

III. PROCLAMATIONS

Mayor Dan Balice read a Proclamation in honor of Detective Sergeant Cory McDiarmid on the occasion of his retirement after nearly 23 years with the Office of Public Safety. Mayor Balice commended Officer McDiarmid for being a great team member, and thanked him on behalf of the community. He also noted that as a fellow graduate of Grand Valley State University, Detective Sergeant McDiarmid will remain a “Laker for Life”.

IV. PUBLIC COMMENTS

Former Councilmember Gordon Kelley said that as a newly sworn-in member of the Ionia County Board of Commissioners, he continues to value the relationship with the City Council and the importance of the relationship between the two entities. Commissioner Kelley offered to assist and serve in his new capacity in any way he can.

Two residents, Mr. George Fox and Mr. John Thomasson, spoke about the confusion with Odd/Even Parking and how it relates to streets with one-side parking. Mayor Balice will look into the matter and provide clarification on the issue.

V. PUBLIC HEARINGS & ASSOCIATED ACTION

Public Hearing & Action – Ordinance No. 571: Business Districts (V-1)

In continuing updates to the zoning code, the Planning Commission reviewed all three business districts and the office district chapters. It was determined that changes are needed to these sections to modernize and update permitted uses and special land uses allowed in the B-1, Neighborhood Business District, the B-2, Community Business District, and the B-3, General Business District. Additionally, the proposed ordinance would rename the Office District to the Health Services District (HSD) in alignment with the Master Plan. There are three parcels, located at 550 and 601 E. Washington Street and 524 W. Main Street to which this ordinance would apply, rezoning all three from Office to the newly created Health Services District. In considering this rezoning, the Planning Commission determined these Office District properties should be protected to prevent possible future conversion to a more intense commercial use in these areas. Ordinance No. 571 is presented to Council with a recommendation for approval from the Planning Commission.

Following the public hearing, Councilmember Winters made a motion, seconded by Councilmember Starr, to approve Ordinance No. 571 amending Chapter 1240 – General Provisions and Definitions, Chapter 1256 – B-1 Neighborhood Business District, Chapter 1258 – B-2 Community Business District, and Chapter 1260 – B-3 General Business District– of Title Six: Zoning – of Part Twelve: Planning and Zoning Code; and renaming Chapter 1255– of Title Six: Zoning – of Part Twelve: Planning and Zoning Code; and rezoning parcel numbers 34-202-100-000-105-00, 34-204-090-000-670-50 and 34-204-070-000-025-00 into the HSD Health Services District of the City of Ionia Codified Ordinances.

Roll Call Vote: AYES: Milewski, Winters, Videtich, Lee, Starr, Millard, Gustafson, Waterman,
 and Balice
 NAYS: None

MOTION CARRIED

**CITY OF IONIA
IONIA COUNTY, MICHIGAN
Ordinance No. 571**

AN ORDINANCE TO AMEND PART TWELVE “PLANNING AND ZONING CODE”, OF TITLE SIX “ZONING”, OF CHAPTER 1240 ENTITLED “GENERAL PROVISIONS AND DEFINITIONS”; TO AMEND CHAPTER 1256 ENTITLED “B-1 NEIGHBORHOOD BUSINESS DISTRICT”; RENAME AND AMEND CHAPTER 1258 ENTITLED “B-2 COMMUNITY BUSINESS DISTRICT” INTO “B-2 CENTRAL BUSINESS DISTRICT”; AND AMEND CHAPTER 1260 ENTITLED “B-3 GENERAL BUSINESS DISTRICT”; TO RENAME CHAPTER 1255 ENTITLED “O OFFICE DISTRICT” AS “HSD HEALTH SERVICES DISTRICT; AND TO REZONE PERMANENT PARCEL NUMBERS 34-202-100-000-105-00, 34-204-090-000-670-50, AND 34-204-070-000-025-00 INTO THE DISTRICT ENTITLED “HSD HEALTH SERVICES DISTRICT” OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA.

THE CITY OF IONIA ORDAINS:

Part One: Amendment

That Part Twelve, Title Six, Chapter 1240, entitled “General Provisions and Definitions” of the Codified Ordinances of the City of Ionia, Michigan is amended to add the definitions as follows and renumber the subsections in appropriate order:

**CHAPTER 1240
General Provisions and Definitions**

- 1240.01 Short title.
- 1240.02 Conflicts of laws.
- 1240.03 Compliance required.
- 1240.04 Zoning of annexed areas.
- 1240.05 Zoning of vacated areas.
- 1240.06 District requirements.
- 1240.07 Amendments.
- 1240.08 Interpretation.
- 1240.09 Vested rights.
- 1240.10 Rules of construction.
- 1240.11 Definitions.

* * *

1240.11 DEFINITIONS.

As used in this Zoning Code, the following words and terms shall have the meanings given to them herein:

* * *

Adult Oriented Use: Any establishment which, for money or any other form of consideration either has as one of its principal purposes to sell, exchange, rent, loan, trade, transfer, or provide for viewing, off the premises or on premises, any adult oriented materials or entertainment. [This term] includes but is not limited to accessories, books, magazines, photographs, prints, drawings, paraphernalia, paintings, motion pictures, live shows,

pamphlets, videos, slides, tapes, or electronically generated images or devices including computer software, or any combination thereof.

Banking and Financial Institutions: A Bank or Financial Institution is a for-profit or non-profit business open to the public and engaged in deposit banking and performing closely related functions such as making loans, investments, and fiduciary activities.

Clinic, Medical, or Dental: A facility operated by one or more physicians, dentists, chiropractors, or other licensed practitioners of the healing arts for the examination and treatment of a person solely on an outpatient basis.

Dry Cleaning Establishment: An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry, dry cleaning equipment, or machinery.

Dry Cleaning Plant: A building or portion of a building, or premises, used or intended for cleaning fabrics, textiles, wearing apparel, or articles of any sort that are cleaned by process of immersion or agitation in volatile solvents, petroleum distillates, and chlorinated hydrocarbons.

Event Center: Any establishment at which organized events for the purpose of amusement, entertainment, or ceremony are held when a reserving party utilizes the space for a contractual period of time or, if open to the general public, the public pays an admission fee.

General Office: An office for activities such as, but not limited to, real estate agencies, advertising agencies, insurance agencies, travel agencies and ticket sales, chambers of commerce, credit bureaus (but not finance institutions), abstract and title agencies or insurance companies, stockbrokers, and the like. It is characteristic of a business office where retail or wholesale goods are not shown or sold on the premises to a customer. A barber or beauty shop is not a general office.

Governmental Building or Facility: A building or structure owned, operated, or occupied by a governmental agency to provide governmental service to the public.

Indoor Recreational Facility: A commercial, recreational land use conducted entirely within a building (i.e., arcades, athletic and health clubs, gymnasiums, swimming pools, skating, etc.).

Institutional Use: Public and public-private group use of a non-profit nature, typically engaged in public service (i.e., places of public gathering, charitable organizations, libraries, museums, non-profit cultural centers, etc.).

Medical or Dental Laboratories: A facility used for medical, dental, or other health science collection, research, or analysis.

Personal Services: Enterprises serving individual necessities, such as barber shops, beauty salons and spas, clothing rental, coin-operated laundromats, massage services by masseurs/masseuses, photographic studios, tattoo parlors.

Place of Public Assembly: Buildings, structures and grounds, including theaters, churches, auditoriums, sports arenas, concert halls, lecture halls and other similar facilities intended for commercial or non-commercial entertainment, instruction, worship or similar activities involving assembled groups of people numbering thirty (30) or more.

Professional Services: A business that offers any type of personal service to the public that requires as a condition precedent to the rendering of such service, the provider must often obtain a license or other legal authorization. By way of example, and without limiting the generality of this definition, professional services include services rendered by certified public accountants, engineers, architects, medical doctors, dentists, and attorneys at law.

Storage, Commercial: The storage of goods or materials for sale in or operation of a business.

Storage, Personal: A structure to be used, or intended to be used, for private noncommercial, nonindustrial storage uses, also commonly referred to as mini-storage.

Storage, Outdoor: The storage of any good or materials outside the principal or accessory buildings on a property.

Warehouse: Indoor facilities characterized by storage of finished or unfinished products for industry or commercial enterprises.

Part Two: Renaming and Amendment

That Part Twelve, Title Six, Chapter 1255, entitled “O Office District” of the Codified Ordinances of the City of Ionia, Michigan is hereby renamed as the “HSD Health Services District.” And is hereby amended to read in its entirety as follows:

CHAPTER 1255 Health Services Office District

1255.01 Intent.

1255.02 Principal uses permitted.

1255.03 Special uses.

1255.04 Area and bulk requirements.

CROSS REFERENCES

Zoning and planning in home rule cities - see M.C.L.A. § 117.4i

Regulation of location of trades, buildings and uses by local authorities - see M.C.L.A. § 125.581

Regulation of buildings; authority to zone - see M.C.L.A. § 125.582

Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - see M.C.L.A. § 125.583a

Special land uses - see P. & Z. Ch. 1274

Nonconforming uses - see P. & Z. Ch. 1278

Off-street parking and loading - see P. & Z. Ch. 1282

Signs - see P. & Z. Ch. 1234

Provisions applicable to all districts - see P. & Z. 1286

1255.01 INTENT.

~~It is the intent of this chapter to provide for a variety of office uses of a business and professional nature as well as activities compatible with these uses. The regulations contained in this chapter are designed to encourage a harmonious relationship between the office district and abutting land uses and provide a transition between arterial streets and residential uses.~~

It is the intent of this chapter to promote and expand the health services and technology industry in the City of Ionia by providing a setting in which the physical design and supporting amenities are attractive to the health and technology sectors.

1255.02 PRINCIPAL USES PERMITTED.

In the Health Service Office District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this Zoning Code:

- (a) ~~Professional office establishments that perform business and professional services, such as government, insurance, real estate, legal, financial, architectural, planning, and other similar services.~~
- (b) ~~Medical and dental laboratories, dental, and mental health clinics and offices.~~
- (c) ~~Health clubs.~~
- (d) ~~Assisted living and skilled nursing facilities. Mortuaries and funeral homes, not including crematories.~~
- (e) ~~Hospitals. Banks, credit unions and similar financial establishments, not including drive through windows.~~
- (f) ~~Psychiatric or Substance Abuse Treatment Centers. Research, development, and testing laboratories and offices without manufacturing.~~
- (g) ~~Urgent Care Facilities. Radio and television studios.~~
- (h) ~~Museums, libraries, art galleries and similar cultural facilities, either public or private. Ambulance Services.~~
- (i) ~~Studios or schools for instruction, such as dance, music, or art. Retail uses under 1,500 square feet in floor area, in conjunction with medical offices and hospitals.~~
- (j) ~~Child day care centers and nursery schools. Restaurants, cafes, and similar uses under 1,500 square feet in floor area in conjunction with medical offices and hospitals.~~
- (k) ~~Schools for vocational training. Pharmacies.~~
- (l) ~~Church, mosque or synagogue and church, mosque or synagogue related accessory use. Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to any of the above uses as regulated by Section 1286.01.~~

1255.03 SPECIAL USES.

The following uses may be permitted as special land uses in the Health Service District office district subject to the procedures and standards of Chapter 1274 of these Codified Ordinances.

- (a) ~~Heliports. Banks, credit unions, and similar financial establishments with drive through or drive up windows.~~
- (b) ~~Gathering halls, lodges, or clubs of fraternal organizations. Residential catering to district employees.~~
- (c) ~~Hospitals.~~

1255.04 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback requirements.

Part Three: Amendment.

That Part Twelve, Title Six, Chapter 1256, entitled “B-1 Neighborhood Business District” of the Codified Ordinances of the City of Ionia, Michigan is amended to read in its entirety as follows:

CHAPTER 1256 B-1 Neighborhood Business District

- 1256.01 Intent.
- 1256.02 Principal uses permitted.
- 1256.03 Required conditions.
- 1256.04 Special land uses.
- 1256.05 Area and bulk requirements.

1256.01 INTENT.

The B-1 Neighborhood Business District, as herein established, is intended to meet the day-to-day convenience shopping and service needs of persons residing in adjacent residential areas.

1256.02 PRINCIPAL USES PERMITTED.

In a Neighborhood Business District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this chapter:

~~—(a) Generally recognized retail businesses which supply commodities on the premises, such as, but not limited to, groceries, meats, dairy products, baked goods or other foods, drugs, dry goods, clothing and notions or hardware.~~

(a) Banking and Other Financial Institutions, excluding drive-through establishments.

~~—(b) Personal service establishments which perform services on the premises, such as, but not limited to, repair shops (watches, radio, television, shoe, etc.), tailor shops, beauty parlors or barber shops, photographic studios, and self-service laundries and dry cleaners.~~

~~(be) Dry cleaning establishments or pick-up stations but not, dealing directly with the consumer.~~
cCentral dry cleaning plants serving more than one retail outlet are shall be prohibited.

~~—(d) Business establishments which perform services on the premises, such as, but not limited to, banks, loan companies, insurance offices, and real estate offices.~~

~~—(e) Professional services, including the following: offices of doctors, dentists, osteopaths, and similar or allied professions.~~

~~—(f) Facilities for human care such as hospitals, sanitariums, rest and convalescent homes.~~

~~—(g) Post office and similar governmental office buildings serving persons living in the adjacent residential area.~~

~~—(h) Other uses similar to the above uses.~~

~~—(i) Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to the uses allowed in this district.~~

~~—(j) Dwelling units may be permitted within a building subject to the following conditions:~~

~~—(1) The dwelling unit shall be located on the second or third floor of the building.~~

~~—(2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.~~

~~—(3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Community Development Director before a building permit is issued.~~

~~(4) A building permit shall be obtained to establish a dwelling unit in order to ensure compliance with the requirements of this section and with the Building Code, Fire Code and District Health Department. The entire building containing the dwelling unit shall also be brought into compliance with the Building Code and Fire Code before an occupancy permit is issued.~~

(c) General Offices

(d) Governmental Buildings

(e) Institutional Buildings

(f) Medical or Dental Clinics and Laboratories

(g) Mortuaries and Funeral Homes

(h) Personal Service Businesses

(i) Professional Service Businesses

(j) Retail Businesses

(k) Small restaurants, cafes, and other establishments under 1,500 square feet in size, excluding drive-through establishments.

(l) Utilities and Essential Services

~~(m)~~ Accessory buildings, structures and uses in conformity with the regulations of Chapter 1286.01 ~~Section 1240.11(1) that are customarily incidental~~ and subordinate to permitted uses to the uses allowed in this district. ~~A barber pole shall be permitted as an accessory structure.~~

(n) Dwelling units may be permitted within a building subject to the following conditions:

(1) The dwelling unit shall be located on the upper-floor(s) of the building.

(2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.

(3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Zoning Administrator before a permit is issued.

1256.03 REQUIRED CONDITIONS.

~~—(a) All business establishments shall be retail or service establishments dealing directly with customers. All goods produced on the premises shall be sold at retail on the premises where they are produced.~~

~~—(b) All business, servicing, or processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.~~

1256.04 SPECIAL LAND USES.

The following uses may be permitted as a special land use by the Planning Commission, subject to the general and specific requirements of Chapter 1274.

~~—(a) Gasoline service station for the sale of gasoline, oil, and minor automotive accessories only and where no repair work is done, other than incidental service, but not including steam cleaning or undercoating, vehicle body repair, painting, tire recapping, engine or drive train rebuilding, auto dismantling, upholstery, auto glass work, storage of inoperable vehicles, and such other activities whose external effects could adversely extend beyond the property line.~~

~~—(1) The curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty five feet from a street intersection (measured from the road right-of-way) or from adjacent Residential Districts and shall not exceed two access points for each service station site.~~

~~—(2) The minimum lot area shall be 15,000 square feet, and so arranged so that ample space is available for motor vehicles that which are required to wait.~~

~~—(3) All permitted repairs and services shall be conducted within a building except for the sale of products and performance of services not involving a prolonged wait by consumers.~~

~~—(4) All tires, batteries and accessories, except for motor oils, shall be stored within the principal building.~~

~~—(5) All areas between the street curbs and street right of way lines (except for accessways and sidewalks) shall be suitably landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.~~

~~—(6) At least ten percent of the total site area shall be landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.~~

~~—(b) Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations, gas regulator stations with service yards, but without storage yards; water and sewage pumping stations.~~

~~(a) Housing for the elderly, retired or assisted care facilities and nursing homes subject to the standards of Section 1248.03(g).~~

~~(b) Child care centers, which may also be called a pre-school.~~

1256.05 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback requirements.

Part Four: Renaming and Amendment

That Part Twelve, Title Six, Chapter 1257, entitled “B-2 Community Business District” of the Codified Ordinances of the City of Ionia, Michigan is hereby renamed as the “B-2 Central Business District.” And is hereby amended to read in its entirety as follows:

CHAPTER 1258 **B-2 CentralCommunity Business District**

1258.01 Intent.

1258.02 Principal uses permitted.

1258.03 Required conditions.

1258.04 Special land uses.

1258.05 Area and bulk requirements.

1258.01 INTENT.

The B-2 CentralCommunity Business District is intended to cater to the needs of a larger consumer population than is the general community and serve as the City’s traditional downtown business district. It intends to served by the Neighborhood Business Districts and is generally characterized by an integrated or planned cluster of establishments served by a common parking area, and The Central Business District generates large volumes of vehicular and pedestrian traffic, and long with contains traditional mixed-use buildings comprised of upper level apartment type dwelling units on the second and third floors. levels of the structures within said District.

1258.02 PRINCIPAL USES PERMITTED.

In the CentralCommunity Business District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this chapter.

~~—(a) Any use permitted in the B-1 District as principal uses permitted, subject to the regulations applicable in the following section of this chapter.~~

- ~~—(b) All retail business, service establishments or processing uses as follows:~~
- ~~—(1) Any retail business whose principal activity is the sale of merchandise in an enclosed building.~~
 - ~~—(2) Any service establishment of an office, showroom, or a workshop nature of an electrician, decorator, dressmaker, tailor, baker, painter, upholsterer or an establishment doing radio or home appliance repair, photographic reproduction, and similar service establishments that require a retail adjunct.~~
 - ~~—(3) Private clubs, fraternal organizations, and lodge halls.~~
 - ~~—(4) Restaurants or other places serving food or beverage, except those having the character of a drive in.~~
 - ~~—(5) Hotels and motels.~~
 - ~~—(6) Theaters, assembly halls, concert halls or similar places of assembly when conducted completely within enclosed buildings.~~
 - ~~—(7) Business schools and colleges or private schools operated for profit.~~
 - ~~—(8) Other uses similar to the above uses.~~
 - ~~—(9) Accessory structures and uses customarily incident to the above permitted uses.~~

~~(1975 Code § 5.72)~~

~~—(c) Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to the uses allowed in this district. A barber pole shall be permitted as an accessory structure.~~

~~—(d) Residential apartment unit(s) on the second and third floor levels when one of the following off-street parking conditions is met:~~

~~—(1) Off-street parking shall be provided at the ratio of one per apartment unit when on-site parking is provided or when off-street parking is provided within 300 feet of the building it is intended to serve; or~~

~~—(2) Utilization of common remote off-street parking within the B-2 Community Business District at a ratio of one off-street parking space per apartment unit, subject, however, to the review and approval of a committee appointed by the City Council or by the approval of a majority of the City Council.~~

~~(Ord. 345, Passed 6-4-91; Ord. 481, Passed 12-7-10; Ord. 528, Passed 1-3-17.)~~

- ~~(a) Banking and Financial Institutions, excluding drive-through establishments.~~
- ~~(b) Micro-Breweries and Micro-Distilleries~~
- ~~(c) Dry cleaning establishments, or pick-up stations. Central dry-cleaning plants serving more than one retail outlet shall be prohibited.~~
- ~~(d) Event Centers~~
- ~~(e) Fraternal Clubs and Lodges~~
- ~~(f) General Offices~~
- ~~(g) Governmental Buildings and Uses~~
- ~~(h) Hotels~~
- ~~(i) Indoor Recreational Facilities~~
- ~~(j) Institutional Uses~~
- ~~(k) Medical or Dental Clinics and Laboratories~~
- ~~(l) Fine Arts Galleries and Instruction Studios~~
- ~~(m) Personal Services~~
- ~~(n) Professional Services~~
- ~~(o) Restaurants, Cafes, and Similar Uses, excluding drive-through establishments.~~
- ~~(p) Retail Businesses~~
- ~~(q) Theaters~~
- ~~(r) Utilities and Essential Services~~

(s) Accessory buildings, structures and uses in conformity with the regulations of Chapter 1286.01 customarily incidental and subordinate to permitted uses in this district.

(t) Dwelling units may be permitted within a building subject to the following conditions:

(1) The dwelling unit shall be located on the upper-floor(s) of the building.

(2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.

(3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Zoning Administrator before a permit is issued.

1258.03 REQUIRED CONDITIONS.

(a) The B-2 Central Business District shall operate as a commercial district in conjunction with the above permitted uses, accessory uses, and mixed-use developments.

(b) All business, servicing or processing, except for off-street parking, loading and those open air uses indicated as being subject to special conditions in Section 1258.04, shall be conducted within completely enclosed buildings. All business shall be conducted inside an enclosed building or structure unless otherwise permitted in this Zoning Ordinance. Outdoor sales are permitted and must be located within 36" of the front wall of the building as long as the property owner maintains a minimum of a five-foot-wide pedestrian travel space on the public sidewalk. Any property owner that maintains an outdoor product display must remove said display daily at the end of business hours.

(c) Main entrances shall be provided along the primary street frontage and will be architecturally distinguishable as a primary entrance to the building. Secondary or rear and side entrances are encouraged where possible but should be less distinguishable in design to the primary entrance. The Planning Commission may modify this provision to allow for an alternate entrance location upon review.

1258.04 SPECIAL LAND USES.

The following uses may be permitted as a special land use by the Planning Commission subject to the general and specific requirements of Chapter 1274:

(a) Drive-throughs, excluding Main Street, for Banking and Financial Institutions based upon factors including, but not limited to, access points, traffic counts, adjoining usage, etc.

(b) Open air business uses when developed in planned relationship with the B-2 District as follows:

(1) Retail sales of plant material not grown on the site, and sales of lawn furniture, playground equipment and garden supplies, provided that such uses shall be located at the exterior end rear of the building mass located in a B-2 District.

(2) Recreational space providing children's amusement park and other similar recreation when part of a planned development, provided that such use is located at the exterior end rear of the building mass located in a B-2 District, but not at the intersection of two major thoroughfares. Such recreation space shall be fenced on all sides with a four-foot chain-link type fence meeting the requirements of the B-2 District.

(c) Bowling alleys, and billiard halls, indoor archery range, indoor tennis courts, indoor skating rink, or similar forms of indoor commercial recreation, when located at least 100 feet from any front, rear or side yard of any residential lot in an adjacent Residential District.

(d) Automobile service centers, when developed as part of a larger planned shopping center designed so as to integrate the automobile service center within the site plan and architecture of the total shopping

center, and provided that a building permit shall not be issued separately for the construction of any automobile service center within the B-2 District.

(d) Housing for the elderly, retired or assisted care facilities and nursing homes subject to the standards of Section 1248.03(g).

(e) Child care centers, which may also be include called a pre-schools.

1258.05 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback requirements.

Part Five: Amendment

That Part Twelve, Title Six, Chapter 1260, entitled “B-3 General Business District” of the Codified Ordinances of the City of Ionia, Michigan is amended to read in its entirety as follows:

CHAPTER 1260 B-3 General Business District

1260.01 Intent.

1260.02 Principal uses permitted.

1260.03 Special land uses.

1260.04 Area and bulk requirements.

1260.01 INTENT.

The B-3 General Business District is intended to provide sites for more diversified business types ~~that~~ which would often be incompatible with the pedestrian movement in the Neighborhood Business District or the CentralCommunity Business District.

1260.02 PRINCIPAL USES PERMITTED.

In ~~the~~a General Business District, no building or land shall be used, and no building shall be erected, except for one or more of the following specified uses, unless otherwise provided in this Zoning Code.

~~—(a) Any retail business or service establishment permitted in B-1 and B-2 Districts as principal uses permitted and uses permitted subject to special conditions.~~

~~—(b) Auto laundries (car wash) when completely enclosed in a building.~~

~~—(c) Bus passenger stations.~~

~~—(d) New and used car salesroom, showroom, or office.~~

~~—(e) Church, mosque or synagogue and church, mosque or synagogue related accessory uses.~~

~~—(f) Other uses similar to the above uses.~~

~~—(g) Accessory buildings, structures and uses in conformity with Section 1240.11(1) that are customarily incident to the uses allowed in this district. A barber pole shall be permitted as an accessory structure.~~

(a) Banking and Financial Institutions, including drive through facilities subject to the following conditions:

- (1) A setback of at least sixty feet from the right-of-way line of any existing or proposed street must be maintained.
- (2) Access points shall be located at least sixty feet from the intersection of any two streets.
- (3) All lighting shall be shielded from adjacent Residential Districts.
- (4) A six-foot high completely obscuring wall shall be provided when abutting or adjacent districts are zoned for any (R) Residential Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Chapters ~~1278~~ through 1286.06.
- (5) The front twenty feet shall be suitably landscaped with trees, shrubs or grass, neatly maintained in a healthy and growing condition.
- (b) Bowling Alleys and Billiard Halls.
- (c) Breweries and Distilleries.
- (d) Car Washes.
- (e) Child care centers, which may also include pre-schools.
- (f) Places of public assembly.
- (g) Dry cleaning establishments, or pick-up stations including central dry-cleaning plants serving more than one retail outlet.
- (h) Educational Institutions
- (i) Event Centers
- (j) Fine Arts Galleries and Instruction
- (k) Fraternal Clubs and Lodges
- (l) Gasoline service station for the sale of gasoline, oil, and minor automotive accessories.
 - (1) The curb cuts for access to a service station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than twenty-five feet from a street intersection (measured from the road right-of-way) or from adjacent Residential Districts and shall not exceed two access points for each service station site. The Planning Commission may allow for additional access points if deemed necessary.
 - (2) The minimum lot area shall be 15,000 square feet, and so arranged that ample space is available for motor vehicles that are required to wait.
 - (3) All permitted repairs and services shall be conducted within a building except for the sale of products and performance of services not involving a prolonged wait by consumers.
 - (4) All tires, batteries, and accessories, except for motor oils, shall be stored within the principal building.
 - (5) All areas between the street curbs and street right-of-way lines (except for accessways and sidewalks) shall be suitably landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.
 - (6) At least ten percent of the total site area shall be landscaped with trees, shrubs or grass and shall be neatly maintained in a healthy growing condition.
- (m) General Offices
- (n) Governmental Buildings and Uses
- (o) Heavy automotive repair and body work.
- (p) Hotels and Motels
- (q) Indoor Recreational Facilities
- (r) Institutional Uses
- (s) Medical or Dental Clinics and Laboratories
- (t) Mortuaries, Funeral Homes, and Crematoriums
- (u) New and Used Car Sales, Showrooms, and Service Shops

- (v) Personal Service Businesses
- (w) Professional Service Businesses
- (x) Restaurants, Cafes, and Similar Uses, including drive through facilities subject to the following conditions:
 - (1) A setback of at least sixty feet from the right-of-way line of any existing or proposed street must be maintained.
 - (2) Access points shall be located at least sixty feet from the intersection of any two streets.
 - (3) All lighting shall be shielded from adjacent Residential Districts.
 - (4) A six-foot high completely obscuring wall shall be provided when abutting or adjacent districts are zoned for any (R) Residential Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Chapters 1286.06.
 - (5) The front twenty feet shall be suitably landscaped with trees, shrubs or grass, neatly maintained in a healthy and growing condition.
- (y) Retail Businesses
- (z) Research and Technology Establishments
 - (aa) Storage, Personal
 - (bb) Utilities and Essential Services
 - (cc) Vehicle Rental Facilities
 - (dd) Accessory buildings, structures, and uses in conformity with the regulations of Chapter 1286.01 following the regulations of Chapter 1286.01 customarily incidental and subordinate to any permitted use in this district.
 - (ee) Dwelling units may be permitted within a building subject to the following conditions:
 - (1) The dwelling unit shall be located on the upper-floor(s) of the building.
 - (2) Each dwelling unit shall contain a minimum of 600 square feet of floor area.
 - (3) One off-street parking space shall be provided for each dwelling. The space shall be either on the same site as the dwelling unit or within 300 feet of the building containing the dwelling as measured by a straight line. Proof of parking shall be provided to the Zoning Administrator before a permit is issued.

1260.03 SPECIAL LAND USES.

The following uses may be permitted subject as a special land use by the Planning Commission subject to the general and specific requirements of Chapter 1274.

- ~~—(a) Outdoor sales space for exclusive sale of new or second hand automobiles, house trailers, or rental of trailers and/or automobiles, all subject to the following:~~
 - ~~—(1) The lot or area shall be provided with a permanent, durable, and dustless surface, and shall be graded and drained as to dispose of all surface water accumulated within the area.~~
 - ~~—(2) Access to the outdoor sales area shall be at least sixty feet from the intersection of any two streets.~~
 - ~~—(3) No major repair or major refinishing shall be done except within a fully enclosed building.~~
 - ~~—(4) All lighting shall be shielded from adjacent Residential Districts.~~
 - ~~—(5) Inoperable vehicles shall be stored within a fully enclosed building.~~
 - ~~(ab) Business in the character of a drive-in or open front store, subject to the following conditions:~~
 - ~~—(1) A setback of at least sixty feet from the planned right-of-way line of any existing or proposed street must be maintained.~~
 - ~~—(2) Access points shall be located at least sixty feet from the intersection of any two streets.~~

~~— (3) All lighting shall be shielded from adjacent Residential Districts.~~

~~— (4) A six-foot high completely obscuring wall shall be provided when abutting or adjacent districts are zoned for any (R) Residential, B-1 or B-2 Districts. The height of the wall shall be measured from the surface of the ground. Said wall shall further meet the requirements of Chapters 1278 through 1286.06.~~

~~— (5) The front twenty feet shall be suitably landscaped with trees, shrubs or grass, neatly maintained in a healthy and growing condition.~~

(b) Indoor and Outdoor Commercial Storage and Warehousing Facilities

~~— (c) Veterinary hospitals or clinics, provided that all activities are conducted within a totally enclosed main building and provided, further, that all buildings are set back at least 200 feet from abutting Residential Districts on the same side of the street.~~

~~— (d) Plant materials nursery for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies, subject to the following conditions:~~

~~— (1) The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.~~

~~— (2) All loading and parking shall be provided off-street.~~

~~— (3) The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent use.~~

~~(ce) Lumber yards, provided they comply with the following conditions:~~

~~(1) Primary access shall be provided on a major street or highway.~~

~~(2) The maximum size allowed when considering total land size shall not exceed 2.25 acres of total land.~~

~~(3) Not more than thirty percent of the salable goods shall be stored in the open air.~~

~~(d) Plant materials nursery for the retail sale of plant materials not grown on the site, and sales of lawn furniture, playground equipment and garden supplies, subject to the following conditions:~~

~~(1) The storage and/or display of any materials and/or products shall meet all setback requirements of a structure.~~

~~(2) All loading and parking shall be provided off-street.~~

~~(3) The storage of any soil, fertilizer, or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent use.~~

(e) Outdoor Theaters and Open Space Venues: Because outdoor theaters are unique in that they are used only after dark and since they develop a concentration of vehicular traffic entering and leaving their parking area, they shall be permitted in B-3 and I-1 districts only. Outdoor theaters shall further be subject to the following conditions:

(1) Proposed internal design shall receive approval from the Zoning Administrator and the City Manager as to adequacy of drainage, lighting and other technical aspects based on applicable legal requirements.

(2) Outdoor theaters shall abut a major thoroughfare and points of ingress and egress shall be available only from such major thoroughfare.

(3) All vehicles, waiting or standing to enter the facility, shall be provided off-street waiting space. No vehicle shall be permitted to wait or stand within a dedicated right-of-way.

(4) The area shall be laid out so as to prevent the movie screen from being viewed from residential areas or adjacent major thoroughfares. All lighting used to illuminate the area shall be confined within and directed onto the premises of the outdoor theater site.

~~(f) Veterinary hospitals or clinics, provided that all activities are conducted within a totally enclosed main building and provided, further, that all buildings are set back at least 200 feet from abutting Residential Districts on the same side of the street.~~

1260.04 AREA AND BULK REQUIREMENTS.

See Appendix I, Schedule of Regulations, limiting the height and bulk of buildings, the minimum size of lots by permitted land use, and providing minimum yard setback.

Part Six: Rezoning

That parcel number 34-202-100-000-105-00, identified by the street address 524 W. Main Street and parcel number 34-2204-090-000-670-50, identified by the street address of 550 East Washington Street, shall be rezoned to the HSD Health Services Zoning District; and parcel number 34-204-070-000-025-00, not containing an assigned address number, but located on the south side of the intersection at East Washington Street and Morse Street shall be rezoned to the HSD Health Services Zoning District, as established in Section 1246.01 Districts Established of Chapter 1246, and conforms with Section 1246.02 Districts Generally and Zoning Map District Boundaries of Chapter 1246 - Title Six – Zoning of Part Twelve – Planning and Zoning Code.

Part Seven: Zoning Map Update

That the official Zoning District Map of the City of Ionia, Michigan, last adopted on August 2, 2022, shall hereby be amended to rezone parcel 34-202-100-000-105-00, identified by the street address 524 W. Main Street; and parcel number 34-2204-090-000-670-50, identified by the street address of 550 East Washington Street; and parcel 34-204-070-000-025-00, not containing an assigned address number, but located at the south side of the intersection of Washington Street and Morse Street. These parcels shall be clearly labeled and zoned into the HSD Health Services Zoning District, as said district is presently labeled on the official Zoning District Map of the City of Ionia, Michigan.

Part Eight: Repealer

That all ordinances and parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Part Nine: Publication and Effective Date

That the City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect seven (7) days after it, or a summary thereof as permitted by law, along with the date of its adoption, is published in the *Daily News*, a newspaper of general circulation in the City unless otherwise provided by law.

Dated: _____

CITY OF IONIA

By: Mary Patrick, City Clerk

Public Hearing & Action—Second Amendment to City of Ionia—Township of Ionia 2001 Contract for Conditional Transfer of Property, Public Act 425 of 1984 (V-2)

The City of Ionia and Ionia Township entered into a Public Act 425 agreement in 2001 to conditionally transfer certain properties from Ionia Township to the City of Ionia in order to facilitate their development and access to various City of Ionia municipal services. The properties subject to the original 2001 agreement are noted in red on the following Exhibit A and are commonly referred to as the Ionia High School, Rather Elementary School, DaVita Dialysis, and the Abbey Apartments.

In order to facilitate development of eight additional parcels adjacent to the original transferred area, which are highlighted in blue on the following Exhibit A, it is proposed the 2001 425 Agreement be amended to add these parcels. Since the agreement was modified once before, this is the “Second Amendment” to the original agreement.

Furthermore, because the original agreement is now over 20 years old, several other sections are noted for amendment that are mostly administrative in nature and remove language that is no longer relevant. The original term of the agreement is proposed to remain the same – through February 13, 2051. The only other substantive change proposed to the original agreement appears in 13., which would amend Paragraph 14 of the Contract. This amendment states the property within the transferred area shall remain in the City for all purposes if the Contract is terminated prior to or at the expiration date/not renewed.

Councilmember Milewski made a motion, seconded by Councilmember Winters, to conduct a public hearing, and to approve the proposed Second Amendment to City of Ionia – Township of Ionia 2001 Contract for Conditional Transfer of Property, Public Act 425 of 1984.

Roll Call Vote: AYES: Milewski, Winters, Videtich, Lee, Starr, Millard, Gustafson, Waterman, and Balice
 NAYS: None

MOTION CARRIED

Exhibit A – Legal Descriptions:
IONIA TOWNSHIP TO CITY OF IONIA GILLESPIE APARTMENTS

The property to be transferred is located west of Canterbury Estates Modular Home Park and east of existing commercial along M-66. It is currently vacant. The description of the parcel is:

That part of the SW fractional ¼, Section 31, T7N, R6W, Ionia Township, Ionia County, Michigan, described as: Beginning at a point on the north line of said SW¼ section which is S 89° 02' 57" E 965.00 feet from the west¼ comer of Section 31; Thence S 89°02' 57" E 66.00 feet along said north line; Thence S 00° 47' 00" W 831.80 Feet; Thence N 89° 02' 57" W 66.00 feet; Thence S 00° 47' 00" W 903.63 feet to a point on the north line of the south 913.77 feet of said _SW ¼; Thence N 89° 04' 05" W 694.57 feet along said north line to a point on the east line of Memorial Acres; Thence N 00° 52' 21" E 1103.84feet along the east line of Memorial Acres to a point on the south line of the north 631.80 feet of said SW¼; Thence S 89° 02' 57"E'692.26 feet along said South Line; Thence N 00° 50' 16" E 631.80 feet along the east line of the west 965.0 feet of said SW ¼ to the place of beginning. Subject to easements of record and to highway ROW for Tuttle Road. This parcel contains 18.842 aces, including highway ROW.

Dated: January 5, 2001

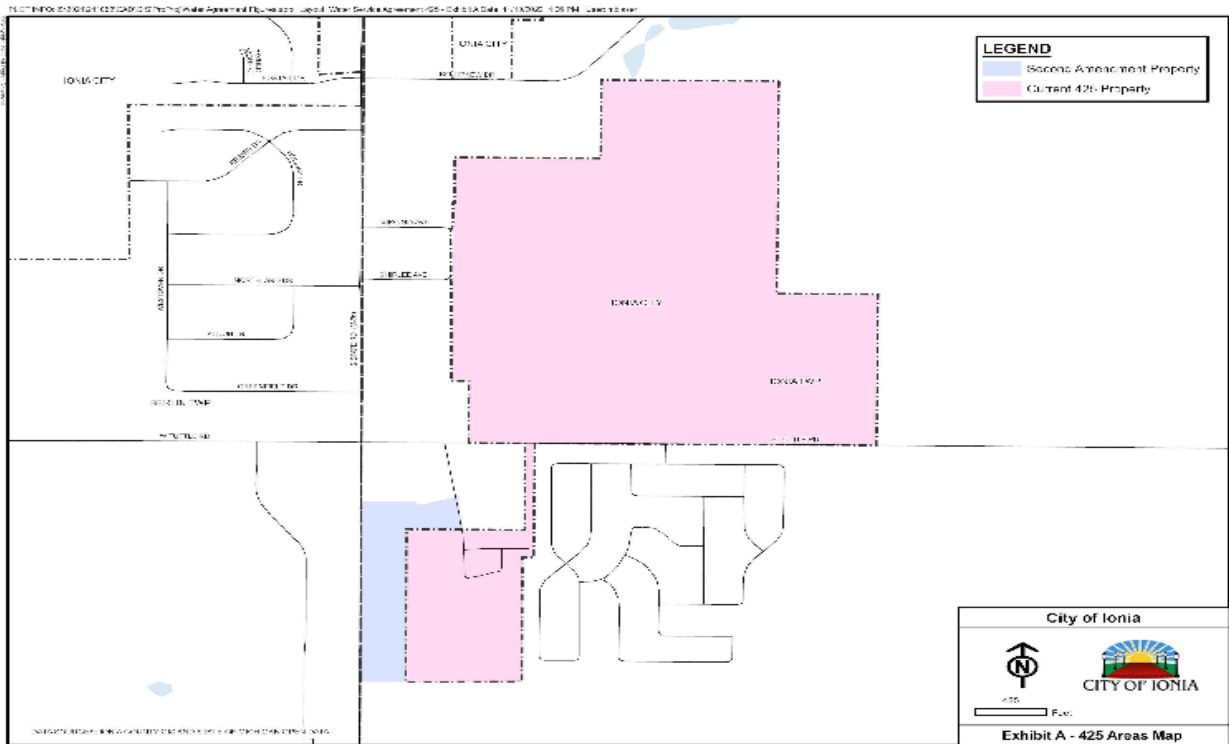
“SECOND AMENDMENT” Area
IONIA TOWNSHIP TO CITY OF IONIA

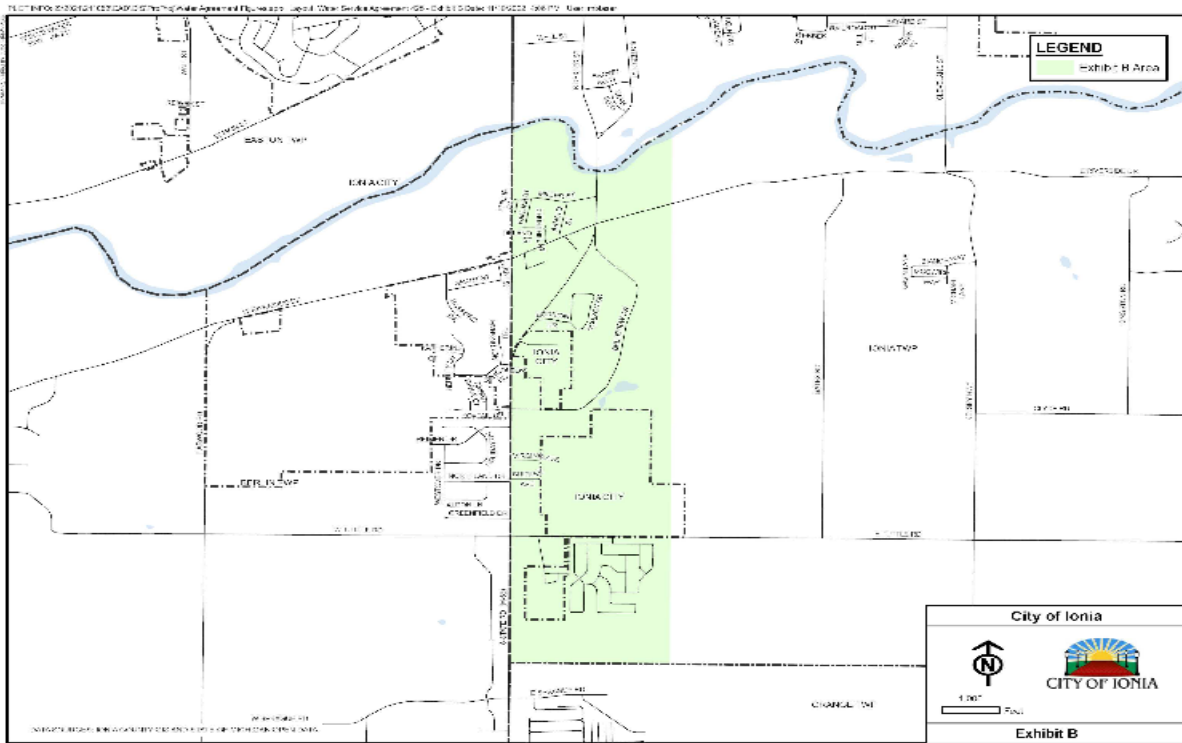
The properties to be transferred are located on the eastern side of M-66 and south of Tuttle Road. The description of the area is:

Beginning at a point on the northwest property line of parcel 34-060-031-000-115-24, continuing westerly to the eastern centerline of M-66, continuing south approximately 1,300 feet to the southern property line of parcel 34-060-140-000-035-20, continuing east to the eastern property line of parcel 34-060-140-000-035-20, continuing north approximately 1,100 feet to the southern property line of parcel 34-060-031-000-115-24, continuing east along the southern property line of parcel 34-060-031-000-115-

23 to the centerline of Heartland Blvd., continuing north to the northern property line of 34-060-031-000-115-23, continuing west to the eastern boundary of parcel 34-060-031-000-115-24, ending back to the place of beginning. Subject to easements of record and highway ROW. This area includes the parcels listed below and contains approximately 7.92 acres, including highway ROW and 8 total parcels. Parcels to be included are:

1. 34-060-031-000-115-24
2. 34-060-031-000-115-23
3. 34-060-140-000-005-10
4. 34-060-140-000-015-00
5. 34-060-140-000-020-00
6. 34-060-140-000-025-00
7. 34-060-140-000-035-10
8. 34-060-140-000-035-20





VI. COMMUNICATIONS

2022 Annual Solid Waste Report—Granger Waste Services (VI-1)

Mr. Scott Truman, Granger Waste Services, spoke briefly about the annual report and expressed his appreciation of working with the City of Ionia. The Spring and Fall clean-ups will again be held in 2023. He also noted Ionia's impressive recycling rate which is twice the national average.

The City of Ionia and Granger Waste Services have a current Domestic Refuse and Recycling Collection Agreement that was executed in 2008. Under Section III. General Provisions, paragraph 3.2 indicates that Granger shall annually provide the City with a report of its performance under the Agreement at a City Council meeting, which shall include statistical and other data that informs the Council of Granger's activities for the past year, plus any projections that will assist the Council in its planning

Councilmember Waterman made a motion, seconded by Councilmember Winters, to accept the 2022 Annual Solid Waste Report provided by Granger Waste Services. MOTION CARRIED BY VOICE VOTE

2022 Planning Commission Annual Report (VI-2)

A report was submitted by the Planning Commission for review by City Council describing the many items accomplished during the eleven meetings held by the Commission in 2022. The Commission has completed updates to a wide variety of zoning ordinances in the last year. These zoning updates serve the community by establishing new best practices and maintaining an effective Zoning Code. Overall, this report shows the dedication and hard work of the Commission during 2022 and sets a high standard for 2023.

THE CITY OF IONIA HEREBY ORDAINS:

Section 1. Rezoning of Property. That the following described parcels are hereby rezoned from the B-1, Neighborhood Business Zoning District, to the B-3, General Business Zoning District:

<u>Address</u>	<u>Parcel ID Number</u>
916 E. Lincoln Avenue	34-204-017-000-015-00
910 E. Lincoln Avenue	34-204-017-000-005-00
330 W. Lincoln Avenue	34-201-150-000-075-00
346 W. Lincoln Avenue	34-201-150-000-080-00
428 W. Lincoln Avenue	34-201-040-000-015-01
No Street Address	34-201-150-000-085-00
No Street Address	34-201-040-000-015-02
438 W. Lincoln Avenue	34-201-040-000-010-00
442 W. Lincoln Avenue	34-201-180-000-011-00
500 W. Lincoln Avenue	34-201-180-000-015-00
526 Hall Street	34-201-180-000-005-13
447 Baldie Street	34-201-060-000-045-00
431 W. Lincoln Avenue	34-201-060-000-030-10
421 W. Lincoln Avenue	34-201-060-000-035-10
420 N. Dexter Street	34-201-130-000-120-01
No Street Address	34-201-130-000-115-00
342 N. Dexter Street	34-201-130-000-095-00

Section 2. Amendment of Zoning Map. That the official Zoning Map of the City of Ionia, Michigan, referenced in Part Twelve, Title Six, Section 1246.02 of the Codified Ordinances of the City of Ionia, shall be amended upon the effective date of this Ordinance to reflect the rezoning of the parcels set forth in Section 1, above.

Section 3. Publication and Effective Date. That the City Clerk shall cause notice of the adoption of this Ordinance to be published in the manner provided by law. This Ordinance shall take effect seven (7) days after it, or a summary thereof as permitted by law, is published in the Daily News, a newspaper of general circulation in the City, unless otherwise provided by law.

Section 4. Repealer. All ordinances and parts of ordinances in conflict herewith are repealed to the extent of any such conflict.

CITY OF IONIA

Dated: _____

By: Mary Patrick, City Clerk

Introduction & First Reading—Ordinance No. 573: Storm Water Management (VII-2)

City Council first adopted its ordinances regarding storm water management in July and August 2002, together constituting what is today codified as Chapter 1043, entitled “Utilities – Storm Water Management.” It is unknown if the City previously administered this ordinance itself, but in recent years, the City has delegated this responsibility to the Ionia County Drain Commissioner’s office, which possesses significant expertise regarding storm water management.

In order to make this designation legally official, an ordinance and resolution were prepared for City Council consideration. Ordinance No. 573 largely preserves Chapter 1043 as currently written, but allows City Council to designate by resolution another public office or official to administer the

ordinance. It would also defer to the Ionia County Drain Commissioner the ability to set and collect storm water permit application fees. Resolution 2023-02 would officially designate and delegate to the Ionia County Drain Commissioner authority and responsibility to enforce and administer the City of Ionia's Storm Water Management provisions, being Chapter 1043 of the City of Ionia Codified Ordinances. Action on Resolution 2023-02 would occur at the same time as action on Ordinance No. 573.

Councilmember Starr made a motion, seconded by Councilmember Millard, to introduce and conduct a first reading of Ordinance No. 573, which would amend Part Ten, Title Four, Chapter 1043, entitled "Utilities; Storm Water Management" of the Codified Ordinances of the City of Ionia, Sections 1043.05, 1043.09, and 1043.11, and that Council schedule a **Public Hearing for 7:00 PM, Wednesday, March 1, 2023, at Ionia City Hall** to receive public comment regarding Ordinance No. 573.

Roll Call Vote: AYES: Milewski, Winters, Videtich, Lee, Starr, Millard, Gustafson, Waterman, and Balice
 NAYS: None

MOTION CARRIED

**CITY OF IONIA
IONIA COUNTY, MICHIGAN
ORDINANCE NO. 573**

AN ORDINANCE TO AMEND PART TEN, TITLE FOUR, CHAPTER 1043, ENTITLED "UTILITIES; STORM WATER MANAGEMENT" OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA, SECTIONS 1043.05, 1043.09, AND 1043.11

The City of Ionia Ordains:

Part One: Addition

That Part Ten, Title Four, Chapter 1043, Section 1043.05 Entitled "Utilities; Storm Water Management; Definitions" of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows: 1043.05 DEFINITIONS.

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them by this Section unless the context in which they are used specifically indicates otherwise:

- (a) "Authorized enforcement agency." ~~Employees or designees of the Director of the Municipal agency~~ City employees, officers, or agencies designated to enforce this chapter.
- (b) "Base flood." A flood having a one percent chance of being equaled or exceeded in any given year.
- (c) "Base flood elevation." The high water elevation of the base flood, commonly referred to as the "100 year flood elevation".
- (d) "Base flood plain." The area inundated by the base flood.

(e) "Best Management Practices (BMPs)." A practice, or combination of practices and design criteria that comply with the Michigan Department of Environmental Quality's Guidebook of BMPs for Michigan Watersheds, or equivalent practices and design criteria that accomplish the purposes of this chapter (including, but not limited to minimizing storm water runoff and preventing the discharge of pollutants into storm water) as determined by the City Engineer, and, where appropriate, the standards of the Ionia County Drain Commissioner.

(f) "Building opening." Any opening of a solid wall such as a window or door, through which floodwaters could penetrate.

~~(g) "City." The City of Ionia~~

(g) "City." The City of Ionia. Except where the context clearly indicates otherwise, references to the City, City authorized enforcement agency, City Engineer, or City Community Development Director shall mean such offices of the City or such other public office or official designated by resolution of the City Council from time to time; provided, however that the foregoing shall not be interpreted to supersede provisions of state law reserving to particular City offices the power or duty to perform designated functions (e.g., City building official's authorization to issue building permits, City Treasurer's authority to enter liens on tax rolls, etc.).

(h) "Clean Water Act." The Federal Water Pollution Control Act, 33 USC 1251 et seq., as amended, and the applicable regulations promulgated thereunder.

(i) "Construction site storm water runoff." Storm water runoff from a development site following an earth change.

(j) "Design Engineer." Registered and licensed professional engineer responsible for the design of a drainage plan.

(k) "Detention." A system which is designed to capture storm water and release it over a given period of time through an outlet structure at a controlled rate.

(l) "Developed" or "development." The installation or construction of impervious surfaces on a development site that require, pursuant to State law or local ordinance, the City's approval of a site plan, plat, site condominium, special land use, planned unit development, rezoning of land, land division approval, private road approval or other approvals required for the development of land or the erection of buildings or structures, provided, however, that for purposes of Sections [1043.06](#) through [1043.14](#) only, "developed" or "development" shall not include the actual construction of, or an addition, extension or modification to, an individual single-family or a two-family detached dwelling.

(m) "Developer." Any person proposing or implementing the development of land.

(n) "Development site." Any land that is being or has been developed, or that a developer proposes for development.

(o) "Discharger." Any person or entity who directly or indirectly discharges storm water from any property. "Discharger" also means any employee, officer, director, partner, contractor, or other person who participates in, or is legally or factually responsible for, any act or omission which is or results in a violation of this chapter.

(p) "Drain." Any drain as defined in the Drain Code of 1956, as amended, being M.C.L.A. 280.1, et seq., other than an established County or intercounty drain.

(q) "Drainage." The collection, conveyance, or discharge of ground water and/or surface water.

(r) "Drainageway." The area within which surface water or ground water is carried from one part of a lot or parcel to another part of the lot or parcel or to adjacent land.

(s) "Earth change." Any human activity which removes ground cover, changes the slope or contours of the land, or exposes the soil surface to the actions of wind and rain. Earth change includes, but is not limited to, any excavating, surface grading, filling, landscaping, or removal of vegetative roots. Normal landscaping and changes are exempted.

- (t) "EPA." The United States Environmental Protection Agency.
- (u) "Erosion." The process by which the ground surface is worn away by action of wind, water, gravity or a combination thereof.
- (v) "Exempted discharges." Discharges other than storm water as specified in Section [1043.24](#) of this chapter.
- (w) "Federal Emergency Management Agency (FEMA)." The agency of the Federal government charged with emergency management.
- (x) "Flood" or "flooding." A general and temporary condition of partial or complete inundation of normally dry land areas resorting from the overflow of water bodies or the unusual and rapid accumulation of surface water runoff from any source.
- (y) "Flood-proofing." Any structural and/or non-structural additions, changes or adjustments to structures or property that reduce or eliminate flood damage to land, or improvements utilities and structures.
- (z) "Floodplain." Any land area subject to periodic flooding.
- (aa) "Flood protection elevation (FPE)." The base flood elevation plus one foot at any given location.
- (bb) "Floodway." The channel of any watercourse and the adjacent land areas that must be reserved to carry and discharge a base flood without cumulatively increasing the water surface elevation more than one-tenth of a foot due to the loss of flood conveyance or storage.
- (cc) "Grading." Any stripping, excavating, filling, and stockpiling of soil or any combination thereof and the land in its excavated or filled condition.
- (dd) "Hazardous materials." Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.
- (ee) "ICDC." Ionia County Drain Commissioner.
- (ff) "Illicit connection." Any method or means for conveying an illicit discharge into water bodies or the City's storm water system.
- (gg) "Illicit discharge." Any discharge to water bodies that does not consist entirely of storm water, discharges pursuant to the terms of an NPDES permit, or exempted discharges as defined in this chapter.
- (hh) "Impervious surface." Surface that does not allow storm water runoff to slowly percolate into the ground.
- (ii) "Lowest floor." The lowest floor or the lowest enclosed area (including a basement), but not including an unfinished or flood-resistant enclosure which is usable solely for parking of vehicles or building access.
- (jj) "MDEQ." Michigan Department of Environment Quality.
- (kk) "National Pollutant Discharge Elimination System (NPDES) storm water discharge." A permit issued by the EPA (or by a state under authority delegated pursuant to 33 USC 1342(b) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.
- (ll) "Non-storm water discharge." Any discharge to the storm drain system that is not composed entirely of storm water.
- (mm) "NPDES." National Pollution Discharge Elimination System.
- (nn) "Overland flow-way." Surface area that conveys a concentrated flow of storm water runoff.
- (oo) "Person." An individual, firm, partnership, association, public or private corporation, public agency, instrumentality, or any other legal entity.
- (pp) "Plan." Written narratives, specifications, drawings, sketches, written standards, operating procedures, or any combination of these which contain information pursuant to this chapter.

(qq) "Pollutant." A substance discharged which includes, but is not limited to the following: any dredged spoil, solid waste, vehicle fluids, yard wastes, animal wastes, agricultural waste products, sediment, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological wastes, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, commercial and agricultural waste, or any other contaminant or other substance defined as a pollutant under the Clean Water Act.

(rr) "Premises." Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

(ss) "Property owner." Any person having legal or equitable title to property or any person having or exercising care, custody, or control over any property.

(tt) "Retention." A system which is designed to capture storm water and contain it until it infiltrates the soil or evaporates.

(uu) "Soil erosion." The stripping of soil and weathered rock from land creating sediment for transportation by water, wind or ice, and enabling formation of new sedimentary deposits.

(vv) "State of Michigan Water Quality Standards." All applicable State rules, regulations, and laws pertaining to water quality, including the provisions of Section 3106 of Part 31 of 1994 PA 451, as amended.

(ww) "Storm drain." A system of open or enclosed conduits and appurtenant structures intended to convey or manage storm water runoff, ground water and drainage.

(xx) "Storm water permit." A permit issued pursuant to this chapter.

(yy) "Storm water pollution prevention plan." A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to storm water, storm water conveyance systems, and/or receiving waters to the maximum extent practicable.

(zz) "Storm water runoff." The runoff and drainage of precipitation resulting from rainfall or snowmelt or other natural event or process.

(aaa) "Storm water runoff facility." The method, structure, area, system, or other equipment or measures which are designed to receive, control, store, or convey storm water.

(bbb) "Stream." A river, stream or creek which may or may not be serving as a drain, or any other water body that has definite banks, a bed, and visible evidence of a continued flow or continued occurrence of water.

(ccc) "Wastewater." Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

(ddd) "Water body." A river, lake, stream, creek or other watercourse or wetlands.

(eee) "Watershed." A region draining into a water body.

(fff) "Wetlands." Land characterized by the presence of water at a frequency and duration sufficient to support wetland vegetation or aquatic life.

Part Two: Amendment

That Part Ten, Title Four, Chapter 1043, Section 1043.09 entitled "Utilities; Storm Water Management; Storm Water Permit Review Fees" of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows:

1043.09 STORM WATER PERMIT REVIEW FEES.

- (a) ~~(a) All expenses~~ Expenses, fees, and costs ~~incurred by the City directly~~ associated with processing, reviewing and approving or denying a storm water permit application shall be ~~paid (or~~

~~reimbursed) to the City from the funds in a separate escrow account as established by the developer, as provided in division (b) of this section. The City may draw funds from a developers escrow account to reimburse the City for out-of-pocket expenses incurred by the City relating to the application. Such reimbursable expenses include, but are not limited to, expenses related to the following: ICDC from time to time.~~

~~(b) At the time, a developer applies for a storm water permit, the developer shall deposit with the ICDC such sums as established by the ICDC including, without limitation, deposits into any required escrow account.~~

~~—(1) Services of the City Attorney directly related to the application.~~

~~—(2) Services of the City Engineer directly related to the application.~~

~~—(3) Services of other independent contractors working for the City which are directly related to the application.~~

~~—(4) Any additional public hearings, required mailings and legal notice requirements necessitated by the application.~~

~~(b) At the time, a developer applies for a storm water permit, the developer shall deposit with the City Clerk, as an escrow deposit, an initial amount as determined by resolution of the City Council for such matters and shall provide additional amounts as requested by the City in such increments as are specified in said resolution. Any excess funds remaining in the escrow account after the application has been fully processed, reviewed, and the final City approval and acceptance of the development has occurred will be refunded to the developer with no interest to be paid on those funds. At no time prior to the City's final decision on an application shall the balance in the escrow account fall below the required initial amount. If the funds in the account are reduced to less than the required initial amount, the developer shall deposit into the account an additional amount as determined by Ionia City Council resolution, before the application review process will be continued. Additional amounts may be required to be placed in the escrow account by the developer, at the discretion of the City.~~

Part Three: Amendment

That Part Ten, Title Four, Chapter 1043, Section 1043.11 entitled “Utilities; Storm Water Management; Financial Guarantees” of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows:

1043.11 FINANCIAL GUARANTEE.

(a) ~~The City Engineer shall not approve~~ Issuance of a storm water permit ~~until~~ may be conditioned upon the developer ~~submits~~ submitting to the City, in a form and amount satisfactory to the City, a letter of credit or other financial guarantee for the timely and satisfactory construction of all storm water runoff facilities and site grading in accordance with the approved drainage plan. Upon certification by a registered professional engineer that the storm water runoff facilities have been completed in accordance with the approved drainage plan including, but not limited to, the provisions contained in Section 1043.08(h) of this chapter, the City may release the letter of credit, or other financial guarantee subject to final City acceptance and approval.

~~(b) Except as provided in division (c) of this section, the amount of the financial guarantee shall be one thousand dollars (\$1,000.00), unless the City determines that a greater amount is appropriate, in which case the basis for such determination shall be provided to the developer in writing. In determining whether an amount greater than one thousand dollars (\$1,000.00) is appropriate, the City shall consider the size and type of the development, the size and type of the on-site storm water system, and the nature of the off-site storm water runoff facilities the development will utilize.~~

~~—(c) The City Community Development Director may reduce or waive the amount of the financial guarantee for a development that will not increase the percentage of impervious surface of the development site by more than ten percent.~~

~~—(d) This chapter shall not be construed or interpreted as relieving a developer of its obligation to pay all costs associated with on-site private storm water runoff facilities as well as those costs arising from the need to make other drainage improvements in order to reduce a development's impact on a drain consistent with adopted design standards.~~

Part Four: Repealer

That all ordinances and parts of ordinances in conflict herewith are repealed to the extent of such conflict.

Part Five: Publication and Effective Date

The City Clerk shall cause a notice of adoption of this ordinance to be published. This ordinance shall take effect immediately upon publication of a summary thereof as permitted by law, along with the date of its adoption, in the *Daily News*, a newspaper of general circulation in the City.

Dated: _____

CITY OF IONIA

By: _____
Mary Patrick, City Clerk

Resolution No. 2023-02



CITY OF IONIA

COUNTY OF IONIA, MICHIGAN

At a regular meeting of the City Council of the City of Ionia, held at the Ionia City Hall, 114 North Kidd Street, Ionia, Michigan, on the 1st day of March, 2023, at 7:00 p.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution were offered by Council Member _____ and seconded by Council Member _____.

A RESOLUTION TO OFFICIALLY DESIGNATE AND DELEGATE TO THE IONIA COUNTY DRAIN COMMISSIONER AUTHORITY AND RESPONSIBILITY TO ENFORCE AND ADMINISTER THE CITY OF IONIA’S STORM WATER MANAGEMENT PROVISIONS, BEING CHAPTER 1043 OF THE CITY OF IONIA CODE OF ORDINANCES

WHEREAS, the City of Ionia had adopted, as authorized by law, regulations and provisions for the management of storm water within the City; being found at Chapter 1043 of the Codified Ordinances of the City of Ionia, entitled “Storm Water Management;” and

WHEREAS, the Ionia County Drain Commissioner has a particular expertise with regard to drain and storm water management matters; and

WHEREAS, the City Council has determined that it is in the best interest of the City to delegate to the Ionia County Drain Commissioner, its officers, employees, and agents the authority on behalf of the City to administer and enforce the City’s storm water management regulations and provisions.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Council of the City of Ionia hereby acknowledges as correct the recitals set forth above and incorporates the same as if fully restated.
2. The City Council hereby delegates to the Ionia County Drain Commissioner, its officers, employees, and agents, authority and power on behalf of the City to administer and enforce all provisions of Chapter 1043 of the City of Ionia Code of Ordinances (including, without limitation, the establishment of fees and charges for such services) except where in conflict with state legal requirements delegating particular powers to another municipal official or office. The Ionia County Drain Commissioner, its officers, employees, and agents shall for all purposes be considered designees of the City of Ionia for purposes of Chapter 1043 and its administration and enforcement.
3. Fees and charges as established by the Ionia County Drain Commissioner for the administration and enforcement of Chapter 1043 of the City Code shall be collected and retained by the Ionia County Drain Commissioner in payment of the services provided for herein.
4. Consistent with the provisions of Section 1043.45 of the City of Ionia Code of Ordinances, the City hereby adopts as additional design and performance standards for storm water runoff facilities the “Ionia County Drain Commissioner Administrative Guidelines for Storm Water Management,” dated January, 2023, a copy of which shall be maintained in the City’s records.
5. All resolutions and parts of resolutions in conflict herewith are repealed.
6. This resolution shall take immediate effect.

Mary Patrick, City Clerk

City of Ionia Recreation Plan Update—Williams & Works Proposal (VII-3)

In order to effectively plan improvements to the City’s Parks and Recreation system and to qualify for grant funding through the Michigan Department of Natural Resources, the City prepares and adopts a Recreation Plan every five years. The most recent plan was adopted on January 8, 2019 and will expire on December 31, 2023. Therefore, it is time to initiate the process of updating the City’s recreation plan, which will span from January 1, 2024 through December 31, 2028.

Williams and Works of Grand Rapids has served as the City’s planning consultant since mid-2021 and was asked to prepare a proposal to update the current Five-Year Recreation Plan. The work will be conducted in partnership with the City of Ionia Planning Commission and include an online

- A. That demand-response service is provided to persons 62 years of age or older and individuals with disabilities residing in Ionia Dial-A-Ride’s entire service area. (See attached map defining the service area.)
- B. That as a minimum, demand response service is provided to persons 62 years of age or older and individuals with disabilities during the same hours as service is provided to all other persons in Ionia Dial-A-Ride’s service area.
- C. That the average time required for demand response service to persons 62 years and older and individuals with disabilities, from the initiation of a service request to arrival at the destination, is equal to the average time period required for demand response service provided to all other persons in Ionia Dial-A-Ride’s service area.
- D. That Ionia Dial-A-Ride has established a Local Advisory Council with not less than 50 percent of its membership representing persons 65 years of age or older and individuals with disabilities in Ionia Dial-A-Ride’s service area. At least one member (or 12 percent of membership) has been appointed jointly with the area agency on aging. The Local Advisory Council has had an opportunity to review and comment on this plan before its submission to the Michigan Department of Transportation. (See attached Ionia Dial-A-Ride’s Local Advisory Council minutes)

All rules cited below refer to the official administrative rules for the administration of the Comprehensive Transportation Fund. These rules are found in the Michigan Administrative Code, beginning at Rule 241.4101, et seq.

2. Definition of Senior and Individual with a Disability - Rule 201 (2) (c)

As used in this Accessibility Plan

(a) “individual with a disability” means an individual who has a physical or mental impairment that substantially limits one or more of the major life activities of such individual, a record of such impairment, or being regarded as having such an impairment. See Michigan Administrative Code Rule 247.4101(1)(m).

(b) “senior” means an individual 62 years of age or older.

3. Number of Senior and Individuals with Disabilities in Service Area - Rule 201 (2) (c)

Ionia Dial-A-Ride estimates that a total of 3,671 persons fitting the above definitions reside in the agency’s defined service area.

4. Description of Plan Development Process and Local Advisory Council Involvement - Rule 201(2) (e)

Ionia Dial-A-Ride developed this plan using the following process:

- a. Agency staff drafted a plan, incorporating all information required by R 247.4201 and R247.4202 of the Michigan Administrative Code
- b. The draft plan content was reviewed at a meeting of the Ionia Dial-A- Ride Local Advisory Council, held on January 18, 2023, wherein the Local Advisory Council was given opportunity to review and comment on the content of the plan. In accordance with Sec.

10e(18)(d) of the Act, all comments on the plan received at this meeting by Local Advisory Council members are contained in a separate section of this plan, below.

c. A final draft plan was submitted to and approved by Ionia Dial-A-Ride's governing body.

5. Local Advisory Council Composition - Rule 202

Ionia Dial-A-Ride's Local Advisory Council is currently comprised of five members, which meets or exceeds the required minimum of three members. In accordance with Rule 202, no member of the Local Advisory Council is an employee, executive committee member, or governing board member of Ionia Dial-A-Ride. Ionia Dial-A-Ride ensures that at least 50 percent of its Local Advisory Council membership represents persons who are 65 years of age or older and persons who have disabilities within the agency's defined service area. Ionia Dial-A-Ride further ensures that at least one member of its Local Advisory Council (or one of every eight members, whichever is larger) is approved jointly with the area agency on aging. Ionia Dial-A-Ride further ensures that its Local Advisory Council membership will include people who have diverse disabilities and the senior who are users of public transportation. Ionia Dial-A-Ride's Local Advisory Council is, at the time of adoption and submission of this plan, composed of the following members:

1. LAC Chairperson

<p><u>Bill Patton</u> NAME</p> <p>This Member is a: <input type="checkbox"/> Person with Disabilities <input type="checkbox"/> Person 65 years and older <input checked="" type="checkbox"/> Neither of the above groups <input type="checkbox"/> Represents one of the above</p>	<p><u>Easton Township Supervisor</u> AFFILIATION (name of organization if any)</p> <p>This member is: <input type="checkbox"/> Jointly appointed by the area agency on aging <input type="checkbox"/> A user of public transportation <input checked="" type="checkbox"/> Neither of the above</p>
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2. Jessica Higley
NAME

This Member is a:
 Person with Disabilities
 Person 65 years and older
 Neither of the above groups
 Represents one of the above

DHHS
AFFILIATION
(name of organization if any)

This member is:
 Jointly appointed by the area agency on aging
 A user of public transportation
 Neither of the above

3. Lynn Lafler
NAME

This Member is a:
 Person with Disabilities
 Person 65 years and older
 Neither of the above groups
 Represents one of the above

Former IDART Director
AFFILIATION
(name of organization if any)

This member is:
 Jointly appointed by the area agency on aging
 A user of public transportation
 Neither of the above

4. Norma Kilpatrick
NAME

This Member is a:
 Person with Disabilities
 Person 65 years and older
 Neither of the above groups
 Represents one of the above

AAAWM Advisory Board Member
AFFILIATION

(name of organization if any)
This member is:
 Jointly appointed by the area agency on aging
 A user of public transportation
 Neither of the above

5. Melissa McKinstry
NAME

This Member is a:
 Person with Disabilities
 Person 65 years and older
 Neither of the above groups
 Represents one of the above

None
AFFILIATION

(name of organization if any)
This member is:
 Jointly appointed by the area agency on aging
 A user of public transportation
 Neither of the above

6. Present Vehicle Inventory – Rule 201 (2) (a)

Ionía Dial-A-Ride’s demand response vehicle inventory presently in service is as follows:

- a. Number of demand response vehicles presently in service purchased using Comprehensive Transportation Fund monies = Nine
- b. Number of accessible demand response vehicles presently in service purchased using Comprehensive Transportation Fund monies = Nine

7. Anticipated Vehicle Inventory – Rule 201 (2) (b)

Ionía Dial-A-Ride’s anticipated demand response vehicle inventory is as follows:

- a. Number of demand response vehicles in agency’s anticipated fleet which will be purchased using Comprehensive Transportation Fund monies = Nine
- b. Number of accessible demand response vehicles in agency’s anticipated fleet which will be purchased using Comprehensive Transportation Fund monies = Nine

8. Narrative Summary of Vehicles Requested – Rule 201 (2) (l)

As indicated above, the agency currently operates or plans to operate a total of nine demand response vehicles. Of these vehicles, the total number that will be fully accessible to seniors and individuals with disabilities is nine vehicles. The reason for operating or planning to operate this number of accessible vehicles is to ensure adequate access to seniors, individuals with disabilities, and the general public.

9. Fare Structure - Rule 201 (2) (d)

Ionía Dial-A-Ride’s fare structure that is in use for seniors, individuals with disabilities, and the general public for demand response service is as follows:

	General Public	Students K--12	Seniors/Disabled Non-Peak/Peak
Demand Response	\$3.00	\$2.00	\$1.50

10. Map and Narrative Description of Service Area – Rule 201 (2) (f)

For demand-response service, Ionia Dial-A-Ride’s Service Area is:

City of Ionia – All areas located inside City of Ionia limits.

Berlin Township – South of M-66 to Sprague Road, West on Tuttle Road to Harwood Road, North on Harwood Road to Riverside Drive, East on Riverside Drive to M-66, North on M-66 to City Limits of Ionia.

Ionia Township – North on M-66 to Parmeter Road, East on Parmeter Road to Jefferson Road, South on Jefferson Road to Welch Road, East on Welch Road to Prairie Creek Road, Prairie Creek Road to M-21, East on M-21 to Stage Road, South on Stage Road to City Limits of Ionia, Kelsey Highway South to Tuttle Road, West on Tuttle Road to M-66, South on M-66 to the City Limits of Ionia.

Easton Township – All areas located inside Easton Township.

Orange Township – South on M-66 from Sprague Road to David Highway, East on David Highway to Kelsey Highway, North on Kelsey Highway to Townsend Road.

Refer to the attached map of Ionia Dial-A-Ride’s service area, depicting Ionia Dial-A-Ride’s service area.

11. Service Schedule – Rule 201 (2) (g)

Ionia Dial-A-Ride’s current service schedules, including hours of day and days per week for demand response service is as follows:

Monday – Friday 6:15 AM – 4:45 PM
Saturday 9:15 AM – 12:45 PM

12. Schedules in Alternative Formats – Rule 201 (2) (h)

Ionia Dial-A-Ride has made arrangements to produce copies of its current service schedule in an alternative format that can be utilized by persons who are blind or have other disabilities.

13. Vehicle Availability On Other Than Regular Service Hours and Days – Rule 201 (2) (i)

Ionia Dial-A-Ride does not make demand-response service vehicles available for use during hours or days other than regular service hours and days. Ionia Dial-A-Ride confirms that accessible transit vehicles are available for use by the senior and individuals with disabilities to the same extent as the general public.

14. Advance Requests for Demand Actuated Service – Rule 201 (2) (j)

Ionia Dial-A-Ride does not require that seniors, people with disabilities, and the general public make an advance request to obtain demand response service.

15. Constraints on Capacity and Restrictions on Trip Purpose – Rule 201 (2) (k)

Ionia Dial-A-Ride provides service to all customers with the only constraint on capacity based on vehicle passenger capacity; and no restrictions on trip purpose.

16. Local Advisory Council Comments on this Plan – Rule 201(2) (m)

Ionia Dial-A-Ride's Local Advisory Council members made the following comments about this plan:

Melissa – None
Norma – None
Bill – None
Jessica – None
Lynn - None

17. Agency Response to Local Advisory Council Comments on the Plan – Rule 201 (2) (n)

Ionia Dial-A-Ride made the following response to its Local Advisory Council regarding the above comments:

There was no response needed.

License Agreement with T-Mobile (VII-5)

T-Mobile presently has a lease agreement with the City of Ionia to utilize a portion of the City's wellfield property near Apple Tree Drive for its communications equipment. The lease was first effective April 18, 2001 and currently extends through May 19, 2048. T-Mobile would like to install new underground communication equipment on the City's property. To accommodate this request and to ensure T-Mobile has access to these improvements over the life of its lease, a license agreement was prepared that contains a number of provisions; the most essential are as follows:

- One-time license fee payable to the City of \$500
- T-Mobile will maintain liability insurance for use of the city's property and name the city as an additional insured
- T-Mobile will indemnify the city regarding its use of the city's property
- T-Mobile will maintain the property in a neat, clean, safe, reasonable and orderly condition
- T-Mobile will remove all equipment upon termination of the License agreement
- T-Mobile will not make a future claim regarding adverse possession or prescriptive easement associated with the use of this property.
- The license agreement will grant T-Mobile access to a 30 feet wide strip of land, situated 15 feet on either side of the line labeled "preferred route," shown on Exhibit B

Councilmember Winters made a motion, seconded by Councilmember Millard, to approve the proposed license agreement with T-Mobile with a term extending from now through May 19, 2048.

Roll Call Vote: AYES: Milewski, Winters, Videtich, Lee, Starr, Millard, Gustafson, Waterman, and Balice
 NAYS: None

MOTION CARRIED

Air Compressor Purchase (VII-6)

The public works department utilizes a large air compressor to perform a variety of underground maintenance work associated with water distribution and sanitary sewer collection systems, and other general maintenance functions. The current model was purchased in 1998 and has reached the end of its useful life. Purchase of a new air compressor was budgeted in the prior fiscal year but was carried over into the current FY22-23 year due to supply chain issues. Bids were recently solicited to replace the old compressor with a like 185 cubic feet per minute (CFM) model and yielded the final results:

Bidder	Price	Less Trade-In	Final Price
Hammersmith Equipment Co., Grand Rapids	\$25,386.50	\$4000.00	\$21,386.50
MacAllister Rentals, Grand Rapids	\$28,000.00	\$0	\$28,000.00

Both bids were reviewed by public works department staff, who recommends award of the bid from Hammersmith Equipment Co. of Grand Rapids for \$25,386.50, less the \$4,000 trade-in for a net cost of \$21,386.50. Funds have been budgeted for this purchase in the Central Garage Fund, 661-442.000-980.000.

Councilmember Winters made a motion, seconded by Councilmember Milewski, to approve the bid from Hammersmith Equipment Co. of Grand Rapids to purchase a new 185 CFM air compressor for \$25,386.50, with trade-in of the City’s old unit at \$4,000 for a net cost of \$21,386.50.

Roll Call Vote: AYES: Milewski, Winters, Videtich, Lee, Starr, Millard, Gustafson, Waterman, and Balice
 NAYS: None

MOTION CARRIED

Schedule Work Session—Capitol Improvement Plan & State of the City Presentation (VII-7)

In accordance with Sections 5.04(2), 5.10 – 5.11 of the Ionia City Charter, a Capital Improvement Program (CIP) is prepared and submitted annually for City Council consideration and adoption. The CIP is to include:

1. A clear general summary of its contents;
2. A list of all capital improvements and other capital expenditures that are proposed to be undertaken during the 5 (now 6 due to a change in state statute) fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
3. Cost estimates and recommended time schedules for each improvement or other capital expenditure;
4. The method of financing, upon which each capital expenditure is to be reliant; and
5. The estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

City Council is also required to conduct a public hearing regarding the CIP prior to its adoption. The approved CIP is then utilized to assist in programming capital projects for the next fiscal year (July 1, 2023 – June 30, 2024).

