



**IONIA CITY COUNCIL  
REGULAR MEETING MINUTES  
7:00 PM, March 1, 2023  
CITY HALL COUNCIL CHAMBERS**

**CALL TO ORDER & PLEDGE OF ALLEGIANCE**

Deputy Mayor John Milewski called the regular meeting of the Ionia City Council to order at 7:01 PM, and led with the Pledge of Allegiance.

**ROLL CALL**

Roll call revealed a Quorum with Councilmembers Jeff Winters, Ryan Videtich, Tim Lee, Rich Starr, Tom Millard, Janice Gustafson, Troy Waterman, and Deputy Mayor John Milewski present. Councilmember Winters made a motion to excuse the absence of Mayor Dan Balice. Councilmember Lee supported the motion.

MOTION CARRIED BY UNANIMOUS VOICE VOTE.

**I. APPROVAL OF AGENDA**

Councilmember Winters made a motion, seconded by Councilmember Gustafson, to amend the agenda by deleting Item VI-2 since the application to be considered was withdrawn by the applicant.

MOTION CARRIED BY UNANIMOUS VOICE VOTE.

**II. APPROVAL OF COUNCIL MINUTES – February 1, 2023, Regular Meeting Minutes**

Councilmember Starr made a motion, seconded by Councilmember Winters, to approve the February 1, 2023, Regular Meeting Minutes as presented.

MOTION CARRIED BY UNANIMOUS VOICE VOTE

**III. PROCLAMATIONS**

None.

**IV. PUBLIC COMMENTS**

None.

**V. PUBLIC HEARINGS & ASSOCIATED ACTION**

**Public Hearing – Ordinance No. 572: Business Districts Rezoning (V-1)**

In connection with the recent ordinance updating business zone descriptions, the Planning Commission also evaluated existing parcels as zoned compared to the new business zoning districts. Through this evaluation, it was determined there are properties within the B-1, Neighborhood Business District that should be rezoned to better align with existing and desired future uses. A total of 17 parcels were selected for rezoning from the B-1, Neighborhood Business District to the B-3, General Business District. These parcels were selected due to their size, location on prominent corridors, and current uses.

As a result, the Planning Commission recommended Ordinance No. 572 for approval by the Council.

Councilmember Millard made a motion, seconded by Councilmember Waterman, to approve Ordinance No. 572, which would rezone 17 parcels from the B-1, Neighborhood Business Zoning District to the B-3, General Business Zoning District as established in Section 1246.01 Districts Established of Chapter 1246, and conforming with Section 1246.02 Districts Generally and Zoning Map District Boundaries of Chapter 1246 - Title Six – Zoning of Part Twelve – Planning and Zoning Code of the City of Ionia Codified Ordinances.

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

MOTION CARRIED

**CITY OF IONIA  
IONIA COUNTY, MICHIGAN  
Ordinance No. 572**

**AN ORDINANCE TO REZONE PARCELS FROM B-1, NEIGHBORHOOD BUSINESS DISTRICT, TO B-3, GENERAL BUSINESS DISTRICT, AND TO CORRESPONDINGLY AMEND THE OFFICIAL ZONING MAP AS PROVIDED FOR IN PART TWELVE (PLANNING AND ZONING CODE), TITLE SIX (ZONING), SECTION 1246.02 (DISTRICT BOUNDARIES) OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA**

**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

**ORDINANCE NO. 572 DECLARED ADOPTED**

**Public Hearing – Ordinance No. 573: Storm Water Management (V-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 reviewed by City Council for 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 Winters, to approve Ordinance No. 573, that amends 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 to approve Resolution 2023-02 to officially designate and delegate authority and responsibility for enforcement and administration of the City’s Storm Water Management provisions to the Ionia County Drain Commissioner.

Roll Call Vote:       AYES: Winters, Videtich, Lee, Starr, Millard, Gustafson, Waterman, and Deputy Mayor Milewski  
                              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.

CITY OF IONIA

Dated: \_\_\_\_\_

\_\_\_\_\_  
By: Mary Patrick, City Clerk

**ORDINANCE NO. 573 DECLARED ADOPTED**

**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.

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Mary Patrick, City Clerk

**RESOLUTION NO. 2023-02 DECLARED ADOPTED**

**VI. COMMUNICATIONS**

**2022 Annual Downtown Development Authority (DDA) Report (VI-1)**

The City of Ionia established the Ionia Downtown Development Authority (DDA) in 1981 and consistent with state statute (PA 57 of 2018, the Recodified Tax Increment Financing Act), charged the DDA with halting property value deterioration and increasing property tax valuation where possible within the Business District of the City, as well as working to eliminate the causes of that deterioration and promote economic growth. Furthermore, in accordance with Section 125.4910 of the Act, the DDA is required to prepare an annual synopsis of activities of the authority and post it to the city’s website.

DDA Director Linda Curtis presented the report and mentioned some of the many areas the DDA is involved: economic development; agreements and partnerships; special events, festivals, and experiences; beautification and maintenance; community involvement and promotion; preparation of grant applications and administration of grants received.

Councilmember Millard made a motion, seconded by Councilmember Starr, to accept the 2022 Annual Downtown Development Authority Report as submitted.

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

MOTION CARRIED

**VII. CITY MANAGER'S REPORT**

**Introduction and First Reading - Ordinance No. 574: Codification (VII-1)**

Annually, staff has the City's code book publisher codify the ordinances enacted by City Council covering approximately the previous year's period. Ordinances enacted by Council since March 1, 2022, need to be codified. Ordinances are codified through a codification ordinance, which Council reviewed.

Councilmember Lee made a motion, seconded by Councilmember Gustafson, to introduce and set a first reading of Ordinance No. 574, an ordinance to codify the ordinances adopted by the City Council since March 1, 2022, and to schedule a Public Hearing regarding the proposed ordinance for **7:00 PM, Wednesday, April 12, 2023 at Ionia City Hall.**

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

MOTION CARRIED

CITY OF IONIA

**CITY OF IONIA  
IONIA COUNTY, MICHIGAN  
ORDINANCE NO. 574**

**AN ORDINANCE APPROVING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES AND REPEALING ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH**

**WHEREAS,** American Legal Publishing Corporation has completed its most recent updating and revision of the Codified Ordinances of the City;

**WHEREAS,** various ordinances and resolutions of a general and permanent nature that have been passed by Council since the date of the last updating and revision of the Codified Ordinances (March 1, 2022) have been included in the Codified Ordinances of the City;

**THE CITY OF IONIA ORDAINS:**

Section 1. That the editing, arrangement and numbering or renumbering of the following ordinances and resolutions are hereby approved as parts of the various component codes of the Codified Ordinances of the City, so as to conform to the classification and numbering system of the Codified Ordinances:

<u>Ord. or Res. No.</u>	<u>Date</u>	<u>C.O. Section</u>
561	4-12-22	Amend Ch. 1250: RT Two-Family Residential District
563	5-17-22	Amend Sec. 1246.02: Zoning Map – Rezoning of 715 W. Lincoln Ave.
564	6-7-22	Amend Sec. 214.04, 214.05(b), 214.06, and repeal Sec. 214.02 – Fee Schedule 2022
565	7-5-22	Amend Sec. 1246.02: Zoning Map – Rezoning of 77 parcels to the RT, Two-Family Residential District
566	9-6-22	Amend Ch. 1286: Miscellaneous Regulations and Appendix I: Schedule of Regulations
567	10-4-22	Amend Sec. 1240.11: Definitions and Add Ch. 1293: Regulation of Mobile Food Vending Units or Mobile Food Vending Parks
Res. 22-11	10-4-22	Sec. 214.06 – Mobile Food Vending Unit Fees
568	12-6-22	Sec. 1242.99 – Zoning Violations
569	12-6-22	Sec. 202.99 – Municipal Civil Infractions
570	12-6-22	Add Sec. 692.07 and 692.08 – Fireworks
Res. 22-16	12-6-22	Sec. 214.03 – Firework Application Fee
571	2-1-23	Amend Ch. 1240, Ch. 1256, Ch. 1258, Ch. 1260, Ch. 1255, and Ch. 1246 – Business Districts Update and Rezoning of Office to Health Services District
572	3-1-23	Amend Sec. 1246.02: Zoning Map – Rezoning of 17 parcels to the B-3, General Business District
573	3-1-23	Amend Sec. 1043.05, 1043.09, and 1043.11 – Storm Water Management

Section 2. If any section, clause or phrase of this ordinance is declared to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 3. This ordinance shall be published and recorded as provided in the City Charter and shall take effect upon publication.

CITY OF IONIA

Dated: \_\_\_\_\_

BY: \_\_\_\_\_  
Mary Patrick, City Clerk

**Introduction & First Reading—Ordinance No. 575: Income Tax (VII-2)**

A recent review of the City’s Income Tax Ordinance, originally established by Ordinance 360 in 1993 revealed a need to clarify language regarding property tax levy. The City has consistently levied just three mills for general operating purposes since establishment of the income tax ordinance, as stipulated by that ordinance. Additionally, consistent with the City Charter, which allows total property tax millage levy of up to 15 mills, the City has also levied millage from time to time for special projects. Current examples include 1.15 mills for fire apparatus, 0.1008 mill for environmental clean-up of the former City landfill, 1 mill for theatre improvements and 1 mill for parks improvements.

In order to clarify the interplay between these two documents, the City Attorney recommends an amendment to the Income Tax Ordinance, as shown in proposed Ordinance No. 575. This ordinance



**Section Three: 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.

YES: Councilmembers: \_\_\_\_\_  
NO: Councilmembers: \_\_\_\_\_  
ABSTAIN: Councilmembers: \_\_\_\_\_  
ABSENT: Councilmembers: \_\_\_\_\_

CITY OF IONIA

Dated: \_\_\_\_\_

\_\_\_\_\_  
By: Mary Patrick, City Clerk

**Resolution No. 2023-03**



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 12th day of April, 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 REAFFIRMING THE CITY COUNCIL’S PLEDGE TO LIMIT THE LEVY OF MILLAGES FOR GENERAL OPERATING PURPOSES TO THREE (3) MILLS SO LONG AS THE CITY’S INCOME TAX REMAINS IN PLACE**

**WHEREAS**, the City of Ionia adopted Ordinance No. 360 in 1993 establishing an income tax as permitted by law; and

**WHEREAS**, Ordinance No. 360 provides, in part, that so long as the income tax then approved remained in effect, the City would limit future levies to three (3) mills after 1995; and

**WHEREAS**, since that time, pursuant to Ordinance No. 496 and in response to a consent judgment with the United States Environmental Protection Agency (EPA) arising out of the cleanup, remediation, and environmental response associated with the Cleveland Street Landfill, the City Council approved and has subsequently levied a special purpose millage of

up to two (2) mills for associated environmental activities, which levy was separate from the three (3) mill general purpose operating millage; and

**WHEREAS**, the special purpose millage for environmental response costs has been renewed several times by the City Council and other special purpose millages (e.g., theater, parks, fire equipment) have also been levied; and

**WHEREAS**, in accordance with a Long-Term Plan regarding the landfill, which was instituted by the EPA, the City is responsible for environmental response activities that have been ongoing for the past 50 years and are expected to continue for at least several more decades; and

**WHEREAS**, the current special purpose environmental response millage will expire after the current fiscal year and requires renewal; and

**WHEREAS**, for clarity and so that the City's taxpayers are made aware of the source of general purpose operating funds and special purpose funds, it is the desire of the City Council to identify all millages of any type to be levied under a single resolution or ordinance, which necessitates the amendment of Ordinance No. 360; and

**WHEREAS**, the City Council further wishes to affirm, through the adoption of this Resolution (i) its commitment to limit the levy of general purpose operating millages to no more than three (3) mills and (ii) that the current millages levied by the City will not change from those presently being made.

**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 of the City of Ionia hereby reaffirms and pledges that so long as the City's income tax remains as presently constituted, that the City Council will not levy in excess of three (3) mills for the City's General Fund.
3. Except for bond repayments authorized in the manner allowed by law, special purpose millages will be limited to those set forth below at the current millage rates consistent with the City Charter and state law:
  - a. Public Safety Apparatus
  - b. Street System
  - c. Theater Improvements
  - d. Park System
  - e. Solid Waste
  - f. Environmental Response Activities
  - g. Dial A Ride
4. All millages levied and associated appropriations will be governed by applicable law including the Uniform Budgeting and Accounting Act, Act No. 2 of 1968.

5. All resolutions and parts of resolutions in conflict herewith are repealed.

6. This Resolution shall take immediate effect.

Upon a call of the roll, the vote was as follows:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Mary Patrick, City Clerk

**Sale of Excess City Properties – 329 N. Dexter, 423 N. Dexter, & 345 Morse Streets (VII-3)**

Seven excess City-owned properties were recently offered for sale in accordance with City Policy #4-004, “Sale of City-Owned Excess Property.” Direct notice was mailed to all adjacent property owners. In addition, a legal notice was published in the *Daily News* and posted on the City website. Minimum bid for all parcels is \$300. The excess properties offered for sale include:

- 329 N. Dexter Street
- 423 N. Dexter Street
- 486 Harter Street
- 839 W. Main Street
- 0 Dequack Alley
- 315 Webber Street
- 345 Morse Street

The following offers were received:

Excess Property	Estimated TCV & Parcel Size	Purchase Offer	Proposed Purchaser	Proposed Use
329 N. Dexter	\$9,000; 0.51 acres	\$500	518 High Street, LLC; adjacent property owner at 518 High St.	A residential home
423 N. Dexter	\$300; 0.31 acres	\$1,000 or \$100 more than highest bid	Bradley Hawley II, adjacent property owner at 456 Harter St.	Clear and maintain; possible personal storage building in the future
423 N. Dexter	\$300; 0.31 acres	\$1,500	Roy and Kathleen Brown Jr., owns adjacent property at 431 N. Dexter; resides at 1591 Kelsey Hwy, Ionia	Expand lot size of adjacent property at 431 N. Dexter St.
345 Morse	\$1,300; 0.079 acres	\$400	Todd & Cathleen Hoppough; owns adjacent property at 515 E. Lincoln St., resides at 1288 McGuire Way, Ionia	Expand lot size of adjacent property at 515 E. Lincoln St.









**XII. ADJOURNMENT**

A motion was made by Councilmember Lee, seconded by Councilmember Winters, to adjourn the meeting. MOTION CARRIED BY VOICE VOTE. The meeting was adjourned at 7:59 PM.

Submitted by:

Mary Patrick, Ionia City Clerk