



**BRIDGMAN CITY COUNCIL  
AGENDA**

**Monday, November 19, 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 November 19, 2018
- 6. Workshop Discussion Items**
  - A New Council Orientation #1
    - i. "Welcome to Public Service" – MML – Chapter 1
    - ii. Laptops and Google Drive
    - iii. Parliamentary procedure
    - iv. Policies – electronic device usage, attendance, ethics
    - v. Budget overview
- 7. Action Items**
  - B Approve meeting minutes of the October 15 and October 29, 2018 regular meeting and the October 15, 2018 closed session minutes.
  - C Approve bills in the amount of \$345,732.50.
  - D Selection of a City Council liaison to the Zoning Board of Appeals.
  - E First reading and introduction of an ordinance to completely prohibit marihuana establishments in the City of Bridgman.
- 8. Hearing of Citizens**
- 9. Council Comments**
- 10. 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.**

<b>CITY COUNCIL REPORT</b>	<b>ACTION ITEM</b>
<p><b>Date:</b> November 19, 2018</p> <p><b>Subject:</b> Approval of the October 15 and October 29, 2018 regular meeting minutes, and the October 15, 2018 closed session minutes.</p>	<b>B</b>
<p><b><u>Background:</u></b></p> <p>At the beginning of the meeting, the City Clerk will hand out the closed session minutes from October 15, 2018. The city council members will need to initial and return the minutes to the City Clerk.</p> <p><b><u>Policy Question:</u></b></p> <p>Should the City Council approve the regular minutes of the October 15 and October 29, 2018 meeting, and the October 15, 2018 closed session minutes?</p> <p><b><u>Budget Impact:</u></b></p> <p>None</p> <p><b><u>Recommendation:</u></b></p> <p>The City Manager recommends that the City Council approve the regular minutes of the October 15 and October 29, 2018 meeting, and the October 15, 2018 closed session minutes.</p> <p><b><u>Supporting Documents:</u></b></p> <ol style="list-style-type: none"><li>1. October 15, 2018 regular meeting minutes.</li><li>2. October 29, 2019 regular meeting minutes</li></ol> <p>Prepared By: Allyson Holm, City Clerk</p> <p>Submitted By: Juan Ganum, City Manager</p>	

**BRIDGMAN CITY COUNCIL  
REGULAR MEETING  
OCTOBER 15, 2018  
6:30 PM**

The regular meeting of the Bridgman City Council was held on October 15, 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, Georgia Gipson, Vince Rose, Hannah Anderson, Jim Catania, Rick Fuller, Ken High

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Ganum, City Clerk Holm, Police Chief Unruh, City Attorney Senica, Fire Chief Buist, Water/Sewer Superintendent Kading

Pledge of Allegiance was led by council.

**PRESENTATION:**

**Certificate of Appreciation presented to Stacey Barajas for spearheading the Bridgman Family Friday Fest**

Mayor Anderson presented Stacey Barajas with a Certificate of Appreciation for spearheading the Bridgman Family Friday Fest this summer. She was instrumental in organizing and running the successful events and looks forward to the events next year.

**Recognition of public service presented to Hannah Anderson, Jim Catania, Ken High, and Robert Liskey**  
Manager Ganum presented Hannah Anderson, Jim Catania, Ken High, and Robert Liskey with plaques in recognition of their public service and contribution to the community and their commitment to better Bridgman.

Member High – served 2015 – 2018

Mayor Anderson – served 2009 – 2018, Mayor 2013 – 2018

Member Liskey – served 1981 – 1983, 1997 – 2018

Member Catania – served 1975 – 1987, 1989 – 2018, Mayor 1979 – 1987, Mayor Pro-tem 2007 – 2018

**HEARING OF CITIZENS:**

- Wendy Lozeau, located at 3747 Lake St. thanked the four Council Members for their dedication and hard work serving on the board.

**APPROVE/AMEND THE AGENDA:**

**Motion** by Council Member Catania, seconded by Council Member Gipson to approve the agenda for October 15, 2018 as presented, **motion carried unanimously.**

## **ACTION ITEMS:**

**Motion** by Council Member Rose, seconded by Council Member High to approve the October 1, 2018 regular meeting minutes, **motion carried unanimously.**

**Motion** by Council Member High, seconded by Council Member Gipson to approve the bills in the amount of \$162,285.12, **motion carried unanimously.**

**Motion** by Council Member High, seconded by Council Member Rose to appoint Joan Hurray to the Zoning Board of Appeals for a term ending May 1, 2020, **motion carried unanimously.**

**Motion** by Council Member High, seconded by Council Member Gipson to approve the Special Events Application submitted by Sarah Buist for Fall Colors Royalty Run to be held on October 27, 2018 from 7 am to 10:30 am, **motion carried unanimously.**

**Motion** by Council Member Catania, seconded by Council Member High to adopt **Resolution 2018-17, A Resolution to Limit Access and Enhance Building Security within Bridgman City Hall**, **motion carried unanimously.**

## **WORKSHOP DISCUSSION ITEMS:**

### **Creation of a parks director position to oversee Weko Beach, the campground and City parks**

Council discussed this at the last meeting and it was the consensus of the council to create the position and amend the budget. The following was discussed further tonight:

- This would be a full-time position for the first year or two. After that, the position would be re-assessed to see if it should continue full-time or go down to part-time.
- This position would do the hiring, training, overseeing, and firing of all park staff.
- New software is going to be implemented at the campground to allow for online reservations.
- The intent is to hire a Parks Director in November or December to start getting ready for next season.
- The director will serve as the rental agent for the beach house. This will include marketing, showing the space, rental agreements, and making sure the beach house is clean before and after each rental. There was \$30,000 in the current budget for a rental agent, which now will go towards the salary for this position.
- Ganum also spoke on the creation of a public works department by combining the street, water, and sewer departments. This department would share employees to work more efficiently and effectively. When asked who the public works director would be, Ganum stated that Water/Street Superintendent Kading would fill that position so there would not be another employee hired. Kading would no longer be handling the parks department and would shift over to that position.

**Motion** by Council Member Catania, seconded by Council Member Gipson to amend the FY 2019 budget to allow for the creation of a new parks director position to oversee Weko Beach, the campground and City parks by amending the FY 2019 budget, **motion carried unanimously.**

**CLOSED SESSION:**

Attorney Senica explained to the audience the difference between Open Meetings to the public and Closed Session meetings.

**Motion** by Council Member High, seconded by Council Member Fuller to go into closed session at 7:01 p.m. for the City Attorney to review appeal of Tall Grass and Weed Ordinance submitted by Ron Gelesko for a property at 4785 Rambo Road pursuant to MCL 15.268 (h) To consider material exempt from discussion or disclosure by state or federal stature,

**Roll Call:**

**Yeas:** Georgia Gipson, Vince Rose, Hannah Anderson, Jim Catania, Rick Fuller, Ken High, Bob Liskey

**Nays:** None

**Motion carried.**

**Motion** by Council Member Catania, seconded by Council Member High to resume open session at 8:05 p.m., **motion carried unanimously.**

**HEARING OF CITIZENS:**

No one wished to be heard.

**COUNCIL COMMENTS:**

- Member Rose thanked the four members of council leaving for all they have done.
- Ganum stated that key fobs that haven't been turned in will need to be and as of tomorrow the door codes will be wiped from the system.

**ADJOURNMENT**

**Motion** by Council Member Catania, seconded by Council Member High to adjourn the meeting at 8:07 p.m., **motion carried unanimously.**

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Hannah Anderson, Mayor

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Allyson Holm, City Clerk

**BRIDGMAN CITY COUNCIL  
SPECIAL MEETING  
OCTOBER 29, 2018  
6:30 PM**

The special meeting of the Bridgman City Council was held on October 29, 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, Georgia Gipson, Vince Rose, Hannah Anderson, Jim Catania, Rick Fuller, Ken High

**COUNCIL ABSENT:** None

**STAFF PRESENT:** City Manager Ganum, City Clerk Holm, Police Chief Unruh, City Attorney Senica, Fire Chief Buist

Pledge of Allegiance was led by council.

**HEARING OF CITIZENS:**

- Kirsten Howell, 4660 Hidden Creek, has resided at that location with her family since July 2008. She first made a complaint to the city about the ADCO property back in June of 2016 and is still waiting for the city to do something about it. She has reviewed all the material, and this is the first time she has heard that the fence behind her property was only temporary until woods develop. She does not see that area as a naturally wooded area. She stated that if Mr. Villwock, certified arborist, visited the property, he would have seen that there are 15 different noxious weeds back there. Section 4(A)2 of the ordinance pertains to vacant land. She is challenging portions of this appeal. The ordinance reads that the city has authority to act but does not have to. It appears that the actions by the city are discretionary. She is requesting the city enforces the grass and weed ordinance.

**STATEMENT OF AGGRIEVED PARTY:**

**To hear an appeal of the Tall Grass and Weed Ordinance (Ord. No. 2018-199) for property located at 4785 Rambo Road submitted by John Johnson on behalf of Ron Gelesko.**

Attorney Johnson gave a historical overview of the property. The Donna/Vista Drive subdivision was first established in the mid 1960's when ADCO was first built. At that time there used to be farm land in between the subdivision and ADCO. In 2002, when half the houses were built in the new Hidden Creek subdivision is when complaints first came in. The residents didn't want to see or hear the industrial property. In 2001, ADCO had an opportunity for the business to migrate to Stevensville. In 2003, the buildings on the property started to come down and took about 7 years to complete. There were not many complaints at that time. In 2011, the building inspector visited the property and informed Mr. Gelesko that more things need to be done to the property. There was an agreement to put up the fence between the ADCO property and the subdivision. It is Mr. Gelesko's understanding that the fence was temporary until the woods grow up. ADCO believes that the natural barrier is important. There were two recent notices of violation to the property. The second one was on the fence line and that is the one he is speaking on tonight.

He reviewed the written materials Ms. Howell submitted. The term “resolution” has multiple meanings including an agreement or settlement. He acknowledges that there is nothing in writing that it is woods. He read aloud Section 4(A)2 of the ordinance.

Section 4. Land Subject to Regulations

A. This ordinance applies to the following:

2. Vacant lots with platted residential subdivisions in which buildings have been erected upon 60 percent or more of the lots

The ADCO properties are not in a platted residential subdivision south of the fence line. It is vacant land and the City’s Assessor’s card shows that it is listed as vacant property.

The City Council visited the property last Thursday in shifts, so not to violate the Open Meetings Act. The exhibits presented to council, #2, 3, and 4 show the orientation of the land from Google maps. This clearly shows from 50’ up that this area is wooded. The specific parcel of land that the fence is on is a land locked parcel. The most important thing is this is a naturally wooded area consistent with the purpose of the ordinance. As Mr. Villwock stated in his affidavit, the area in question is a naturally wooded area at a young forest stage. There are too many trees along the north side of the property and would need to be bulldozed down leaving only dirt. He is authorized to also state that Mr. Gelesko and his wife will leave this as a naturally wooded area of 20’ no matter what happens in the future if the property gets developed. Mr. Gelesko agreed to this statement.

**COUNCIL DELIBERATION**

**For an appeal of the Tall and Grass and Weed Ordinance (Ord. No. 2018-199) for a property located at 4785 Rambo Road submitted by John Johnson on behalf of Ron Gelesko.**

Mayor Anderson went through a list of proposed findings of facts for the council to deliberate and come to a conclusion on.

**Proposed Findings of Fact**

- 1. The subject property is vacant industrial property, and has been since approximately 2005, when the buildings at the property were demolished.**  
*Council agreed with this fact.*
- 2. ADCO Realty LLC (“ADCO”), is the “owner” of the property as “owner” is defined in the Tall Grass and Weed Ordinance.**  
*Council agreed with this fact.*
- 3. There was apparently some discussion between the owners of the residential property at Hidden Creek and ADCO in approximately 2009.**  
*Council agreed with this fact.*
- 4. The City was not a party to this discussion, nor was the City presented with any agreements in this regard, so the City is not bound by any agreement between the parties in this situation.**  
*Council agreed with this fact.*
- 5. The City did issue a building permit for ADCO to construct a fence on its property in order to create a boundary between the 40 acre ADCO property and the residences at Hidden Creek.**  
*Council agreed with this fact with the correction that this is a 23 acre parcel not 40 acres.*
- 6. The City considers the entire 40 acre ADCO property as the same “parcel” as that term is used in the ordinance, as the entire property borders Rambo Road and is thus subject to the Ordinance.**



*Council agreed with this fact with the correction that this is a 23 acre parcel not 40 acres.*

7. **The Ordinance regulates tall grass and weeds in certain areas of the City while striving to maintain and preserve the City's unique location, which includes naturally wooded areas that are not required to be mowed.**

*Council agreed with this fact.*

8. **The Ordinance provides in Section 5, subsection 4, that the outer 20 feet of vacant industrial properties must have the grass mowed to 6 inches where the property borders residential property.**

*Council agreed with this fact.*

9. **There is an exception in the Ordinance for mowing this 20 foot area to 6 inches when the area in question is a "naturally wooded area" per Section 4.B.3.**

*Council agreed with this fact.*

10. **ADCO contends that the area where its property borders residential property is a "naturally wooded area" and therefore it does not need to be mowed to 6 inches.**

*Council agreed with this fact.*

11. **Further ADCO has stated that it cannot mow the area as practical matter because of the dense tree growth.**

*Council agreed with this fact.*

12. **On October 26, 2018, the entire Council took turns walking the property, and each Council member personally observed the property's condition along the fence bordering Hidden Creek Subdivision. Measurements were taken of the 20 foot boundary.**

*Council agreed with this fact except for the date should state October 25, 2018.*

13. **The term "naturally wooded area" is not defined in the Ordinance, but under statutory rules of interpretation, the term is given its usual meaning by the Council—for example, an area where there is natural tree growth such that the density of the growing trees makes it impossible or impractical to mow grass in the area without removing or harming the trees.**

*Council agreed with this fact.*

14. **The Council has toured the property and has applied what they saw to the practical meaning of the term "naturally wooded area".**

- Can't be mowed due to heavy tree density

- Quality of trees growing, including solid oaks and maples—not mere "scrub"

- No way to get mowing equipment into the area because of the tree density

- Only alternative is to bulldoze the area or cut down trees in order to provide an area to mow

- The Council is NOT willing to require a property owner to bulldoze or remove trees in order to mow the land, as that defies the purpose of the Ordinance: to preserve and maintain the natural environment of the City

*Member Gipson appreciated walking on the property and was shocked at how dense it was.*

*Mayor Anderson agreed with Gipson and said it was difficult at best. Member High said it would take away from the property if he had to clear it.*

15. **The Council has also reviewed the findings of the report and affidavit of Michael Villwock, Certified Arborist, who stated under oath that the area within the 20 feet is all naturally wooded, and that there is no way to mow grass in that area given the density of the tree growth. The Council agreed with the report based on their individual site visits.**

*Council agreed with this fact.*

16. **The Council found as follows:**

- a. **The 20 feet in front of the fence that borders the residential neighborhood is a naturally wooded area containing a host of hardwood trees, including maples and oaks.**

- b. **There is no “grassy area” to mow between the fence installed by ADCO and the 20 foot mark, as that area was almost entirely covered in tree growth.**
- c. **In order to mow the 20 foot area, ADCO would have to bulldoze or remove the trees, and that would be wholly inconsistent with the Ordinance’s stated purpose, which is to preserve and maintain woodlands.**

*Council agreed with this fact.*

- Member Fuller understands the intent of the ordinance and individual preferences. The council expressed points of view for the city on what looks nice. He does not quite understand what the discussion is tonight or what the request is unless it is to enforce the ordinance.
- Member Liskey said that all the literature Ms. Howell and Mr. Gelesko have been reviewed thoroughly by the council and he reread through the ordinance. The council should come to a conclusion and give both parties an answer tonight.
- Member Rose asked Ms. Howell what she wanted from this. She stated that she wants all the weeds and grapevines off the fence. Portions of the fence are falling down. She has maintained 3 ft. of property from the fence that is Mr. Gelesko’s, but he can now maintain his property. Member Rose stated he climbed the fence without going onto her property and took photos that show grass clippings, some cut wood and saplings on Mr. Gelesko’s property. He said that you could easily put the pieces together to know where it came from. Ms. Howell denied cutting anything down.
- Mayor Anderson stated it was the best thing to tour the property to get a good look at it. The area is reclaiming itself. She was disappointed at the stuff that has been thrown over the fence. She saw beer cans, cushions, and stumps. As far as the weeds are concerned, 99% of them are not noxious weeds. Everyone is different and has their own concept on what they want to see.
- Member Fuller agreed with Rose and Anderson on what they said. He also noticed weather measuring devices attached to the fence in one resident’s back yard which shows that the fence is being misused. He asked Mr. Gelesko if the fence was set back 3 ft. from the property line. Mr. Gelesko stated when the Building Inspector came out to the property and was told he would be responsible for the 3 ft. on the other side of the fence, he ended up putting the fence on the property line.
- Attorney Senica stated that the new Zoning Ordinance has language in it to create a buffer zone for industrial properties. If that property gets redeveloped, he would be required to install a buffer zone and plant trees. It looks better to have heavy tree growth as a buffer. The City would require that more trees be planted in the area that is sparse of trees.
- Member Gipson state that Mr. Gelesko is willing to plant more trees as the arborist recommended. Mr. Gelesko agreed with that statement.

**Motion** by Council Member Liskey, seconded by Council Member Catania to deny Ms. Howell’s request and approve Mr. Gelesko’s appeal,

Roll Call:

Yeas: Rose, Anderson, Catania, Fuller, High, Liskey, Gipson

Nays: None

**Motion carried unanimously.**

**COUNCIL COMMENTS:**

- Member Fuller wanted to recognize the High School students in the audience tonight and gave kudos to the four council members leaving.
- Member Catania thanked the community for their support over the last 41 years. The city has been through good times and bad, lost and gained businesses. He thanked everyone and wished the current council good luck ahead.
- Mayor Anderson stated it has been a pleasure working with everyone. This is the last meeting as a group. There have been times that the council has agreed or disagreed on matters.
- Member Rose thanked the four members leaving for all of their time.
- Member Liskey said that staff has been great to work with and they have done a wonderful job. He also stated that Manager Ganum has been a wonderful thing for this community.

**ADJOURNMENT**

**Motion** by Council Member Catania, seconded by Council Member Gipson to adjourn the meeting at 7:08 p.m., **motion carried unanimously.**

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Hannah Anderson, Mayor

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Allyson Holm, City Clerk



Vendor Name	Invoice Description	Invoice Amount
BLUE CROSS BLUE SHIELD OF MICH	HEALTH INSURANCE - NOVEMBER 2018	\$22,399.36
INDIANA MICHIGAN POWER	ELECTRIC - ALL DEPARTMENTS	\$2,175.99
	Total:	\$24,575.35

Vendor Name	Invoice Description	Invoice Amount
AJ HARDWARE	MISC. SUPPLIES - WATER/PD/PARKS	\$212.27
ART-FX, LLC	GRAPHICS/DECALS FOR NEW PD SQUAD CAR	\$500.00
	3 SPECIAL EVENT SIGNS	\$285.00
		\$785.00
BECKY SCOTT	KEY DEPOSIT REFUND	\$25.00
BERRIEN COUNTY TREASURER	CHARGEBACK ON FORCLOSED PROPERTIES	\$14,127.41
BEST ONE SOUTH BEND	REPAIR TIRE ON LOADER	\$217.99
BIO-CARE, INCORPORATED	FOSTER - FULL PHYSICAL	\$350.00
BRIDGMAN PUBLIC SCHOOLS	AUGUST 2018 0 BRIDGMAN COMMUNITY BUZZ	\$1,064.25
BROWN'S LOCKSMITHS	CYLINDERS MASTER KEYED AND NEW KEYS MADE	\$801.50
BRUNKE-GEIGER HEATING & COOLIN	REPAIR EAST CAMPGROUND TOILET	\$138.70
BRYANS AUTOMOTIVE	OIL CHANGE/MOUNT SNOW TIRES - PD 2015 SEDAN	\$181.26
	SERVICE 2014 INTERNATIONAL TRUCK	\$2,088.40
		\$2,269.66
CHARLES STEIN	BEACH HOUSE RENTAL DEPOSIT REFUND	\$100.00
CLEANING FRENZY LLC	WEKO BEACH CLEANINGS - OCTOBER 2018	\$742.50
	CITY HALL CLEANING - OCTOBER 2018	\$780.00
		\$1,522.50
COMCAST CABLE COMMUNICATIONS	BEACH HOUSE INTERNET	\$109.15
	WATER PLANT INTERNET	\$109.15
	CITY HALL INTERNET	\$161.81
		\$380.11
CR LAWN SERVICE	TREE REMOVAL - LAKE STREET	\$2,500.00

Vendor Name	Invoice Description	Invoice Amount
DEPARTMENT OF ENVIRONMENTAL Q	CAMGROUND LICENSE FEE RENEWAL	\$151.00
DOG WASTE DEPOT	DOG WASTE ROLL BAGS	\$132.99
ELECTION SOURCE	ELECTION SUPPLIES	\$23.18
EMC INSURANCE	POLICY CHANGE TO INSURANCE - NEW PD SQUAD CAR	\$776.00
ERNEST OTT	REIMBURSEMENT FOR BOOTS	\$127.19
HOME CITY ICE CO.	ICE FOR WEKO BEACH	\$250.20
IDEXX DISTRIBUTION CORP.	CHEMICALS FOR WATER PLANT	\$2,254.35
INDIANA MICHIGAN POWER	ELECTRIC - ALL DEPARTMENTS	\$70.88
JAMIE VANDEVENTER	BEACH HOUSE RENTAL DEPOSIT REFUND	\$375.00
LANGE INVESTIGATION&CONSULTING	SECURITY FOR CAMPGROUNDS - 10/5 - 10/13	\$560.00
MACALLISTER MACHINERY	GENERATOR AND ENGINE INSPECTION FOR WATER PLANT	\$517.00
MEDIC 1	AMBULANCE SERVICE - NOVEMBER 2018	\$2,455.17
MICHIGAN MUNICIPAL W.C. FUND	WORKERS COMPENSATION 7/2017 - 6/2018 AUDIT	\$3,762.00
MID-COUNTY SALES AND SERVICE	BACK PACK BLOWER	\$399.96
NYE UNIFORM CO.	TIE BARS - UNRUH	\$85.38
	CLASS B CARGO PANTS - LAVANWAY	\$47.99
	PD EMBLEM - UNRUH	\$5.00
		\$138.37

Vendor Name	Invoice Description	Invoice Amount
OMEGA TREE SERVICE	TREE REMOVAL - LAKE STREET	\$1,400.00
PETTY CASH	MISC OFFICE EXPENSES	\$61.64
PRIMAR PETROLEUM, INC.	DIESEL FUEL	\$824.70
PRINTING SYSTEMS	VOTER ID CARDS	\$33.73
QUILL	OFFICE SUPPLIES - CITY HALL/STREET DEPARTMENT	\$133.82
SBF ENTERPRISES	POSTAGE FOR WINTER TAX BILLS	\$490.00
SELGE CONSTRUCTION	LIFT STATION IMPROVEMENTS PROJECTS	\$61,602.50
SENICA, SARA A.	ATTORNEY FEES	\$4,205.00
SHERWIN INDUSTRIES	RENTAL FOR CRACK SEALER	\$4,500.00
SPICER GROUP	NPDES STORM WATER PERMIT - FIRST QTR (JULY - SEPT 20	\$784.02
SUPERFLEET MASTERCARD PROGRAM	GAS - ALL DEPARTMENTS	\$1,523.17
THE BRASS THIMBLE	VARIOUS UNIFORM ALTERATIONS	\$86.00
TRAIL, DON A.	PART-TIME POLICE PAY	\$192.00
TRUCK & TRAILER SPECIALTIES,IN	LED STROBE LIGHT FOR PLOW TRUCK	\$660.00
UNIFIRST CORPORATION	UNIFORMS WATER DEPARTMENT	\$7.78
	UNIFORMS - WATER/STREET DEPARTMENT	\$45.97
	UNIFORMS - WATER DEPARTMENT	\$7.78
	UNIFORMS - WATER/STREET DEPARTMENTS	\$45.97



Vendor Name	Invoice Description	Invoice Amount
	UNIFORMS - WATER/STREET DEPARTMENTS	\$45.97
	UNIFORMS - WATER DEPARTMENT	\$7.78
		\$161.25
VERIZON WIRELESS		
	FIRE DEPARTMENT TABLETS	\$47.01
	SEPT 18 - PHONES ALL DEPTS	\$447.07
	PD SQAUD CAR WI-FI/CITY HALL CELLPHONE	\$125.16
		\$619.24
VISA		
	CREDIT CARD ALL DEPARTMENTS	\$2,476.98
	CITY CREDIT CARDS - ALL DEPARTMENTS	\$2,476.98
		\$4,953.96
WATCHGUARD VIDEO		
	REPLACE TRANSMITTER FOR SQUAD CAR VIDEO SYSTEM	\$199.00
WEST MI CRIMINAL JUSTICE TRAIN		
	MCOLES - SPRING 2018 DISTRIBUTION	\$145.72
WINTER EQUIPMENT COMPANY, INC.		
	NEW BLADE FOR SNOW PLOW	\$1,751.51
WOLVERINE ELECTRICAL		
	GENERATOR SERVICE - DPW BUILDING	\$365.00
	GERERATOR SERVICE - CITY HALL/FIRE STATION	\$365.00
	REPAIR UNDERGROUND WIRES TO CAMPSITE 59	\$558.00
	REPLACED BALLASTS IN MEN'S BATHROOM AT TOTHS ST PAI	\$144.50
		\$1,432.50
	Total:	\$122,247.44

Vendor Name	Invoice Description	Invoice Amount
ALLEE, CORNELIA	ELECTION WORKER PAY	\$190.00
ALLEN, DAVID	ELECTION WORKER PAY	\$190.00
ALLEN, GAYLE	ELECTION WORKER PAY	\$190.00
BASINGER, CHARLES	ELECTRICAL INSPECTOR PAY	\$369.60
BEAVER RESEARCH COMPANY	STREET DEPARTMENT SUPPLIES	\$289.75
BERRIEN CO. FIRE FIGHTER TRAINING	BOOKS/MATERIALS FOR RIT COURSE - MATTNER	\$300.00
BLUE CROSS BLUE SHIELD OF MICH	HEALTH INSURANCE - DECEMBER 2018	\$22,444.14
BOSS SERVICES	INSTALL DRINKING FOUNTAIN, LAUNDRY TUB, AND FAUCET	\$1,799.00
BRIDGMAN PUBLIC LIBRARY	DELINQUENT PERSONAL PROPERTY TAXES	\$35.13
	PPT REIMBURSEMENT	\$687.60
		\$722.73
BRUNKE-GEIGER HEATING & COOLIN	CLOSE UP CAMPGROUNDS	\$420.00
	WINTERIZE TOTH PARK BATHROOMS AND DRINKING FOUNT	\$105.00
		\$525.00
BRYANS AUTOMOTIVE	OIL CHANGE - MOUNT SNOW TIRES FOR 2017 PD INTERCEP	\$154.86
	SNOW TIRES FOR NEW PD SQUAD CAR	\$678.04
	MOUNT SNOW TIRES - 2014 PD INTERCEPTOR	\$85.00
	SERVICE 2014 INTERNATIONAL	\$1,983.13
		\$2,901.03
BS&A SOFTWARE	BUILDING DEPT - ANNUAL SERVICE/SUPPORT - NOV 2018 - N	\$776.00
BURKHOLDER EXCAVATING	CLEANING DITCH ON BALDWIN ROAD	\$750.00
CHAPPELL, KARIN	ELECTION CHAIR PAY	\$250.00

Vendor Name	Invoice Description	Invoice Amount
COMCAST BUSINESS	TELEPHONE - ALL DEPARTMENTS	\$679.34
COMCAST CABLE COMMUNICATIONS	BEACH HOUSE INTERNET	\$109.15
CONSTRUCTION ASSOCIATES	BUILDING/ZONING PAY	\$745.75
CR LAWN SERVICE	LEAF PICK UP - WEST OF RED ARROW HWY	\$825.00
DEPARTMENT OF ENVIRONMENTAL Q	ANNUAL WATER SUPPLY FEE	\$1,338.05
ELECTION SOURCE	CREATION OF BALLOT CHART FOR GENERAL ELECTION	\$45.00
EMILY CAUDELL	BEACH HOUSE RENTAL DEPOSIT REFUND	\$200.00
FALCON ROAD MAINTENANCE EQUIPMENT	4 TON ASPHALT HOT BOX	\$22,765.81
GRIFFITHS, MARILYN	ELECTION WORKER PAY	\$190.00
GRSD SEWER AUTHORITY	OPERATING RESERVE - OCTOBER 2018	\$34,121.47
	EMERGENCY MISS DIG - BALDWIN/DONNA DR	\$159.00
		\$34,280.47
HARDINGS FRIENDLY MARKET	MISC SUPPLIES - WATER DEPARTMENT	\$69.36
HARTLINE, LIA	ELECTION WORKER PAY	\$190.00
HERALD PALLADIUM	PUBLIC ACCURACY - GENERAL ELECTION NOTICES	\$566.79
INDIANA MICHIGAN POWER	ELECTRIC - STREET LIGHTS/LIFT STATION	\$1,763.20
INDUSTRIAL MARKETING&CONSULT	REPAIRS ON BIG SIDEWALK SNOW BLOWER	\$455.11
JONES, SHANNON		

Vendor Name	Invoice Description	Invoice Amount
	ELECTION WORKER PAY	\$190.00
LAKELAND MEDICAL CENTER	DOT PHYSICAL	\$113.00
M.A.A.C. PROPERTY SERVICES	INSTALL LIGHTS ON LARGE PINE TREE ON LAKE STREET	\$2,350.00
MCCOTTER, DIANA	ELECTION WORKER PAY	\$190.00
MICHIGAN GAS	GAS UTILITIES - WATER PLANT	\$55.97
	GAS UTILITIES - BEACH HOUSE KITCHEN	\$39.99
	GAS UTILITES - BEACH HOUSE	\$68.99
	GAS UTILITIES - STREET DEPARTMENT	\$58.50
	GAS UTILITES - CITY HALL	\$182.28
		\$405.73
MICHIGAN MUNICIPAL W.C. FUND	WORKERS' COMP PREMIUM 7/2018 - 7/2019 INSTALLMENT 3	\$6,078.00
MICHIGAN STATE FIREMEN'S ASSOC	2019 MEMBERSHIP DUES	\$75.00
NEMITZ, ILENE	ELECTION CO-CHAIR PAY	\$250.00
PETSOVICH, GREG	ELECTION WORKER PAY	\$190.00
PIFER, ERICK	ELECTION WORKER PAY	\$190.00
PRECISION RAIN INC.	WINTERIZE CITY IRRIGATION SYSTEM	\$330.00
PRIMAR PETROLEUM, INC.	DIESEL FUEL	\$1,079.60
R. YODER CONSTRUCTION, INC	DPW RENOVATIONS	\$71,955.00
RAMSEY, BETTY	ELECTION WORKER PAY	\$190.00
REPUBLIC	GARBAGE SERVICE & BULK PICKUP	\$12,227.11

Vendor Name	Invoice Description	Invoice Amount
	WEKO BEACH DUMPSTER	\$194.00
		\$12,421.11
TRUCK & TRAILER SPECIALTIES,IN	REPAIRS TO 2003 DPW TRUCK	\$1,093.91
TWIN CITY AWARDS&TROPHIES	NAME PLATES - NEW COUNCIL MEMBERS	\$44.00
U.S. BUSINESS SYSTEMS, INC.	COPIER CONTRACT COVERAGE - 10/2018 TO 01/2019	\$149.00
UNIFIRST CORPORATION	UNIFORMS - WATER/STREET DEPARTMENTS	\$45.97
	UNIFORMS - WATER DEPARTMENT	\$7.78
	UNIFORMS - WATER DEPARTMENT	\$7.78
	UNIFORMS - WATER/STREET DEPARTMENTS	\$45.97
		\$107.50
USA BLUE BOOK	YETI GLOVES FOR WATER DEPARTMENT	\$143.90
WIGHTMAN & ASSOC., INC.	WATER GIS SYSTEM - SAW GRANT	\$3,325.00
	DPW RENOVATIONS	\$934.11
	GENERAL ENGINEERING	\$490.00
	BALDWIN ROAD LIFT STATION IMPROVEMENTS	\$420.88
		\$5,169.99
WORLDPOINT ECC, INC.	AHA CPR SUUPLIES	\$55.70
ZOLMAN TIRE&AUTO CARE	TIRE REPAIR ON LOADER	\$217.99
	Total:	\$198,909.71

# CITY COUNCIL REPORT

# ACTION ITEM

**Date:** November 19, 2018

**Subject:** Selection of a City Council liaison to the Zoning Board of Appeals

# D

**Background:**

Bridgman’s previous zoning ordinance stated that two (2) members of the City Council may serve on the Zoning Board of Appeals (ZBA) so long as they remain members of the City Council. The Councilmembers who were appointed to the ZBA were Vince Rose and Hannah Anderson. Hannah’s departure from the City Council and the election of Stacy Stine, who is a current member of the Zoning Board of Appeals, leaves two (2) city council members serving on the board.

The Michigan Zoning Enabling Act, however, limits the number of councilmembers who may serve on the ZBA to one, pursuant to the following section:

**ARTICLE VI – ZONING BOARD OF APPEALS**

**125.3601 Zoning board of appeals; appointment; procedural rules; membership; composition; alternate member; per diem; expenses; removal; terms of office; vacancies; conduct of meeting; conflict of interest.**

Sec. 601 (6) Subject to subsection (2), **1 regular or alternate member of a zoning board of appeals may be a member of the legislative body.** Such a member shall not serve as chairperson of the zoning board of appeals. An employee or contractor of the legislative body may not serve as a member of the zoning board of appeals.

With Vince Rose currently serving on the Zoning Board of Appeals as a City Council liaison and City Council-Elect Stacy Stine also serving on the Zoning Board of Appeals, the City Council will need to select one individual to remain on the ZBA in light of the limitation pursuant to the Michigan Zoning Enabling Act.

**Policy Question:**

Whom should serve as the City Council liaison to the Zoning Board of Appeals in order to achieve compliance with the Michigan Zoning Enabling Act?

**Budget Impact:** None

**Recommendation:**

The Mayor makes a recommendation with the City Council approval.

List of current ZBA members and their term expirations.

2019	2020	Council Members	Planning Com. Chair
Thomas Buckley	Stacy Stine*	Vince Rose	Steve Parsons
Michael Mendus	Joan Hurray		

\* Newly appointed City Council Member

**Supporting Documents:**

1. Excerpt from the Zoning Board of Appeals draft bylaws.

Prepared By: Allyson Holm, City Clerk

Submitted By: Juan Ganum, City Manager



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9765 Maple Street / P.O. Box 366 / Bridgman, MI 49106 / Tel: 269•465•5144 / Fax: 269•465•3701

## **EXCERPT FROM THE ZONING BOARD OF APPEALS DRAFT BY-LAWS:**

The recently adopted City Zoning Ordinance in 2017 states the Membership, terms, alternates, and rules of procedure shall be outlined in the Zoning Board of Appeals Bylaws. The Zoning Board of Appeals has created draft bylaws which states The Zoning Board of Appeals shall consist of:

- (1) The Zoning Board of Appeals shall consist of seven (7) members recommended by the City Mayor and affirmed by a majority vote of the City Council. All members shall be appointed for three (3) year terms as terms expire.
- (2) In addition, the Mayor may recommend up to two (2) alternate members for three (3) year terms subject to the affirmation of the City Council. The alternate members may be called, on a rotating basis, to sit as regular members of the Board of Appeals in the absence of a regular member. An alternate member may also be called to serve in the place of a regular member for purpose of reaching a decision on a case in which the regular member has abstained for reasons of conflict of interest. The alternate member called shall serve on the case until a final decision is made. The alternate member, when called, has the same voting rights as a regular member of the Board of Appeals.
- (3) The Chairman of the City of Bridgman Planning Commission who shall serve as Chairman of the Board of Appeals and shall serve so long as he/she remains Chairman of the Planning Commission;
- (4) One (1) member of the City Council of the City of Bridgman who shall serve so long as they remain members of the City Council; and,**
- (5) Five (5) members of the Board of Appeals shall be electors of the City of Bridgman who own or hold interest in real property in the City of Bridgman assessed for tax purposes. Each elector member shall serve for a term of three (3) years.

CITY COUNCIL REPORT	ACTION ITEM
<p><b>Date:</b> November 19, 2018</p> <p><b>Subject:</b> First reading and introduction of an ordinance to completely prohibit marihuana establishments in the City of Bridgman.</p>	<h1>E</h1>
<p><b><u>Background:</u></b></p> <p>On November 6, 2018 Michigan voters approved Proposal 1 to legalize recreational marihuana. When this new legislation goes into effect adults over the age of 21 will be able to legally possess up to 2.5 ounces of marihuana. Smoking marihuana in public will not be legal under the new law, nor will driving under the influence of marihuana.</p> <p>The Michigan Regulation and Taxation of Marihuana Act of 2018 also defines and provides for the establishment of different license types for marihuana establishments. These are establishments of a commercial nature where recreational marihuana can be grown, processed, transported, tested for safety and sold to paying customers.</p> <p>Although it is anticipated that the state agency responsible for issuing commercial licenses will take several months to promulgate rules and procedures for obtaining a license, our city attorney and I feel that the best course of action to protect the City from unauthorized establishments is to adopt legislation that completely prohibits these establishments in Bridgman. A great number of cities across Michigan are in the process of enacting similar legislation as a means of protecting themselves and providing their legislative bodies with an opportunity to discuss the new law's implications. As four councilmembers have been newly elected in Bridgman a prohibition will grant our city council with the necessary time to discuss whether the prohibition should remain in effect, be lifted or amended in any way.</p> <p><b><u>Policy Question:</u></b></p> <p>Should the City Council adopt an ordinance to completely prohibit marihuana establishments in the City of Bridgman in order to protect the City from unauthorized commercial establishments and give itself time to deliberate the implications of such?</p> <p><b><u>Budget Impact:</u></b></p> <p>Undetermined impact of foregone revenue from the taxation of marihuana establishments.</p> <p><b><u>Recommendation:</u></b></p> <p>The City Attorney, Police Chief and City Manager recommend that the City Council conduct a first reading and introduction of an ordinance to completely prohibit marihuana establishments in the City of Bridgman.</p> <p><b><u>Supporting Documents:</u></b></p> <ol style="list-style-type: none"> <li>1. Ordinance 2018-203</li> </ol> <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**

**AN ORDINANCE TO COMPLETELY PROHIBIT MARIHUANA ESTABLISHMENTS  
IN THE CITY OF BRIDGMAN**

**ORDINANCE NO. 2018 - \_\_\_\_\_**

An Ordinance to completely prohibit every type of marihuana establishment in the City of Bridgman pursuant to the Michigan Regulation and Taxation of Marihuana Act of 2018.

**THE CITY OF BRIDGMAN ORDAINS:**

**SECTION ONE. Purpose.**

On November 6, 2018, voters in the State of Michigan adopted by ballot proposal the Michigan Regulation and Taxation of Marihuana Act of 2018 (“MRTMA”), which defines different license types for recreational marihuana establishments. These are establishments of a commercial nature where recreational marihuana can be grown, processed, transported, tested for safety, and sold to paying customers.

The MRTMA, Section 6.1, specifically allows municipalities to completely prohibit recreational marihuana establishments within their boundaries. As such, the City of Bridgman desires to completely prohibit all of the marihuana establishments authorized under the MRTMA within the boundaries of the City of Bridgman. To this end, the City of Bridgman adopts this ordinance to prohibit every type of recreational marihuana establishment allowed under the MRTMA within the corporate boundaries of the City.

**SECTION TWO. Definitions.**

“Marihuana establishment” shall mean a marihuana grower with a class A, B, and/or C license, a marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, and/or any other type of marihuana-related business licensed by the State of Michigan Department of Licensing and Regulatory Affairs under the MRTMA.

“MRTMA” shall mean the Michigan Regulation and Taxation of Marihuana Act of 2018.

“City” shall mean the City of Bridgman.

**SECTION THREE. Complete Prohibition of Marihuana Establishments in the City of Bridgman.**

All marihuana establishments of every nature or type are completely prohibited within the corporate limits of the City of Bridgman pursuant to the MRTMA, Section 6.1.

**SECTION FOUR. Penalties.**

- A.** Any violation of this Ordinance shall be a Municipal Civil Infraction, subject to payment of a civil fine of not more than \$500.00 for each day that a violation exists. A second or subsequent violation may be punished by a fine of not more than \$1,000.00 per day for each day that a violation exists. The City shall also be authorized to recover any costs and attorney fees necessary to enforce this Ordinance under this Section.
- B.** Any violation of any provision of this Ordinance is hereby declared to be a public nuisance, and the City may seek enforcement of the Ordinance by suit for injunction, damages, or any other appropriate legal or equitable action as against a public nuisance, at the expense of the property owner where the violation occurred pursuant to MCL 600.2940, which shall include the City's actual costs and attorney fees, all of which may be charged as a lien against the premises where the violation has occurred or is occurring. Any such civil action may be in addition to any prosecution for violations of this Ordinance as a Municipal Civil Infraction. Commencement of any individual proceeding under this Section shall not constitute an election of remedies, and the City shall remain free to elect any available remedy to enjoin the public nuisance, either at law or in equity.

**SECTION FIVE. Severability.**

The several provisions of this ordinance are declared to be separate; if any Court shall hold that any section or provision hereof is invalid, such holding shall not affect or impair the validity of any other section or provision of this ordinance.

**SECTION SIX. Effective Date.**

This ordinance shall be published as required by law and shall take effect immediately after its enactment and publication.

**ORDINANCE DECLARED ADOPTED.**

\_\_\_\_\_  
Allyson Holm, 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 the \_\_\_\_ day of November, 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, Clerk