Adopted: ____________, 2019
Published: ____________, 2019
Effective: ____________, 2019
CITY COMMISSION  
CITY OF MOUNT PLEASANT  

Isabella County, Michigan

Commissioner _______________, supported by Commissioner _______________, moved for adoption of the following ordinance:

ORDINANCE NO. ______

AN ORDINANCE AMENDING CHAPTER 133 OF CITY CODE

IT IS HEREBY ORDAINED BY THE PEOPLE OF THE CITY OF MOUNT PLEASANT:

Section 1. Amendment of Chapter 133 of City Code. The City of Mount Pleasant hereby amends chapter 133 of the City Code entitled "Fireworks" to read, in its entirety, as follows:

CHAPTER 133: FIREWORKS

§ 133.01 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ALCOHOLIC LIQUOR. That term as defined in section 1 of the Michigan Vehicle Code, 1949 PA 300, M.C.L.A. § 57.1d, as amended.

APA STANDARD 87-1. 2001 APA standard 87-1, standard for construction and approval for transportation of fireworks, novelties, and theatrical pyrotechnics, as published by the American Pyrotechnics Association of Bethesda, Maryland.

ARTICLES PYROTECHNIC. Pyrotechnic devices for professional use that are similar to consumer fireworks in chemical composition and construction but not intended for consumer use, that meet the weight limits for consumer fireworks but are not labeled as such, and that are classified as UN0431 or UN0432 under 49 CFR 172.101.

CONSUMER FIREWORKS. Fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, as amended, and that are listed in APA Standard 87-1: 3.1.2, 3.1.3, or 3.5. CONSUMER FIREWORKS does not include low-impact fireworks.

CONTROLLED SUBSTANCE. That term as defined in section 8b of the Michigan Vehicle Code, 1949 PA 300, M.C.L.A. § 257.8b, as amended.

DISPLAY FIREWORKS. Large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effect by combustion, deflagration, or detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1.
**FIREWORKS.** Any composition or device, except for a starting pistol, a flare gun, or a flare, designed for the purpose of producing visible or audible effect by combustion, deflagration, or detonation.

**HOMEMADE FIREWORKS.** Any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation that is not produced by a commercial manufacturer and does not comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507.

**LOW-IMPACT FIREWORKS.** Ground and handheld sparkling devices as that phrase is defined in APA standard 87-1: 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

**MINOR.** An individual who is less than 18 years of age.

**NFPA.** The National Fire Protection Association headquartered at 1 Batterymarch Park, Quincy, Massachusetts.

**NFPA 1123.** The “Code of Fireworks Display,” 2000 edition, as amended, developed by NFPA.

§ 133.02 IGNITION, DISCHARGE AND USE OF CONSUMER FIREWORKS.

A person may ignite, discharge or use consumer fireworks within the city on the following dates at the following times:

1. After 11:00 a.m. on December 31 until 1:00 a.m. on January 1.

2. After 11:00 a.m. on the Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.

3. After 11:00 a.m. from June 29 through July 4 and the day that the City observes the Fourth of July until 11:45 p.m. on each of those days.

4. After 11:00 a.m. on July 5, if that date is a Friday or Saturday, until 11:45 p.m.

5. After 11:00 a.m. on the Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

The ignition, discharge, and use of consumer fireworks within the city are prohibited on all other days of the year.

§ 133.03 POSSESSION OF CONSUMER FIREWORKS BY A MINOR.

A minor shall not possess, ignite, discharge or use consumer fireworks.

§ 133.04 PROHIBITED CONDUCT.

(A) A person shall not ignite, discharge, or use consumer fireworks, homemade fireworks,
articles pyrotechnics or display fireworks on public property, school property, church property, or the property of another person without that organization’s or person’s express permission to use those fireworks on those premises.

(B) A person shall not use consumer fireworks, homemade fireworks, articles pyrotechnics, display fireworks or low-impact fireworks while under the influence of alcoholic liquor, a controlled substance, or a combination thereof.

(C) A person shall not ignite, discharge, or use consumer fireworks if the environmental concerns based on the department of natural resources fire division criteria are elevated to extreme fire conditions or if the environmental concerns based on the department of natural resources fire division criteria are elevated to very high for 72 consecutive hours. If a no burning restriction is instituted under this subsection, the commanding officer of the fire department enforcing the restriction will ensure that adequate notice of the restriction is provided to the public.

§ 133.05 PERMIT REQUIRED FOR ARTICLES PYROTECHNIC, DISPLAY FIREWORKS.

(A) A person shall not ignite, discharge, or use articles pyrotechnic or display fireworks for a public or private display within the city, without a permit issued by the Director of Public Safety.

(B) Application shall be made to the Director of Public Safety by the person seeking the permit on forms provided by the Michigan Department of Licensing and Regulatory Affairs, together with an application fee in an amount set from time to time by resolution of the City Commission.

(C) The Director of Public Safety shall not issue a permit unless he or she is satisfied that the applicant has sufficient bond or insurance protection as required in the Michigan Fireworks Safety Act, 2011 PA 256, as amended, M.C.L.A. § 28.466(2).

§ 133.06 MANUFACTURE OF FIREWORKS.

The manufacture of homemade fireworks, articles pyrotechnics, display fireworks or low-impact fireworks is prohibited within the city limits.

§ 133.07 LOCAL, STATE AND FEDERAL LAW REQUIREMENTS.

Nothing contained within this chapter shall be construed to relieve a person of any duties and obligations imposed under any local, state or federal laws, rules, regulations, license or permit requirements.

§ 133.08 PENALTY.

A violation of any section of this chapter shall be punishable with fines in the amount of $1,000, $500 of which shall be remitted to the City of Mt. Pleasant Police Department or other local law enforcement agency enforcing this Ordinance.
Section 2. Publication and Effective Date. The City Clerk will cause to be published a notice of adoption of this ordinance within 10 days of the date of its adoption. This ordinance will take effect 30 days after its adoption.

YEAS: Commissioner(s) ________________________________

NAYS: Commissioner(s) ________________________________

ABSTAIN: Commissioner(s) ________________________________

ABSENT: Commissioner(s) ________________________________

CERTIFICATION

As the City Clerk of the City of Mount Pleasant, Isabella County, Michigan, I certify this is a true and complete copy of an ordinance adopted by the Mount Pleasant City Commission at a regular meeting held on __________, 2019.

Date: ____________ , 2019

William L. Joseph, Mayor

Date: ____________ , 2019

Jeremy Howard, City Clerk

Introduced: ____________ , 2019

Adopted: ____________ , 2019

Published: ____________ , 2019

Effective: ____________ , 2019
The attached memo from Finance Director Mary Ann Kornexl outlines the recommendation for an additional one-time payment to the Municipal Employees Retirement System (MERS). This recommended payment was outlined in the amended 2019 Operating Budget and discussed during the last work session. It is expected this payment to MERS will help smooth and stabilize future funding for the retirement system.

**Recommended Motion:**
Move to approve the 2019 budget adjustment to allow for a one-time payment to MERS of $240,000.

NJR/ap
TO: Nancy Ridley, City Manager
FROM: Mary Ann Kornexl, Finance Director
DATE: October 11, 2019
SUBJECT: MERS Contribution

The 2019 Amended Budget that was approved on September 9th, included the assignment of $240,000 for an additional contribution to the Municipal Employees Retirement System (MERS) defined benefit pension plan. This was recommended because the Unassigned Fund Balance is in excess of the 15% required by the City Commission policy and the 2019 & 2020 budgets don’t project having expenditures in excess of revenue and thus reducing the balance.

In 2015 MERS adopted new actuarial assumptions that had a significant impact on the annual contribution and a phase in of the assumptions was chosen to smooth out the financial impact. For the 2018 actuarial valuation the plan was 61% funded. State of Michigan law requires a corrective action plan if funding falls below 60% and required contributions are greater than 10% of General Fund expenditures. We don’t expect to exceed the 10% threshold, so even if our funding falls below 60%, we won’t need to file a corrective action plan.

Given that we have the one time resources available to fund the optional contribution suggested by MERS to eliminate the phase in of the new actuarial assumptions, we feel we should do so as it will help to keep future contributions stable. Also in the last MERS valuation, they provided notice that in 2021 they will be lowering the assumption for investment and wage inflation assumptions. This will have a negative impact on our funding percentage and increase future required contributions. Lastly, on a longer term investing horizon, funds invested by MERS are likely to earn more than funds invested in City fund balance due to limitations on types of investments for City funds.

The above reasons support an additional contribution to the plan at this time. We also have proposed assigning fund balance for an additional contribution in 2020 of approximately $100,000. We will wait until after the final 2019 operating budget to request a 2020 budget adjustment for that contribution.

Requested Action:

Approve a General Fund budget adjustment to allow for an additional contribution to the MERS defined benefit plan in the amount of $240,000 in 2019 from the previously assigned fund balance.
TO: MAYOR AND CITY COMMISSION

FROM: NANCY RIDLEY, CITY MANAGER

SUBJECT: CONSIDER AMENDMENT TO PRIOR APPROVAL FOR THE PURCHASE OF SELF-UNLOADING TRAILERS AND APPROPRIATE BUDGET AMENDMENT FOR THE SAME

As the attached memo from DPW Director John Zang outlines, the City Commission approved the purchase of two trailers for our curbside recycling program in September. Since that time our contractor has provided additional information to indicate that the trailers purchased should be identical in order to achieve the goals of safety and increased efficiency. We are therefore recommending the original recommendation be amended to include two self-unloading trailers with compartments and the appropriate additional budget amendment.

Recommended Motion:
Move to amend the prior approval to include the purchase of two self-unloading trailers with compartments from Pro-Tainer for $28,800 and an additional budget amendment for $7,850.

NJR/ap
TO: Nancy Ridley, City Manager
FROM: John Zang, DPW Director
DATE: October 16, 2019
SUBJECT: Approve Amended Purchase of Two Self-Unloading Trailers with Compartments and Additional Budget Amendment

Request:
The City Commission is requested to approved the amended recommendation for the purchase of two self-unloading trailers with compartments for curbside recycling collection from Pro-Tainer, of Alexandria, Minnesota, and an additional budget amendment of $7,850.

Reason:
At the meeting held September 9, the City Commission approved the purchase of two self-unloading trailers for curbside recycling collection, and a budget amendment of $20,950. Of the two trailers, only one had compartments. The second trailer was to be a low-profile flatbed unit. Discussions held with MMI, the City’s curbside recycling contractor, subsequent to the meeting has revealed the need for two self-unloading trailers with compartments.

MMI provides additional personal and equipment, typically a van and flatbed trailer, to assist the main crew with recycling collection along the four City routes. The secondary crew collects cardboard on one route, and comingled recycling on the remaining three routes. Currently, the comingled items are placed in barrels that are secured to their flatbed trailer. At the time of our original request for approval to purchase the self-unloading trailers, it was DPW’s understanding that the secondary crew used the flatbed trailer solely to collect cardboard. We did not learn otherwise until after the September 9 Commission meeting. Upon further discussion, DPW and MMI staff concluded both of the new self-unloading trailers should have compartments to reach the goal of increased efficiency and safety at the MRF.

Pro-Tainer has agreed to hold their pricing of $14,400 each for two self-unloading trailers with compartments, for a total of $28,800. The difference between the previously approved purchase amount of $20,950 for both trailers and two self-unloading trailers with compartments is $7,850, and requires approval of an additional budget amendment.

Recommendation:
I recommend the City Commission amend the previous approval to include the purchase of two self-unloading trailers with compartments from Pro-Tainer for $28,800, and an additional budget amendment of $7,850.
TO: MAYOR AND CITY COMMISSION
FROM: NANCY RIDLEY, CITY MANAGER
SUBJECT: CONFIRM ROAD SALT PURCHASE FROM THE STATE OF MICHIGAN MIDEAL EXTENDED PURCHASING PROGRAM AND BUDGET AMENDMENT FOR THE SAME

Earlier this year the City Commission approved a commitment to purchase 500 tons of salt for early delivery and up to 800 tons as seasonal backup. At the time the approval was made, the contract pricing had not been finalized by the State. When the September amended budget was approved the contract pricing had been determined and was included as part of the amended budget process.

As the memo from DPW Director John Zang indicates, an error was made when entering the quantities and a commitment was made to purchase approximately 800 tons for early delivery instead of the 500 tons that was previously approved. We are therefore recommending the City Commission confirm (after the fact) the purchase of approximately 800 tons. As the memo indicates, the early delivery price is lower than the backup seasonal price so between the two years an overall cost savings will result from the quantity error.

Recommended motion:
Move to confirm the purchase of 800 tons of road salt for early delivery and the appropriate budget amendments.

NJR/ap
TO: Nancy Ridley, City Manager  
FROM: John Zang, DPW Director  
DATE: October 14, 2019  
SUBJECT: Approved Budget Amendment for Road Salt Purchase

Request:
The City Commission is requested to amend the 2019 budget to cover the road salt purchase commitment made earlier this year.

Reason:
Each year, a memo is submitted to the City Commission for approval of the advanced commitment to purchase road salt from the State of Michigan’s MiDeal Extended Purchasing Program. This year, the Commission approved a commitment of 500 tons for early delivery (fall 2019) and 800 tons for seasonal backup (early 2020).

Unfortunately, we made an error when entering the quantities into the state procurement system, and our commitment quantities were reversed. We have committed to 800 tons for early delivery and 500 tons as seasonal backup. This mistake was not realized until after the early delivery had been made. The pricing for the early delivery is $72.60 per ton, and $74.72 per ton for seasonal backup.

As indicated in the March memo, budget amendments are necessary for 2019 because of the purchases made earlier this year. The funding in the 2020 proposed budget will cover the 500 ton seasonal backup commitment for early next year.

Request:
I recommend the City Commission confirm the purchase of 800 tons of salt instead of the previously approved 500 tons and the appropriate budget amendments.
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### CHECK REGISTER FOR CITY OF MT PLEASANT

**CHECK DATE FROM 10/11/19 THRU 10/24/19**

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CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 10/11/19 THRU 10/24/19

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COMM TOTALS:
Total of 136 Checks: $517,074.08
Less 0 Void Checks: 0.00
Total of 136 Disbursements: $517,074.08