



**BRIDGMAN CITY COUNCIL
WORKSHOP AGENDA
Monday, September 17, 2018 at 6:30 PM
City Hall, 9765 Maple Street, Bridgman, MI 49106**

- 1. Call to Order**
- 2. Roll Call**
- 3. Pledge of Allegiance**
- 4. Hearing of Citizens**
- 5. Approve/Amend Agenda** for September 17, 2018
- 6. Presentation** – Maria Cleveland to share her vision for the “Food Fight” fundraiser at the Weko Beach House.
- 7. Action Items**
 - A Approve meeting minutes of the September 4, 2018 regular meeting.
 - B Approve bills in the amount of \$301,130.70.
 - C Second Reading and adoption of Ordinance 2018-200, an ordinance to grant Indiana Michigan Power a utility franchise agreement to operate within the City of Bridgman for a 30-year term.
 - D Second Reading and adoption of Ordinance 2018-201, an ordinance to adopt the 2018 International Fire Code with Amendments.
 - E Second Reading and adoption of Ordinance 2018-202, an ordinance to adopt the 2018 International Property Maintenance Code.
 - F Approval of a resolution in support of regional non-motorized land and water infrastructure.
- 8. Workshop Discussion Items**
- 9. Hearing of Citizens**
- 10. Council Comments**
- 11. Adjournment**



Public Participation Rules and Procedures

**These Public Participation Rules and Procedures will be posted
in a visible location within the City Council Chambers**

- **During Hearing of Citizens persons wishing to address the City Council will be asked to state their name and location of residence, but will not be required to furnish that information if they wish to remain anonymous.**
- **Speakers will be expected to address the City Council from a lectern.**
- **Public comments will be limited to three (3) minutes per speaker.**
- **Speakers will receive notification when thirty (30) seconds remain during their allotted public comment time.**
- **Persons may address the City Council for a second time after all others wishing to address the Council have had an opportunity to speak.**
- **The City Council will acknowledge speakers after each public comment.**

**BRIDGMAN CITY COUNCIL
WORKSHOP MEETING
SEPTEMBER 4, 2018
6:30 PM**

The workshop meeting of the Bridgman City Council was held on September 4, 2018 at Bridgman City Hall, 9765 Maple Street, Bridgman, Michigan and called to order by Mayor Anderson at 6:30 p.m.

COUNCIL PRESENT: Robert Liskey, Hannah Anderson, Jim Catania, Rick Fuller, Ken High

COUNCIL ABSENT: Vince Rose, Georgia Gipson

STAFF PRESENT: City Manager Ganum, City Clerk Holm, Attorney Senica, Police Chief Unruh, Engineer Nykamp, Treasurer Lambrix

Pledge of Allegiance was led by council.

HEARING OF CITIZENS:

No one wished to be heard.

APPROVE/AMEND THE AGENDA:

Motion by Council Member High, seconded by Council Member Catania to approve the agenda for September 4, 2018 as presented, **motion carried unanimously.**

ACTION ITEMS:

Motion by Council Member Catania, seconded by Council Member High to approve the August 20, 2018 regular meeting minutes, **motion carried unanimously.**

Motion by Council Member High, seconded by Council Member Fuller to approve the bills in the amount of \$400,790.68, **motion carried unanimously.**

Ganum, Nykamp, and council discussed the road conditions in Bridgman and putting a Paser Rating Study together to plan for future paving projects. Wightman would be able to assist with that or the city could see if the Southwest Michigan Planning Commission still does it at no charge.

Motion by Council Member High, seconded by Council Member Catania to approve the purchase of a 4-Ton Falcon Asphalt Recycler & Hot Box Trailer in the amount of \$22,765.81, **motion carried unanimously.**

Motion by Council Member Catania, seconded by Council Member High to reappoint Chris Brooks, Lowell Smith, and Jim Gast to serve on the Construction Board of Appeals for a two-year term ending 2020, **motion carried unanimously.**

Motion by Council Member High, seconded by Council Member Liskey to adopt the Annual Exemption Option of Public Act 152 of 2011, **motion carried unanimously.**

Motion by Council Member Catania, seconded by Council Member Fuller to approve the Special Events Application submitted by Zachary Kalmer for the Grand Opening of Kalmer's Graphics, **motion carried unanimously.**

Motion by Council Member High, seconded by Council Member Fuller to adopt the first reading of **Ordinance 2018-200**, an ordinance to grant Indiana Michigan Power a utility franchise agreement to operate within the City of Bridgman for a 30-year term, **motion carried unanimously.**

Motion by Council Member High, seconded by Council Member Fuller to adopt the first reading of **Ordinance 2018-201**, an ordinance to adopt the 2018 International Fire Code with Amendments, **motion carried unanimously.**

Motion by Council Member High, seconded by Council Member Fuller to adopt the first reading of **Ordinance 2018-202**, an ordinance to adopt the 2018 International Property Maintenance Code, **motion carried unanimously.**

WORKSHOP DISCUSSION ITEMS:

Queen's Committee float storage project

Ganum showed the parcel that the city owns where the sewer lagoons are located on Rambo Rd. He would strongly consider setting aside and dedicating some land for the Queen's Committee. Having a dedicated piece of land might help with the fundraising so people donating money know that there is a place for the storage building to be built. The city could do a long-term lease for \$1 and have in the lease that they pay for electricity. This could also be an opportunity for the city to contribute some money to build a little larger building for additional storage to alleviate items currently in the police garage. The city could possibly do an 80/20 split with the committee.

Ganum stated there have been recent talks with the GRSD on the millions of dollars in improvements that are needed for the plant itself, pipes, and lift stations. Potentially down the road the city could reactivate 1 of the 3 sewer ponds as a retention pond. Nykamp stated that during storms, the water that infiltrates the system overloads the system and leaves the potential for sewer overflow. The DEQ would be very involved and check the liner before proceeding with the reactivation. This may be a good option as far as the city is concerned. The city should also plan on doing smoke testing in the near future to locate problem areas.

The consensus of the council agreed the Queen's Committee can use the front portion of the sewer lagoon property to construct a building for their float.

ENGINEER'S UPDATE

- **Donna Drive and Vista Drive Improvement Project** – The final payout for this project is in the council packet tonight. There were some concerns with the restoration work where the sidewalks were placed. Most of the grass area looks nice but there is a handful that weren't cared for properly and have some bare spots and weeds instead of grass. Weeds are drought tolerant and grass needs more care and watering to grow in. This tends to be a common problem with restorations.

- **DPW Building Project** – This project is nearly complete with the exterior and a few things left on the interior. The coping was completed today. This project will be completed the middle of October. The demolition and site prep portion of the new salt building was been subbed out.
- **Baldwin Road Lift Station Project** – The underground work has been completed. Just waiting on the electric and gas companies to complete their end. They still need to add gravel and complete the fence which should be completed in two weeks. If there is a delay from the utility company, then the project should be completed in three weeks.

HEARING OF CITIZENS:

No one wished to be heard.

COUNCIL COMMENTS:

- Mayor Anderson received a request for a letter of support for the strategic leadership program. This a group with the county wide transportation. She will be signing on behalf of the city to show support with no obligation to the city.
- Member Fuller complimented the city on getting a street light repaired that had been out for several months, fixing the lighted trees on Lake Street that were out, and credit for the leadership in the new grass and weed ordinance. He stated that town is looking better, and people are cleaning things up. The Weko Beach parking lot looks good with the extra spaces and noticed that people took advantage of the transportation service that was offered for the Sunday concert on the beach.

ADJOURNMENT

Motion by Council Member Catania, seconded by Council Member High to adjourn the meeting at 7:26 p.m., **motion carried unanimously.**

Hannah Anderson, Mayor

Allyson Holm, City Clerk

Vendor Name	Invoice Description	Invoice Amount
ADVANCED ALARMS, INC.	SERVICE CALL - WATER DEPARMENT	\$95.00
ASPHALT RESTORATION SERVICES	CITY HALL - CRACK SEAL, SEALCOAT AND STRIPE	\$10,714.50
	WEKO BEACH PARKING LOT - ASPHALT REPAIRS/SEAL	\$24,560.70
		\$35,275.20
BARODA CITY MILL	GRASS SEED	\$135.00
BASINGER, CHARLES	ELECTRICAL INSPECTOR PAY	\$129.60
BIO-CARE, INCORPORATED	FIRE FIGHTER PJYSICALS	\$5,285.00
BLUE CROSS BLUE SHIELD OF MICH	HEALTH INSURANCE - OCTOBER 2018	\$21,003.44
BRIDGMAN PUBLIC SCHOOLS	10 CASES OF PAPER	\$265.00
BRYANS AUTOMOTIVE	NEW BATTERY FOR 40-1	\$164.35
BURNS, MINDY	TAPS - AUGUST/SEPTEMBER	\$220.00
COMCAST BUSINESS	PHONES - ALL DEPARTMENTS	\$679.34
COMCAST CABLE COMMUNICATIONS	CITY HALL INTERNET	\$52.38
	BEACH HOUSE INTERNET	\$218.34
		\$270.72
CONSORT DISPLAY GROUP	VETERAN BANNER	\$43.87
	VETERAN BANNERS	\$1,383.30
		\$1,427.17
CONSTRUCTION ASSOCIATES	BUILDING/ZONING PAY - AUGUST 2018	\$995.85
CORLISS, CHARLES	TAPS - AUGUST/SEPTEMBER	\$100.00
EUROFINS EATON ANALYTICAL	WATER SAMPLE TESTING	\$30.00

Vendor Name	Invoice Description	Invoice Amount
GORDON FOOD SERVICE	FOOD FOR BEACH CONCESSION	\$2,618.74
GRSD SEWER AUTHORITY	BOND SERIES 2013	\$176,185.43
	SERVICE LIFT STATION #47 - RED ARROW	\$212.00
	SERVICE LIFT STATION #49 - RAMBO RD	\$375.19
	SERVICE LIFT STATION #48 - LAKE STREET	\$563.88
	OPERATING RESERVE - AUGUST 2018	\$30,168.91
		\$207,505.41
HARDINGS FRIENDLY MARKET	MISC SUPPLIES - PARKS/WATER/ELECTION	\$657.93
HERALD PALLADIUM	PUBLISH ORDINANCE 2018-199	\$170.35
INDIANA MICHIGAN POWER	ELECTRIC FOR ALL DEPARTMENTS	\$3,357.05
INTERNATIONAL CODE COUNCIL	IFC/IPMC/ISpsc CODE BOOKS	\$202.00
KRIEGER, JALYNN	TAPS - AUGUST/SEPTEMBER	\$200.00
KRISTINE STUBELT	BEACH HOUSE DEPOSIT REFUND FOR 9-1-18	\$200.00
LANGE INVESTIGATION&CONSULTING	SECURITY FOR CAMPGROUNDS - 9/2/2018	\$180.00
	SECURITY FOR CAMPGROUNDS - 8/19/2018 - 9/1/2018	\$640.00
		\$820.00
LIFELOC TECHNOLOGIES	NEW PBT MOUTHPIECES	\$70.00
MICHIGAN GAS	GAS UTILITIES - STREET DEPARTMENT	\$39.15
	GAS UTILITIES - BEACH HOUSE	\$38.65
	GAS UTILITIES - BEACH HOUSE KITCHEN	\$38.65
	GAS UTILITIES - CITY HALL	\$42.01
		\$158.46
ODETA HAND	KEY DEPOSIT REFUND	\$25.00
PC CONSULTANTS, INC.		

Vendor Name	Invoice Description	Invoice Amount
	BATTERY/HDMI CABLE - PD	\$149.93
	WIFI ROUTER/ETHERNET SWITCHES - WATER PLANT	\$3,337.44
	HDMI CABLE - ASSESSOR	\$14.95
	BACKUP EXTERNAL HARD DRIVE - PD	\$104.39
		\$3,606.71
PREPAID TECHNOLOGIES COMPANY, INC	BANK FEE	\$3.00
	BANK FEE	\$3.00
		\$6.00
PRIDE	PORTAJOHNS FOR FAMILY FRIDAY FEST	\$125.00
	PORTAJOHNS - WEKO BEACH CAMPGROUNDS	\$500.00
		\$625.00
PRIMAR PETROLEUM, INC.	DIESEL FUEL	\$809.70
REPUBLIC	STREET SWEEPING WASTE	\$31.90
	GARBAGE PICK-UP SERVICE	\$8,718.26
	WEKO BEACH DUMPSTER	\$194.00
		\$8,944.16
SHERWIN INDUSTRIES	CRACK SEALER FOR ROADS	\$1,419.95
SIEMAN'S FORD, INC.	REPLACED LIGHT - PARKS TRUCK	\$32.72
THAYER, INC.	SHOP SUPPLIES - STREET DEPARTMENT	\$33.33
	BEACH HOUSE SUPPLIES	\$99.74
	CAMPGROUND SUPPLIES	\$71.47
	CAMPGROUND SUPPLIES	\$157.93
		\$362.47
UNIFIRST CORPORATION	UNIFORMS - WATER/STREET DEPARTMENTS	\$45.97
	UNIFORMS - WATER DEPARTMENT	\$7.78
	MATS FOR CITY HALL	\$86.45
	UNIFORMS - WATER DEPARTMENT	\$7.78
	UNIFORMS - WATER/STREET DEPARTMENTS	\$45.97
		\$193.95
USA BLUE BOOK	WATER PLANT CHEMICALS	\$451.37
VERIZON WIRELESS		

Vendor Name	Invoice Description	Invoice Amount
	CELLPHONES ALL DEPARTMENTS	\$445.48
WEST SHORE FIRE	SCBA COMPRESSOR REPAIRS	\$905.58
WIGHTMAN & ASSOC., INC.	WATER GIS SYSTEM/SAW GRANT	\$732.00
WILLIAMS & WORKS	UPDATED ZONING ORDINANCE PAGES	\$375.00
WITT, JACQUELYN	TAPS - AUGUST/SEPTEMBER	\$160.00
	Total:	\$301,130.70

CITY COUNCIL REPORT	ACTION ITEM
<p>Date: September 17, 2018</p> <p>Subject: Second Reading and adoption of Ordinance 2018-200, an ordinance to grant Indiana Michigan Power a utility franchise agreement to operate within the City of Bridgman for a 30-year term</p>	<p>C</p>
<p><u>Background:</u></p> <p>The right of way along city streets and alleys is public property. To connect homes and properties to gas, electric, telephone and other services, companies must run distribution lines on the public right of way. Communities negotiate franchise agreements with utility companies to identify the conditions under which those companies are allowed to use public property to provide service to residents and businesses. Some utility companies pay a fee to cities — negotiated through a franchise agreement — in exchange for use of the public right of way.</p> <p>Indiana Michigan Power (dba American Electric Power – AEP) has an existing franchise agreement to operate with the City of Bridgman. The franchise is expiring on September 6, 2018, and AEP has petitioned the City to renew the agreement. The process of granting a franchise agreement to a utility involves the formal adoption of an ordinance by the City Council.</p> <p>City Attorney Sara Senica has reviewed the draft ordinance provide by AEP and has incorporated modifications to the document to more effectively protect the City’s interests. AEP has requested further modifications to the agreement, which have been incorporated. Most notably, the notification requirement in advance of tree trimming has been reduced from 30 days to 10 days.</p> <p><u>Policy Question:</u></p> <p>Should the City Council adopt an ordinance to renew the utility franchise agreement with American Electric Power for a 30-year term?</p> <p><u>Budget Impact:</u> No impact</p> <p><u>Recommendation:</u></p> <p>The City Manager and City Attorney recommend that the City Council conduct a Second Reading and adoption of Ordinance 2018-200, an ordinance to grant Indiana Michigan Power a utility franchise agreement to operate within the City of Bridgman for a 30-year term.</p> <p><u>Supporting Documents:</u></p> <ol style="list-style-type: none"> Utility Franchise Agreement Ordinance <p>Prepared By: Juan Ganum, City Manager</p> <p>Submitted By: Juan Ganum, City Manager</p>	

**CITY OF BRIDGMAN
COUNTY OF BERRIEN, STATE OF MICHIGAN
ORDINANCE NO. 2018-200**

**AN ORDINANCE TO ADOPT AN AGREEMENT WITH INDIANA MICHIGAN POWER
COMPANY**

An ordinance granting to Indiana Michigan Power Company the right, power and authority to supply electricity and electrical services to customers within the City of Bridgman through and over existing and/or future electrical transmission lines and equipment located within the corporate limits of the City of Bridgman for a period of years; to establish rights and obligations of the parties; and to hold the City harmless from claims arising from the granting of said Franchise.

SECTION NUMBER 1. GRANT.

The City of Bridgman (“City”) hereby grants to Indiana Michigan Power, its successors and assigns (“Grantee”) the right, power and authority to acquire, construct, maintain, and operate in, above, under, and along the streets, alleys, bridges, and public places as they currently exist or may be hereafter be laid out in the City of Bridgman, County of Berrien, State of Michigan. This shall include lines for the transmission and distribution of electric energy, either by means of overhead or underground conductors, with all the necessary or desirable appurtenant equipment to render electric public utility service (collectively called “Facilities”) in said City and to the inhabitants thereof, and persons or corporations beyond the limits thereof for which electric energy is now or may hereafter be used, and the transmission and distribution of the same within, through, and across the City of Bridgman, subject to this Franchise Agreement and other such reasonable terms as permitted by State law, and as may be prescribed from time to time by the City Council.

SECTION 2. TERM.

This Franchise shall be for a term of thirty (30) years; subject, however, to revocation of the term by the City Council.

SECTION 3. CONSIDERATION.

In consideration of the rights, powers and authority granted, the Grantee shall faithfully perform all things required by this Franchise.

SECTION 4. CONDITIONS.

- 1.) The Facilities anticipated in this Franchise shall be constructed, maintained, and utilized in a manner which shall not unreasonably interfere with the traveling public in the use of City streets, alleys, bridges, public right-of-ways, and/or other public property.

- 2.) Grantee and its contractors shall be responsible to immediately restore to the same or a better condition, at Grantee's sole cost and expense, and in a manner approved by the City, any portion of any public land or right-of-way that is in any way disturbed, damaged, or injured by construction, maintenance, replacement, or removal of the Grantee's Facilities. In the event Grantee fails to make such repairs within the time specified by the City, the City shall be entitled to complete the repair and Grantee shall pay the costs of the City for such repair.
- 3.) For the sake of public efficiency, Grantee shall coordinate any street construction, rebuilding, resurfacing, and repair with the City, with the goal of coordinating anticipated Grantee street projects with projects contemplated by the City in order to be judicious with resources and to attempt to avoid unnecessary tearing up and repaving of streets that could have been coordinated between the parties.

SECTION 5. HOLD HARMLESS.

The Grantee shall at all times keep and save the City, its agents, and employees free and harmless from all loss, costs and expense to which it may be subject by reason of the negligent operations of the Grantee. In case any action is commenced against the City on account of the permission granted herein, the Grantee shall, upon notice, defend the City and save it free and harmless from all loss, cost and damage arising out of such negligent construction, erection, operation, or maintenance of any Facility, or any other negligent action or behavior of Grantee.

SECTION 6. FRANCHISE NOT EXCLUSIVE.

The rights, power and authority granted by this Franchise are not exclusive.

SECTION 7. FRANCHISE FEE.

The Grantee shall pay to the City a Franchise fee in the amount of Two Thousand Five Hundred Dollars (\$2,500.00) which shall reimburse the City for all reasonable transaction costs associated with the preparation, publication, and passage of this Ordinance. The Franchise fee shall be paid to the City within 30 days from the adoption of this ordinance.

SECTION 8. INSURANCE.

Grantee shall maintain a comprehensive general liability insurance policy in an amount to be approved by the City Council. Grantee shall also maintain an automobile liability insurance policy to cover any vehicles used in connection with any activities conducted under this Ordinance in an amount deemed acceptable to the City Council.

SECTION 9. OTHER RIGHTS OF THE CITY.

This Agreement shall be subject to the right of the City:

- (1) To request that Grantee relocate, protect, support, disconnect, or remove its Facilities due to street or other utility work in the City, and Grantee hereby agrees to do so in good faith and in a reasonable time and manner;
- (2) To impose such other regulations as may be determined by the City Council to be conducive to the safety, welfare, and accommodation of the public.

The rights of the City shall not be exercised or construed in a manner which conflicts with the express terms and conditions of this Franchise nor with the rules and regulations set forth by the Michigan Public Service Commission governing the provision of electric service by Grantee.

SECTION 10. VACATION OF RIGHTS-OF-WAY AND RELOCATION OF FACILITIES.

The City has the right to vacate any public right-of-way within the City, as well as any right to use the same possessed by the Grantee, and/or the City may require the Grantee to relocate its lines and facilities at Grantee's expense when such vacation and/or relocation is made necessary to secure the public health and welfare or is otherwise required by the City in the exercise of a governmental function.

SECTION 11. TREE TRIMMING

Grantee shall engage in reasonable practices regarding the trimming and removal of trees, bushes, and/or shrubbery and only exercise such trimming and removal when necessary to ensure the safe and reliable delivery of electric service. No trimming or removal of trees, bushes, and/or shrubbery shall be done in the public right of ways without informing the City in writing at least ten (10) days in advance, except in the event of an emergency that endangers the health, life, or safety of the public or is otherwise necessary to restore electric service.

SECTION 12. REVOCATION.

The Franchise granted by this ordinance is subject to revocation at will by the City.

SECTION 13. JURISDICTION.

The Grantee shall be and remain subject to all ordinances, rules and regulations of the City now in effect or which might subsequently be adopted for the regulation of land uses or for the protection of the health, safety and general welfare of the public; provided, however, that nothing shall be construed as a waiver by the Grantee of any or its existing or future rights under state or federal law or a limitation upon the existing or future powers of the City pursuant to its charter or state or federal law.

SECTION 14. ACCEPTANCE AND ADOPTION.

This ordinance shall be accepted by the Grantee within sixty (60) days from the date of the passage of the same. The Franchise will take effect immediately after its adoption, acceptance, and publication as required by law.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

Allyson Holm, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the City of Bridgman, County of Berrien, State of Michigan, at a Regular Meeting, held on September 17, 2018, and that said Meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.

Allyson Holm, City Clerk

CITY COUNCIL REPORT	ACTION ITEM
<p>Date: September 17, 2018</p> <p>Subject: Second Reading and adoption of Ordinance 2018-201, an ordinance to adopt the 2018 International Fire Code with Amendments</p>	<p>D</p>
<p><u>Background:</u></p> <p>The International Building Code (IBC) is a model building code developed by the International Code Council (ICC). It has been adopted for use as a base code standard by most jurisdictions in the United States. The IBC addresses both health and safety concerns for buildings based upon prescriptive and performance related requirements. The code provisions are intended to protect public health and safety while avoiding both unnecessary costs and preferential treatment of specific materials or methods of construction.</p> <p>A large portion of the International Building Code deals with fire prevention. It differs from the related International Fire Code (IFC) in that the IBC addresses fire prevention in regard to construction and design and the fire code addresses fire prevention in regard to the operation of a completed and occupied building.</p> <p>The City Council is being asked to adopt the most recent version of the International Fire Code, which will be enforced by the Bridgman Fire Department. A first reading and introduction of the Fire Code was conducted on September 4, 2018.</p> <p><u>Policy Question:</u></p> <p>Should the City Council adopt the International Fire Code, 2018 edition, with amendments, in order to regulate and govern the safe guarding of life and property from fire or explosion hazards within Bridgman?</p> <p><u>Budget Impact:</u> none</p> <p><u>Recommendation:</u></p> <p>The City Manager, Fire Chief and City Attorney recommend that the City Council conduct a Second Reading to adopt the International Fire Code, 2018 edition, with amendments.</p> <p><u>Supporting Documents:</u></p> <ol style="list-style-type: none"> 1. Ordinance No. 2018-201 – An Ordinance to Adopt the 2018 International Fire Code with Amendments <p>Prepared By: Juan Ganum, City Manager</p> <p>Submitted By: Juan Ganum, City Manager</p>	

**CITY OF BRIDGMAN
COUNTY OF BERRIEN, STATE OF MICHIGAN
ORDINANCE NO. 2018-201**

**AN ORDINANCE OF THE CITY OF BRIDGMAN, MICHIGAN TO ADOPT THE 2018
INTERNATIONAL FIRE CODE WITH AMENDMENTS**

Motion made by Council Member _____ and seconded by Council Member
_____:

THE CITY OF BRIDGMAN ORDAINS:

SECTION 1. Adoption of Code. The City of Bridgman, in order to regulate and govern the safe guarding of life and property from fire or explosion hazards, adopts The International Fire Code, 2018 edition, with amendments, as published by the International Code Council, including appendix B, D, E, F and G of said International Fire Code. The purpose and intent of this code is to prescribe minimum requirements consistent with nationally recognized standards for providing a reasonable level of safety to life and property and for protection from the hazards of fire, explosion, or dangerous conditions arising from the storage, handling and use of hazardous substances, materials and devices and from conditions hazardous to life or property related to the occupancy of buildings and premises. This code shall also provide for the issuance of certain permits and collection of delineated fees. All matters within the intent of this code and not covered by this code shall comply with the referenced standards listed in the International Fire Code, 2018 edition, as published by the International Code Council (including Appendix Chapters B, D, E, F, and G). At least three (3) copies of this Code have been and are now filed in the City Clerk's office except as otherwise specifically stated herein, the provisions of such Code are hereby adopted and incorporated by reference as though fully set out at length herein, and the provisions thereof shall be controlling within the City of Bridgman.

SECTION 2. Amendments. The following chapters, sections and subsections of the International Fire Code adopted in this article are hereby amended or deleted as set forth in this section, and additional chapters, sections and subsections are added as indicated. The following chapter and section numbers refer to like number of chapters and sections of the International Fire Code:

- A. **Section 108.01. Appeals.** The Appeals Board shall be the existing Construction Board of Appeals of the City of Bridgman.
- B. **Article 79.** Article 79 shall be amended by adding a new section reading as follows: Section 7901.1.3. State flammable liquid laws. Pursuant to the provisions

of section 3(k) of Act No. 279 of the Public Acts of Michigan of 1909 (MCL 117.3(k), MSA 5.2073(k)), as amended, the State Fire Safety Board, rules for Storage and Transportation of Flammable and Combustible Liquids 1992, as amended, as prescribed and authorized in Act No. 207 of the Public Acts of Michigan of 1941 (MCL 29.1 et seq., MSA 4.559(1) et seq.), as amended, are hereby adopted by reference by the city for the purpose of providing rules for the preservation of fire and protection of persons and property in the transportation, storage, handling, offering for sale, sale and use of flammable liquids. Copies of such regulations are on file in the office of the city clerk, available for public use and inspections at all times. Where any section or part of Article 79 of the International Fire Code is in conflict with the State Fire Safety Board, rules for Storage and Transportation of Flammable and Combustible Liquids 1992, it is intended that the State Fire Safety Board, rules for Storage and Transportation of Flammable and Combustible Liquids 1992, shall prevail.

- C. **Section 503.2** Section 503.2 is hereby amended to read as follows: Section 503.2.2. Fire lanes. The marking of fire lanes on private property, devoted to public use, shall be approved by the chief of the bureau of fire prevention and the chief of police.
- D. **Section 503.** Section 503 is hereby amended to include the following: Parking of motor vehicles or otherwise obstructing fire lanes shall be prohibited at all times. Members of the police department are hereby authorized to remove motor vehicles and/or vehicles in the designated fire lanes.
- E. **Appendix VI-C, Section 2.4.** Appendix VI-C, Section 2.4 is hereby amended as follows: (a) Any person convicted of a violation of any provision of this Code or any rule, regulation or order adopted or issued in pursuance thereof, shall be responsible for a municipal civil infraction and shall be punished by a fine of not more than \$500.00. Each act of violation, and every day upon which any such violations shall occur shall constitute a separate offense.(b) The penalty provided by this section, unless another penalty is expressly provided, shall apply to the amendment of any section of this Code, whether or not such penalty is reenacted in the amendatory ordinance. (c) The penalty set out in this section shall be in addition to the abatement of the violating condition, any injunctive relief, or revocation of any permit or license. (d) This section shall not apply to the failure of officers and employees of the city to perform municipal duties required by this Code.

- F. **Conflict with Other Laws.** Should any provision of City Ordinance or State law require a permit or license covering the same operations, business, activity or material for which the Fire Code requires a permit, such City Ordinance provision or State law shall prevail and it shall be necessary to obtain the permit as required by the Fire Code.

This Ordinance shall become effective ten days after publication.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

ALLYSON HOLM, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the CITY OF BRIDGMAN, County of Berrien, State of Michigan, at a Regular Meeting, held on September 17, 2018, and that said Meeting was conducted and public notice of said meeting was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.

ALLYSON HOLM, City Clerk

CITY COUNCIL REPORT	ACTION ITEM
<p>Date: September 17, 2018</p> <p>Subject: Second Reading and adoption of Ordinance 2018-202, an ordinance to adopt the 2018 International Property Maintenance Code</p>	<p>E</p>
<p><u>Background:</u></p> <p>The International Property Maintenance Code (IPMC) establishes minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions.</p> <p>The City Council is being asked to adopt the most recent version of the International Fire Code, which will be enforced by the Building Official and Bridgman Police Department. A first reading and introduction of the ordinance was conducted on September 4, 2018.</p> <p><u>Policy Question:</u></p> <p>Should the City Council adopt the 2018 International Property Maintenance Code to establish minimum requirements for the maintenance of existing buildings through model code regulations that contain clear and specific property maintenance and property improvement provisions?</p> <p><u>Budget Impact:</u> none</p> <p><u>Recommendation:</u></p> <p>The City Manager, Building Official and City Attorney recommend that the City Council conduct a Second Reading to adopt the 2018 International Property Maintenance Code.</p> <p><u>Supporting Documents:</u></p> <ol style="list-style-type: none"> 1. Ordinance No. 2018-202 – An Ordinance to Adopt the International Property Maintenance Code by Reference <p>Prepared By: Juan Ganum, City Manager</p> <p>Submitted By: Juan Ganum, City Manager</p>	

**CITY OF BRIDGMAN
COUNTY OF BERRIEN, STATE OF MICHIGAN
ORDINANCE NO. 2018-202**

**AN ORDINANCE TO ADOPT THE INTERNATIONAL
PROPERTY MAINTENANCE CODE BY REFERENCE**

Motion made by Council Member _____ and supported by Council Member _____:

An ordinance of the City of Bridgman adopting by reference the *International Property Maintenance Code*, with all current amendments, additions, or deletions except as provided herein; regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures in the City; providing for the issuance of permits and collection of fees therefor; and repealing and all other ordinances and parts of ordinances in conflict therewith.

THE CITY OF BRIDGMAN ORDAINS:

Section 1. That a certain document, copies of which are on file in the office of the City Clerk, being marked and designated as the 2018 *International Property Maintenance Code*, as may be amended, deleted, with additions, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Bridgman, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. The following sections are hereby revised:

Section 101.1. These regulations shall be known as the International Property Maintenance Code of the City of Bridgman, hereinafter referred to as “this code”.

Section 103.5. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be assessed per the fee schedule adopted by the City Council by resolution.

Section 112.4. **Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a civil infraction and a fine of not less than Two Hundred and Fifty Dollars (\$250.00). Further, the City may take any action and elect any remedy either at law or in equity as it deems necessary to ensure compliance with this Code.

Section 302.4. **"Weeds"**, is hereby deleted in its entirety.

Section 3. That and all other ordinances or parts of ordinances in direct conflict herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bridgman hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any person be lost, impaired or affected by this ordinance.

This Ordinance shall become effective ten days after publication.

AYES: _____

NAYS: _____

ORDINANCE DECLARED ADOPTED.

ALLYSON HOLM, City Clerk

CERTIFICATION

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the CITY OF BRIDGMAN, County of Berrien, State of Michigan, at a Regular Meeting, held on September 17, 2018, and that said Meeting was conducted and public notice of said meeting was given, pursuant to

and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act.

ALLYSON HOLM, City Clerk

CITY COUNCIL REPORT	ACTION ITEM
<p>Date: September 17, 2018</p> <p>Subject: Approval of a Resolution in Support of Regional Non-Motorized Land and Water Infrastructure</p>	<p>F</p>
<p><u>Background:</u></p> <p>In 2014 a group of municipalities in the Twin Cities area formed an inter-municipal Best Practices Committee (BPC) in an effort to focus on finding ways to help local governments deliver more cost effective services to taxpayers and explore methods of enhancing quality of life within the region. The Best Practices Committee was formed under Michigan’s Intermunicipality Committee Act of 1957. On October 16, 2017 the City Council adopted Resolution 2017-12 to have the City of Bridgman join the Best Practices Committee.</p> <p>Among the initiatives currently being supported by the Best Practices Committee is the development of regional non-motorized land and water infrastructure, including walkways, bikeways, parks and waterways. The City is eager to promote these types of trails within Bridgman, as documented within the City of Bridgman’s 2015 Parks and Recreation Plan (page 31).</p> <p><u>Policy Question:</u></p> <p>Should the City Council adopt a resolution in support of regional non-motorized land and water infrastructure in support of a regional effort to promote the development of trailway systems.</p> <p><u>Budget Impact:</u></p> <p>No impact.</p> <p><u>Recommendation:</u></p> <p>The Manager recommends that the City Council adopt resolution in support of regional non-motorized land and water infrastructure</p> <p><u>Supporting Documents:</u></p> <ol style="list-style-type: none"> 1. Resolution <p>Prepared By: Juan Ganum, City Manager</p> <p>Submitted By: Juan Ganum, City Manager</p>	

**CITY OF BRIDGMAN
COUNTY OF BERRIEN, STATE OF MICHIGAN
A Resolution in Support of Regional Non-Motorized Land & Water Infrastructure
RESOLUTION 2018-15**

At a regular meeting of the City Council of the City of Bridgman, County of Berrien, State of Michigan, held in the City Hall, 9765 Maple Street, Bridgman, Michigan, on the 17th day of September 2018, at 6:30 p.m. EST.

PRESENT:

ABSENT:

The following preamble and resolution was offered by Council Member _____ and supported by Council Member _____:

WHEREAS, in October 2017, the City of Bridgman began participating in a collaborative effort called Michigan's Great Southwest Strategic Leadership Council (MGSSLC), Best Practices Committee (BPC) to identify opportunities in which all member jurisdictions had a common interest; and

WHEREAS, a byproduct of the MGSSLC collaboration has been to identify that implementing on and off-road infrastructure for non-motorized transportation within each jurisdiction and linking those projects in time and physical design will multiply the benefits to be derived from the investment; and

WHEREAS, a connected regional system of non-motorized infrastructure will help to increase mobility choices, reduce air pollution and fuel consumption, enable enjoyment of the natural assets of the neighboring communities, promote physical activity and healthy lifestyles, improve overall quality of life, and represent an important layer of attraction for seasonal and special events tourism; and

WHEREAS, regional non-motorized land and water infrastructure, including but not limited to walkways, bikeways, parks and waterways, has been proved to have positive impacts on economic development; and

WHEREAS, creation of connected regional non-motorized infrastructure requires cooperation, coordination, and partnership across jurisdictional boundaries.

NOW THEREFORE BE IT HEREBY RESOLVED, that the City of Bridgman hereby endorses the efforts of the communities participating in Michigan's Great Southwest Strategic Leadership Council, Best Practices Committee by recognizing that it is the interest of the City of Bridgman to realize its individual goals to implement non-motorized infrastructure and to collaborate with other jurisdictions in so doing to multiply and maximize the positive regional impact.

YEAS:

NAYS:

ABSENT:

RESOLUTION DECLARED ADOPTED.

Allyson Holm, City Clerk