



St. Joseph City Commission  
Commission Chambers  
700 Broad Street, St Joseph, MI 49085

**AGENDA**  
**July 28, 2025**  
**6:00 PM**

**This meeting will be held in person: the public can view the meeting by going to Zoom.us on a computer or mobile device, or by calling 312.626.6799 (or 877.853.5247 toll free). Comments will not be received via Zoom; persons wishing to speak should be present in person.**

**Meeting ID: 844 8860 9278**

**Telecommunications relay services to assist individuals with disabilities are available by calling 7-1-1 and providing the meeting information to the relay operator; there is no charge to the caller.**

**Call to Order**

**Order of Business**

1. Pledge of Allegiance
2. Approval of Agenda

**Announcements**

1. Miss St. Joseph 2025 and Her Court
2. Public Comment Form
3. Public Comment - For Items on the Consent Agenda or Not on the Agenda - Please Limit Comments to Three Minutes

**Consent Agenda**

4. Invoice and Tax Disbursements
5. Zoning Board of Appeals Vacancy & Change in Positions
6. 2026 Meeting Dates
7. Approval of Resolution of NOI to Issue Joint Revenue Bonds-JWWTP, Rescind Res. 2025-226,
8. Shotgun Buy Back Program
9. Declaration and Notice - Whirlpool Centennial Park
10. Regular Meeting Minutes of Monday, July 14, 2025

**Old Business**

11. DDA TIF Citizen Council

**New Business**

12. Land Combination Variance - 1402 and 1404 Lake Blvd - Robert and Amelia Nolan

13. 2929 Lakeshore Drive - Clark Logistics Group LVI - Map Amendment C Commercial Business to R-3 Multiple Family Residence District - First Reading
14. Public Hearing - 1234 Napier Avenue – Lakeland Hospitals at Niles and St. Joseph Inc (commonly known as Corewell Health - Lakeland) – Planned Unit Development – third amendment – Allow irregularly shaped 2-story building addition being less than 3,000 square feet between Laboratory and Emergency Department Areas on south side of building.
15. 1234 Napier Avenue – Lakeland Hospitals at Niles and St. Joseph Inc – Planned Unit Development – third amendment
16. Development District (DDA) for Liquor License
17. Five Year Parks and Recreation Plan

**Reports****City Comments**

18. City Manager Comments
19. City Commission Comments

**Closed Session**

20. Request for Closed Session- Pending Litigation
21. Return to Open Session

**Adjournment**



# Agenda Item

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**TO:** Members of the St. Joseph City Commission

**FROM:** Emily Hackworth, City Manager

**RE:** Miss St. Joseph 2025 and Her Court

**MEETING DATE:** July 28, 2025

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The City Commission will receive and recognize Miss St. Joseph, Addison Covert, and her Court.

Her Court includes:

- 1st Runner Up, Avery Valenti
- 2nd Runner Up, Isabella Thompson
- Miss Congeniality, Bella LaClear
- Mr. St. Joseph, Bradley Sheldon
- Mr. St. Joseph, Elvin Vu
- Mr. St. Joseph, Micah Jhala

Members of the Court will also be recognized with City street signs.

Miss St. Joseph received her street sign at the Mayors' Dinner.

Kim Sarola, chairman of the Miss St. Joseph Pageant, will also be present.

*Action requested:* Please receive and recognize Miss St. Joseph 2025, Addison Covert, and Her Court.



# Agenda Item

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**TO:** Members of the St. Joseph City Commission

**FROM:** Emily Hackworth, City Manager

**RE:** Public Comment Form

**MEETING DATE:** July 28, 2025

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Feedback is an important part of the City's decision making process, enabling us to better understand and serve our residents and other community members.

In order to explore and respond to public comments shared during City Commission meetings, staff has prepared a Public Comment Form for anyone making public comment to fill out going forward. This form will help City staff knowledgeable of the topic to follow up with the person providing public comment by collecting their street address, phone, and email address for anyone making public comments, as well as information or notes on the topic.

As is always the case, we ask that anyone providing public comment do so in a respectful manner. We also remind community members that public comment is not the only way to share feedback or questions with City Staff or Commissioners. We encourage community members to reach out to City staff anytime by calling 269-983-5541 or by emailing [info@sjcity.com](mailto:info@sjcity.com), or email the Commission at [City.Commission@sjcity.com](mailto:City.Commission@sjcity.com).

**ATTACHMENTS:**

- Commission Meeting Comment Form (PDF)





700 Broad Street | St. Joseph, MI 49085-1276 | [www.sjcity.com](http://www.sjcity.com)

## City Commission Public Comment Form

Thank you for sharing your thoughts and questions with the St. Joseph City Commission. Your feedback is always welcome.

Please give this form to the City Clerk when you approach the podium to speak. While your comment may not be addressed verbally during the Commission meeting, the information you share here will help us follow up with you.

As a reminder, comments should be limited to no more than three minutes, and you may only comment once during a public comment period unless given permission by the Mayor. Please be respectful to staff, Commissioners, and other meeting attendees when making your comment.

In addition to providing public comment, there are a number of ways to share feedback or get questions answered. Please feel free to contact City staff by calling 269-983-5541 or by emailing [info@sjcity.com](mailto:info@sjcity.com) or email the City Commission at [City.Commission@sjcity.com](mailto:City.Commission@sjcity.com).

Name

Address

Phone

Email

Topic / Comment:

**A SPECIAL PLACE ON THE LAKE**



# Agenda Item

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**TO:** Members of the St. Joseph City Commission

**FROM:** Ben Reynnells, Finance Director

**RE:** Invoice and Tax Disbursements

**MEETING DATE:** July 28, 2025

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As part of the consent agenda, please consider approval of the following invoices and disbursements from July 10, 2025, through July 24, 2025.

Regular invoices: \$2,230,002.29

Tax disbursements: \$665,120.99

Total disbursed: \$2,895,123.28

*Action requested:* Motion to approve, as part of the consent agenda, cash disbursements, as presented.

**ATTACHMENTS:**

- EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (PDF)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Fund 101 General Fund			
Dept 000.000			
101-000.000-204.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	30.47
101-000.000-204.000	SOUTHWEST MI REGIONAL AIRPORT	PERSONAL PROPERTY PD IN MAY 2025	2.33
101-000.000-273.000	BERRIEN COUNTY INTERMEDIATE	HOUSING PILOT	844.23
101-000.000-273.000	BERRIEN COUNTY TREASURER	HOUSING PILOT	2,127.63
101-000.000-273.000	LAKE MICHIGAN COLLEGE	HOUSING PILOT	807.84
101-000.000-273.000	SOUTHWEST MI REGIONAL AIRPORT	HOUSING PILOT	87.14
101-000.000-273.000	ST JOSEPH PUBLIC SCHOOLS	HOUSING PILOT	1,672.76
101-000.000-273.000	STATE OF MICHIGAN	HOUSING PILOT	10,619.46
101-000.000-273.500	BRICKS AND STICKS HOME SERVICES LLC	JUNE 2025 RENTAL INSPECTION	952.00
101-000.000-273.500	JEWELL, KENNETH MICHAEL	MECHANICAL INSPECTOR JUN 2025	4,264.00
101-000.000-273.500	KEYONE SERVICES PLLC	PLUMBING INSPECTOR JUN 2025	2,378.00
101-000.000-273.500	SIMPSON, KENNETH D.	ELECTRICAL INSPECTOR JUN 2025	3,324.80
		Total For Dept 000.000	27,110.66
Dept 172.000 City Manager			
101-172.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	69.80
101-172.000-740.000	FIRST NATIONAL BANK OF OMAHA	TIFFANY MITCHELL	23.96
101-172.000-740.000	OSCAR'S PRINTING & COPY CENTER	BUSINESS CARDS FOR EMILY H	66.00
101-172.000-801.000	VALLEY CITY SIGN	SIGNAGE	1,500.00
101-172.000-801.000	INTEGRA REALTY RESOURCES	LOT 1 APPRAISAL	3,250.00
101-172.000-805.000	FOSTER SWIFT COLLINS & SMITH	PROFESSIONAL SERVICES THROUGH 06-30-2025	225.00
101-172.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
101-172.000-956.000	FIRST NATIONAL BANK OF OMAHA	TIFFANY MITCHELL	189.00
		Total For Dept 172.000 City Manager	5,345.95
Dept 215.000 City Clerk			
101-215.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	15.40
101-215.000-801.000	CIVICPLUS	ANNUAL MUNICODE SUBSCRIPTION	3,632.50
101-215.000-860.000	MAMC	ADMISSION AND REGISTRATION FEES	318.00
101-215.000-870.000	BERRIEN COUNTY CLERKS ASSOC	BCCA ANNUAL DUES	50.00
101-215.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	44.38
		Total For Dept 215.000 City Clerk	4,060.28
Dept 235.000 Central Purchasing			
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	178.32
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	49.00
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	49.00
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	40.88
101-235.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - CITY HALL	49.00
101-235.000-740.000	HANSON BEVERAGE SERVICE	OFFICE SUPPLIES	43.92

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
101-235.000-801.000	VALLEY CITY SIGN	SIGNAGE	3,300.00
101-235.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	3,005.30
101-235.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	290.90
101-235.000-941.100	FIRST NATIONAL BANK OF OMAHA	EMILY HACKWORTH	557.89
		Total For Dept 235.000 Central Purchasing	7,564.21
Dept 253.000 City Treasurer			
101-253.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	43.80
101-253.000-728.000	QUADIENT FINANCE USA, INC	JUNE AND JULY BILLING	1,527.05
101-253.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	66.57
101-253.000-941.100	BS & A SOFTWARE	BS&A ANNUAL SERVICE	1,144.00
101-253.000-964.000	CSC SERVICE WORKS, INC.	REISSUE CHECK - REFUND ON 2022 SUMMER TAXES	95.71
		Total For Dept 253.000 City Treasurer	2,877.13
Dept 257.000 City Assessor			
101-257.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	0.16
101-257.000-805.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	25.00
101-257.000-805.000	BLOOM SLUGGETT MORGAN	MTT LEGAL SERVICES	1,498.12
101-257.000-900.000	OSCAR'S PRINTING & COPY CENTER	BUSINESS CARDS - J SUTTON	66.00
101-257.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
101-257.000-941.100	BS & A SOFTWARE	BS&A ANNUAL SERVICE	2,043.00
		Total For Dept 257.000 City Assessor	3,654.47
Dept 262.000 Elections			
101-262.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	12.00
101-262.000-728.000	QUADIENT FINANCE USA, INC	JUNE AND JULY BILLING	185.37
		Total For Dept 262.000 Elections	197.37
Dept 265.000 Buildings & Grounds			
101-265.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	11.60
101-265.000-740.000	ACE HARDWARE	PAINT FOR CITY HALL	128.94
101-265.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	239.64
101-265.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	1,395.96
101-265.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	455.15
101-265.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	60.14
101-265.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	192.27
101-265.000-740.000	LEEP'S SUPPLY CO., INC.	FIRE STATION AIR COMPRESSOR	87.91
101-265.000-740.000	LEEP'S SUPPLY CO., INC.	FIRE STATION AIR COMPRESSOR	58.01
101-265.000-740.000	FIRST NATIONAL BANK OF OMAHA	MIKE CHRISTENSEN	343.98
101-265.000-740.000	KENDALL ELECTRIC INC	REPAIR SUPPLIES	364.60
101-265.000-740.000	ACE HARDWARE	CLEANING SUPPLIES	15.81
101-265.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	2,335.83
101-265.000-740.000	KSS ENTERPRISES	CLEANING SUPPLIES	110.59

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
101-265.000-740.000	LEEP'S SUPPLY CO., INC.	SUPPLIES	27.47
101-265.000-740.000	LEEP'S SUPPLY CO., INC.	PLUMBING REPAIRS	132.12
101-265.000-740.000	LEEP'S SUPPLY CO., INC.	PLUMBING REPAIRS	157.31
101-265.000-802.000	DOUBLE K ENTERPRISES INC.	IT REPAIRS	522.50
101-265.000-850.000	TELNET WORLDWIDE	BILL DATE 07-01-2025	712.93
101-265.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	7,281.18
101-265.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00006	414.40
101-265.000-931.000	ARMOR PEST CONTROL INC.	PEST CONTROL CONTRACT 140018	666.00
101-265.000-931.000	ARMOR PEST CONTROL INC.	PEST CONTROL CONTRACT	612.00
101-265.000-931.000	ARMOR PEST CONTROL INC.	PEST CONTROL CONTRACT	768.00
101-265.000-931.000	ARMOR PEST CONTROL INC.	PEST CONTROL CONTRACT	564.00
101-265.000-931.000	ARMOR PEST CONTROL INC.	PEST CONTROL CONTRACT	336.00
101-265.000-931.000	TRUGREEN	TURF SERVICE	125.00
101-265.000-931.000	TRUGREEN	TURF SERVICE	50.00
101-265.000-931.000	ALLIED MECHANICAL SERVICES, INC.	REPAIR CITY HALL HVAC	1,832.55
101-265.000-931.000	ENERCO SPECIALTY CHEMICAL	CONTRACT PAYMENT	225.00
		Total For Dept 265.000 Buildings & Grounds	20,226.89
Dept 266.000 City Attorney			
101-266.000-717.000	RELiance STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	20.00
101-266.000-790.000	RELX INC. DBA LEXIS NEXIS	MONTHLY LEGAL SUBSCRIPTION	108.00
101-266.000-870.000	FIRST NATIONAL BANK OF OMAHA	LAURIE SCHMIDT	80.00
101-266.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
		Total For Dept 266.000 City Attorney	230.19
Dept 270.000 Personnel			
101-270.000-717.000	RELiance STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	16.00
101-270.000-801.000	HELPNET	QUARTERLY EAP BILLING 3 OF 4	1,233.54
101-270.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
		Total For Dept 270.000 Personnel	1,271.73
Dept 336.000 Fire Department			
101-336.000-740.000	ACE HARDWARE	SUPPLIES	23.02
101-336.000-740.000	ACE HARDWARE	HEXKEY METRIC	10.79
101-336.000-740.000	FULLER, THOMAS	REIMBURSEMENT - VINEGAR	23.31
101-336.000-740.000	ZBATTERY.COM, INC.	BATTERIES	135.60
101-336.000-740.000	BRUURSEMA, SEAN	FUEK FOR ENGINE 106	50.00
101-336.000-776.000	DINGES FIRE COMPANY	WATER RESCUE EQUIPMENT	3,900.00
101-336.000-850.000	AT&T MOBILITY	CELL PHONES AND TABLETS	187.59
101-336.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	1,194.33
101-336.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00003	55.04
101-336.000-930.000	TRUGREEN	TURF SERVICE	55.00
101-336.000-930.000	EMERGENCY VEHICLE PRODUCTS	105	2,142.02

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
101-336.000-930.000	EMERGENCY VEHICLE PRODUCTS	105	1,651.49
101-336.000-930.000	EMERGENCY VEHICLE PRODUCTS	105	3,708.83
101-336.000-930.000	GREAT LAKES BREATHING AIR	MAKO REPAIRS	1,097.50
101-336.000-930.000	O'BOYLE, COWELL, BLALOCK & ASSOCIAT	REPAIR GAS SENSOR	236.00
101-336.000-941.100	D.L. GALLIVAN OFFICE SOLUTIONS	MONTHLY MAINTENANCE	69.90
101-336.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
		Total For Dept 336.000 Fire Department	14,562.61

## Dept 345.000 Public Safety Department

101-345.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	469.60
101-345.000-740.000	NYE UNIFORM COMPANY	UNIFORM	500.50
101-345.000-740.000	FIRST NATIONAL BANK OF OMAHA	PUBLIC SAFETY DEPARTMENT	649.86
101-345.000-740.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	138.06
101-345.000-740.000	NYE UNIFORM COMPANY	STREELMAN PANTS	363.31
101-345.000-740.000	NYE UNIFORM COMPANY	ALSUP PANTS	349.00
101-345.000-740.000	NYE UNIFORM COMPANY	BELT KEEPERS	95.00
101-345.000-740.000	NYE UNIFORM COMPANY	M. MILLER NAME BAR	35.90
101-345.000-740.000	NYE UNIFORM COMPANY	LAYLON PANTS/UNDERVEST	488.00
101-345.000-740.000	NYE UNIFORM COMPANY	PHELPS SHIRTS/JACKET	342.39
101-345.000-801.000	ZIKER CLEANERS	UNIFORM DRY CLEANING	370.94
101-345.000-801.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	165.00
101-345.000-801.000	KENT KLEEN, LLC	CLEAN 11, 12, 13, 14 TRAINING CARS	295.00
101-345.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES	2,661.50
101-345.000-850.000	AT&T MOBILITY	CELL PHONES AND TABLETS	1,060.40
101-345.000-860.000	BENTON HARBOR DEPT OF PUBLIC SAFETY	TRAINING	3,100.00
101-345.000-860.000	FIRST NATIONAL BANK OF OMAHA	STEVE NEUBECKER	66.96
101-345.000-860.000	KAZMIERZAK, BRIAN	TRAINING	1,125.00
101-345.000-930.000	BEST WAY DISPOSAL INC	ROLL-OFFS	766.20
101-345.000-930.000	FORD PRO	MONTHLY MAINTENANCE	263.61
101-345.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TRAINING CAR	65.00
101-345.000-930.000	TRAFFIC & SAFETY CONTROL SYSTEM INC	TANNERY CREEK LPR	1,200.00
101-345.000-930.000	ALL TRAFFIC SOLUTIONS, INC	BATTERY	471.02
101-345.000-941.100	APPLIED INNOVATION	CONTRACT SIGN REPORTS	2,310.00
101-345.000-941.100	D.L. GALLIVAN OFFICE SOLUTIONS	MONTHLY MAINTENANCE	84.34
101-345.000-941.100	TRAFFIC & SAFETY CONTROL SYSTEM INC	MONTHLY MAINTENANCE	1,200.00
101-345.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
		Total For Dept 345.000 Public Safety Department	18,658.78

## Dept 371.000 Building Inspection Department

101-371.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	24.82
101-371.000-740.000	OSCAR'S PRINTING & COPY CENTER	BUSINESS CARDS FOR CLINT LEVI	66.00
101-371.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	2,249.58
101-371.000-860.000	METRO BUILDING INSPECTOR'S ASSOC	NEW EMPLOYEE REGISTRATION	54.00

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
101-371.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
101-371.000-941.100	BS & A SOFTWARE	BS&A ANNUAL SERVICE	2,006.00
		Total For Dept 371.000 Building Inspection Department	4,422.59
Dept 372.000 Code Enforcement Department			
101-372.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	(17.00)
101-372.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES	47.26
101-372.000-801.000	FORKER'S LAWN SERVICE, INC.	JUNE 2025 MOWING INVOICE	1,635.60
101-372.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	44.38
		Total For Dept 372.000 Code Enforcement Department	1,710.24
Dept 441.000 Public Works Department			
101-441.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES - PUBLIC WORKS	4.10
101-441.000-740.000	DOUBLEDAY OFFICE PRODUCTS	SUPPLIES	48.58
101-441.000-740.000	DOUBLEDAY OFFICE PRODUCTS	OFFICE SUPPLIES	131.94
101-441.000-740.000	DOUBLEDAY OFFICE PRODUCTS	OFFICE SUPPLIES	38.76
101-441.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	1,212.36
101-441.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00001	39.38
101-441.000-930.000	WORKFORCE PAYHUB	TIMECLOCK	227.79
101-441.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
		Total For Dept 441.000 Public Works Department	1,725.10
Dept 442.000 Asset Management			
101-442.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	22.80
		Total For Dept 442.000 Asset Management	22.80
Dept 447.000 City Engineer			
101-447.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	40.20
		Total For Dept 447.000 City Engineer	40.20
Dept 448.000 Street Lighting			
101-448.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	13,203.78
		Total For Dept 448.000 Street Lighting	13,203.78
Dept 466.000 Paid Parking - Downtown			
101-466.000-740.000	OSCAR'S PRINTING & COPY CENTER	BROCHURES	274.05
101-466.000-941.100	TRAFFIC & SAFETY CONTROL SYSTEM INC	MONTHLY CONTRACT PARKING	750.00
101-466.000-941.100	T2 SYSTEMS CANADA INC.	PAY STATION SOFTWARE	1,300.00
		Total For Dept 466.000 Paid Parking - Downtown	2,324.05
Dept 721.000 Community Development			
101-721.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	20.20
101-721.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	54.18

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Total For Dept 721.000 Community Development			74.38
Dept 728.000 Economic Development			
101-728.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	14.20
101-728.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - CITY HALL	190.00
101-728.000-860.000	FIRST NATIONAL BANK OF OMAHA	KELLY EWALT	212.57
101-728.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
Total For Dept 728.000 Economic Development			438.96
Dept 740.000 Communications			
101-740.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	14.20
101-740.000-883.000	PYROTECNICO FIREWORKS, INC	INDEPENDENCE DAY FIREWORK SHOW	29,000.00
101-740.000-941.100	FIRST NATIONAL BANK OF OMAHA	EMILY HACKWORTH	119.99
Total For Dept 740.000 Communications			29,134.19
Dept 751.000 Parks/Recreation			
101-751.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	98.28
101-751.000-740.000	BROWN'S LOCKSMITH AND HARDWARE	CUT KEYS	8.00
101-751.000-740.000	ACE HARDWARE	HINGES	10.79
101-751.000-740.000	ACE HARDWARE	CLEANING PADS	2.69
101-751.000-740.000	MID-COUNTY LAWN & GARDEN	PLUGS/OIL	36.98
101-751.000-740.000	ACE HARDWARE	LIGHT BULB	26.09
101-751.000-740.000	ACE HARDWARE	PAINT SUPPLIES	23.37
101-751.000-740.000	AMAZON CAPITAL SERVICES	CHAINSAW CHAPS	326.70
101-751.000-740.000	FOHS, MATT	CLOTHING REIMBURSEMENT	21.18
101-751.000-740.000	LEISURE POOL & SPA SUPPLY INC	CHLORINE	684.97
101-751.000-740.000	MID-COUNTY LAWN & GARDEN	TRIMMER STRING	46.99
101-751.000-740.000	MID-COUNTY LAWN & GARDEN	EQUF SERVICE	108.70
101-751.000-740.000	RECHNER, JEFF	CLOTHING ALLOWANCE	101.68
101-751.000-740.000	SENSATIONAL SPAS	CHLORINE	279.50
101-751.000-740.000	TRAFFIC & SAFETY CONTROL SYSTEM INC	PAYSTATION PAPER	450.00
101-751.000-740.000	TRICKL-EEZ IRRIGATION INC.	IRRIGATION SUPPLIES	16.25
101-751.000-740.000	TRICKL-EEZ IRRIGATION INC.	IRRIGATION SUPPLIES	16.25
101-751.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	3,006.99
101-751.000-930.000	PRIDE THE PORTABLE TOILET COMPANY	TOILET RENTAL	125.00
101-751.000-930.000	TRUGREEN	TURF SERVICE	266.00
101-751.000-930.000	TRUGREEN	TURF SERVICE	266.00
101-751.000-964.000	BUSSY, BRECKYN	SEASON PARK PASS - CITY RESIDENT	40.00
101-751.000-964.000	GREEN, MADYSON	PARK SHELTER CANCELLATION	90.00
Total For Dept 751.000 Parks/Recreation			6,052.41
Dept 752.000 Lighthouse Operations			
101-752.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	71.91

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)



EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Total For Dept 752.000 Lighthouse Operations			71.91
Dept 756.000 Recreation Programs			
101-756.000-740.000	FIRST NATIONAL BANK OF OMAHA	CAMERON WELCH	855.03
101-756.000-801.000	JOSEPH KISSANE	REISSUE CHECK - UMPIRE PAY 05-02-2022 TO 05-20-2022	415.00
101-756.000-801.000	SOUTH SHORE HEALTH & RACQUET CLUB	TENNIS CAMP PAYMENT #2	6,425.00
101-756.000-801.000	SWANK MOTION PICTURES, INC.	SECOND MOVIE RENTAL	530.00
101-756.000-801.000	SWANK MOTION PICTURES, INC.	THIRD MOVIE	530.00
101-756.000-801.000	TPC TECHNOLOGIES, INC.	MOVIE SCREEN RENTAL	1,880.00
Total For Dept 756.000 Recreation Programs			10,635.03
Dept 757.000 Ice Arena Operations			
101-757.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	13.00
101-757.000-740.000	ACE HARDWARE	5 GAL BUCKETS	17.24
101-757.000-740.000	WELCH, CAMERON	CLOTHING REIMBURSEMENT	278.19
101-757.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	1,124.23
101-757.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00009	39.92
101-757.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00010	52.38
101-757.000-930.000	ACE HARDWARE	BATTERY CHARGER	143.99
101-757.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
Total For Dept 757.000 Ice Arena Operations			1,691.14
Total For Fund 101 General Fund			177,307.05
Fund 202 Major Street Fund			
Dept 445.000 Public Drains			
202-445.000-801.000	SPICER GROUP	MS4 COMPLIANCE	1,083.35
Total For Dept 445.000 Public Drains			1,083.35
Dept 449.000 Roads, Streets, Bridges - ACT 51			
202-449.000-740.000	CONSUMERS CONCRETE CO.	REBAR PINS FOR STREETS	54.00
202-449.000-740.000	RIETH-RILEY CONSTRUCTION CO., INC.	HOT PATCH MAJORS AND LOCALS	115.55
202-449.000-801.000	CHOP	TREE WORK	210.00
Total For Dept 449.000 Roads, Streets, Bridges - ACT 51			379.55
Dept 474.000 Traffic Services			
202-474.000-740.000	ACE HARDWARE	FOR LAKE BLVD	22.46
202-474.000-740.000	RATHCO SAFETY SUPPLY INC.	CONES	4,175.00
202-474.000-740.000	RATHCO SAFETY SUPPLY INC.	SIGNS	182.00
202-474.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	113.26
Total For Dept 474.000 Traffic Services			4,492.72
Dept 903.207 Cleveland Ave			

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
202-903.207-801.000	ABONMARCHE CONSULTANTS INC	CLEVELAND AVE RESURFACING CONST. ADMIN	2,490.00
		Total For Dept 903.207 Cleveland Ave	2,490.00
		Total For Fund 202 Major Street Fund	8,445.62
Fund 203 Local Street Fund			
Dept 445.000 Public Drains			
203-445.000-740.000	LEEP'S SUPPLY CO., INC.	STORM DRAIN REPAIR PARTS	139.14
203-445.000-801.000	SPICER GROUP	MS4 COMPLIANCE	1,083.34
		Total For Dept 445.000 Public Drains	1,222.48
Dept 449.000 Roads, Streets, Bridges - ACT 51			
203-449.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	111.80
203-449.000-740.000	ACE HARDWARE	TAPE	10.80
203-449.000-740.000	CONSUMERS CONCRETE CO.	REBAR PINS FOR STREETS	54.00
203-449.000-740.000	DAVIS, EDDIE	CLOTHING REIMBURSEMENT	283.45
203-449.000-740.000	PATZER, RYAN	CLOTHING REIMBURSEMENT	184.12
203-449.000-740.000	CALDWELL, ROBERT	CLOTHING REIMBURSEMENT	52.94
203-449.000-740.000	HAMMERSMITH EQUIPMENT COMPANY	BRUSHES AND DRILL BIT	133.50
203-449.000-740.000	PREMIER PROMOTIONS	PRINT ON SAFETY VESTS	142.45
203-449.000-740.000	RIETH-RILEY CONSTRUCTION CO., INC.	HOT PATCH MAJORS AND LOCALS	115.00
203-449.000-740.000	SHAVER, EDDIE	CLOTHING REIMBURSEMENT	253.71
203-449.000-801.000	CHOP	TREE WORK	1,323.00
		Total For Dept 449.000 Roads, Streets, Bridges - ACT 51	2,664.77
Dept 474.000 Traffic Services			
203-474.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	8.06
203-474.000-740.000	O'MALLEY, PATRICK	CLOTHING REIMBURSEMENT	45.29
203-474.000-740.000	RATHCO SAFETY SUPPLY INC.	HANDICAP SIGNS	390.00
203-474.000-740.000	RATHCO SAFETY SUPPLY INC.	SIGNS/MATERIALS	496.00
203-474.000-740.000	RATHCO SAFETY SUPPLY INC.	SIGNS	182.00
		Total For Dept 474.000 Traffic Services	1,121.35
		Total For Fund 203 Local Street Fund	5,008.60
Fund 209 Cemetery Fund			
Dept 567.000 Cemetery Operations			
209-567.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	22.20
209-567.000-740.000	COLD SPRING	COLUMBARIUM NICHE EMBLEM	141.00
209-567.000-740.000	COLD SPRING	COLUMBARIUM NICHE PLAQUE	366.00
209-567.000-740.000	MID-COUNTY LAWN & GARDEN	PLUGS/OIL	17.96
209-567.000-740.000	AMAZON CAPITAL SERVICES	CHAINSAW CHAPS	60.00
209-567.000-740.000	COLD SPRING	COLUMBARIUM NICHE PLAQUE	366.00

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
209-567.000-740.000	COLD SPRING	COLUMBARIUM NICHE PLAQUE	366.00
209-567.000-740.000	LOWE'S HOME CENTERS, LLC	POWER DRILL BATTERY	189.05
209-567.000-740.000	MID-COUNTY LAWN & GARDEN	MIX/BAR OIL	55.97
209-567.000-801.000	CHOP	TREE WORK	920.00
209-567.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	166.85
209-567.000-850.000	TELNET WORLDWIDE	BILL DATE 07-01-2025	14.85
209-567.000-860.000	MAMC	ANNUAL MEMBERSHIP DUES	45.00
209-567.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	422.90
209-567.000-930.000	TRUGREEN	TURF SERVICE	4,108.00
		Total For Dept 567.000 Cemetery Operatings	7,261.78
		Total For Fund 209 Cemetery Fund	7,261.78
Fund 214 Depot Fund			
Dept 264.000 Buildings			
214-264.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	30.26
		Total For Dept 264.000 Buildings	30.26
		Total For Fund 214 Depot Fund	30.26
Fund 226 Rubbish Collection Fund			
Dept 521.000 Sanitation/Solid Waste			
226-521.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	22.20
226-521.000-801.000	FIRST ADVANTAGE LNS OC HEALTH SOLUT	PRE-EMPLOYMENT	52.02
226-521.000-804.000	BEST WAY DISPOSAL INC	RESIDENTIAL RUBBISH	323.51
226-521.000-804.000	BEST WAY DISPOSAL INC	RESIDENTIAL RUBBISH	1,427.85
226-521.000-804.000	BEST WAY DISPOSAL INC	RESIDENTIAL RUBBISH	48,469.23
226-521.000-804.000	BEST WAY DISPOSAL INC	RESIDENTIAL RUBBISH	648.40
226-521.000-804.000	BEST WAY DISPOSAL INC	RESIDENTIAL RUBBISH	507.00
226-521.000-804.000	BEST WAY DISPOSAL INC	RESIDENTIAL RUBBISH	590.73
226-521.000-804.000	BEST WAY DISPOSAL INC	RESIDENTIAL RUBBISH	410.37
226-521.000-804.000	WM CORPORATE SERVICES	RESIDENTIAL RUBBISH	2,213.31
226-521.000-804.100	BEST WAY DISPOSAL INC	SPECIAL PICKUPS	5,348.75
226-521.000-804.200	BEST WAY DISPOSAL INC	ROLL-OFFS	435.00
226-521.000-804.200	BEST WAY DISPOSAL INC	COMMERCIAL RUBBISH	246.75
226-521.000-804.200	STEVENSVILLE TRANSFER STATION-3246	TRASH DUMPING	4,133.41
226-521.000-804.200	STEVENSVILLE TRANSFER STATION-3246	TRASH DUMPING	4,026.22
226-521.000-804.300	BEST WAY DISPOSAL INC	DDA CARDBOARD	1,496.39
		Total For Dept 521.000 Sanitation/Solid Waste	70,351.14
		Total For Fund 226 Rubbish Collection Fund	70,351.14
Fund 271 Library Fund			

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Dept 790.000 Library			
271-790.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	58.58
271-790.000-728.000	QUADIENT FINANCE USA, INC	JUNE AND JULY BILLING	118.34
271-790.000-740.000	AMAZON CAPITAL SERVICES	SUPPLIES - LIBRARY	304.39
271-790.000-740.000	DOUBLEDAY OFFICE PRODUCTS	OFFICE SUPPLIES	28.71
271-790.000-740.000	DOUBLEDAY OFFICE PRODUCTS	OFFICE SUPPLIES	81.01
271-790.000-740.000	KSS ENTERPRISES	CLEANING	222.09
271-790.000-740.000	AMAZON CAPITAL SERVICES	SRP SUPPLIES; OFFICE SUPPLIES	87.74
271-790.000-740.000	DEMCO EDUCATIONAL CORPORATION	COLLECTION SUPPLIES	116.86
271-790.000-740.000	DOUBLEDAY OFFICE PRODUCTS	OFFICE SUPPLIES	58.57
271-790.000-780.000	AMAZON CAPITAL SERVICES	SUPPLIES - LIBRARY	9.93
271-790.000-780.000	BAKER & TAYLOR BOOKS	CHILDREN FIC	56.66
271-790.000-780.000	ELM USA, INC.	DVD CLEANING	25.00
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT FIC	159.80
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN FIC	4.79
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT FIC COLLECTION	224.59
271-790.000-780.000	MIDWEST TAPE	HOOPLA	1,199.76
271-790.000-780.000	FIRST NATIONAL BANK OF OMAHA	PAULA STAKLEY	30.99
271-790.000-780.000	CENGAGE GROUP	ADULT FICTION	131.16
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT FICTION	31.31
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN NONFICTION	11.99
271-790.000-780.000	INGRAM LIBRARY SERVICES	ADULT FIC	151.00
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN NFIC	7.19
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN FIC	9.17
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN NFIC	46.46
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN'S NFIC	8.09
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDRENS FICTION	19.17
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN FIC	26.39
271-790.000-780.000	INGRAM LIBRARY SERVICES	CHILDREN - FIC	182.16
271-790.000-801.000	UNIQUE MANAGEMENT SERVICES, INC.	PLACEMENTS	11.65
271-790.000-802.000	DOUBLE K ENTERPRISES INC.	SETUP EMAILS FOR NEW EMPLOYEES	95.00
271-790.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - LIBRARY	95.00
271-790.000-805.000	BANYON FETTE LAW OFFICE	LEGAL SERVICES	42.50
271-790.000-850.000	FIRST NATIONAL BANK OF OMAHA	PAULA STAKLEY	314.85
271-790.000-850.000	TELNET WORLDWIDE	BILL DATE 07-01-2025	163.38
271-790.000-885.000	AMAZON CAPITAL SERVICES	SRP SUPPLIES; OFFICE SUPPLIES	314.17
271-790.000-885.000	STRONG, ADELLA	REIMBURSEMENT FOR SRP EVENT SUPPLIES	137.79
271-790.000-900.000	FIRST NATIONAL BANK OF OMAHA	PAULA STAKLEY	3,956.77
271-790.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	2,506.48
271-790.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00005	52.85
271-790.000-930.000	CITY PLUMBING & HEATING	QUARTERLY CONTRACT	3,425.00
271-790.000-930.000	GREAT LAKES ELEVATOR	QUARTERLY INSPECTION	405.17
271-790.000-930.000	VILLWOCKS OUTDOOR LIVING, INC	LABOR REPAIR IRRIGATION	54.60

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
271-790.000-930.000	BEAUDOIN ELECTRICAL CONSTRUCTION	FIX LIGHT FIXTURE, PURCHASE BALLAST	243.83
271-790.000-930.000	CROWDER LANDSCAPING & LAWN CARE LLC	LAWN MAINTENANCE	700.00
271-790.000-930.000	D.L. GALLIVAN OFFICE SOLUTIONS	COPIER USAGE	472.35
271-790.000-930.000	EPS SECURITY	MONTHLY MONITORING	26.50
271-790.000-930.000	L & A GUTTERS	GUTTER CLEANING REPAIR DOWNSPOT	500.00
271-790.000-930.000	ROSE PEST SOLUTIONS	CANINE PEST INSPECTION	259.00
271-790.000-941.100	UPLAND SOFTWARE	FAX SERVICE	19.00
271-790.000-941.100	FIRST NATIONAL BANK OF OMAHA	PAULA STAKLEY	45.00
271-790.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	31.99
	Total For Dept 790.000 Library		17,284.78
	Total For Fund 271 Library Fund		17,284.78
Fund 275 Band Fund			
Dept 802.000 Municipal Band			
275-802.000-740.000	J.W. PEPPER & SON INC.	MUSIC FOR BAND	261.99
275-802.000-740.000	J.W. PEPPER & SON INC.	MUSIC FOR BAND	83.59
275-802.000-740.000	J.W. PEPPER & SON INC.	MUSIC FOR BAND	110.00
275-802.000-740.000	J.W. PEPPER & SON INC.	MUSIC FOR BAND	111.49
275-802.000-740.000	PREMIER PROMOTIONS	SHIRTS FOR BAND MEMBERS	792.81
275-802.000-810.000	EYERLY, BRITTNEY	REISSUE CHECK - BAND PAY 07-04-25 AND 07-10-25	139.20
275-802.000-810.000	FISHER, ISAAC	REISSUE CHECK - BAND PAY 07-28-22 AND 08-25-22	293.28
275-802.000-810.000	WILLIT, HANNAH	REISSUE CHECK - BAND PAY 08-31-2023	153.98
275-802.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	86.12
	Total For Dept 802.000 Municipal Band		2,032.46
	Total For Fund 275 Band Fund		2,032.46
Fund 401 Capital Projects Fund			
Dept 265.140 Public Parking Improvements			
401-265.140-967.000	SPICER GROUP	LOT 11 DESIGN	2,066.25
	Total For Dept 265.140 Public Parking Improvements		2,066.25
Dept 265.150 Facility Card Access			
401-265.150-967.000	CONTROLNET, LLC	CONTRACT PAYMENT	34,112.00
	Total For Dept 265.150 Facility Card Access		34,112.00
Dept 441.100 Public Works Facility Upgrade			
401-441.100-970.000	FERGUSON MICHIANA INC.	ELECTRIC RELOCATION FOR PROJECT	6,600.00
401-441.100-970.000	KENDALL ELECTRIC INC	PROJECT MATERIALS FOR ELECTRIC RELOCATION	149.91
401-441.100-970.000	KENDALL ELECTRIC INC	ELECTRIC RELOCATION	12.38
401-441.100-970.000	KENDALL ELECTRIC INC	ELECTRIC RELOCATION	1,361.20
401-441.100-970.000	KENDALL ELECTRIC INC	ELECTRIC RELOCATION	329.56

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GL Number	Vendor	Invoice Desc.	Amount
401-441.100-970.000	KENDALL ELECTRIC INC	ELECTRIC RELOCATION	2,418.29
401-441.100-970.000	KENDALL ELECTRIC INC	ELECTRIC RELOCATION	88.04
		Total For Dept 441.100 Public Works Facility Upgrade	10,959.38
Dept 466.000 Paid Parking - Downtown			
401-466.000-974.000	DORNBOS SIGN & SAFETY INC	DDA PARKING SIGNS	1,237.54
		Total For Dept 466.000 Paid Parking - Downtown	1,237.54
Dept 728.100 Downtown Plan Implementation			
401-728.100-967.000	JONES PETRIE RAFINSKI	STREETSCAPE	362.50
		Total For Dept 728.100 Downtown Plan Implementation	362.50
Dept 751.591 WCF Restroom Facility			
401-751.591-975.000	AMAZON CAPITAL SERVICES	SIGNS FOR BUILDING	178.87
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	MATERIALS	1,103.43
401-751.591-975.000	FIRST NATIONAL BANK OF OMAHA	MIKE CHRISTENSEN	3,760.68
401-751.591-975.000	FIRST NATIONAL BANK OF OMAHA	JEFFREY RECHNER	359.21
401-751.591-975.000	KENDALL ELECTRIC INC	CREDIT FOR RETURNED PARTS	(2,766.42)
401-751.591-975.000	LAKE MICHIGAN FENCE LLC	ELECTRICAL ENCLOSURE	3,870.00
401-751.591-975.000	LEEP'S SUPPLY CO., INC.	PROJECT MATERIALS	872.27
		Total For Dept 751.591 WCF Restroom Facility	7,378.04
		Total For Fund 401 Capital Projects Fund	56,115.71
Fund 441 UPTON RECONSTRUCTION			
Dept 441.000 Public Works Department			
441-441.000-801.000	ABONMARCHE CONSULTANTS INC	UPTON DRIVE - CONSTRUCTION ADMIN	698.28
		Total For Dept 441.000 Public Works Department	698.28
		Total For Fund 441 UPTON RECONSTRUCTION	698.28
Fund 590 Sewer Fund			
Dept 000.000			
590-000.000-211.000	KALIN CONSTRUCTION	CSO EA PROJECT	(548.75)
590-000.000-230.100	ST JOSEPH CHARTER TOWNSHIP	DISTRIBUTION OF WATER/SEWER REVENUES COLLECTED IN JUN 2025	18,459.04
590-000.000-230.200	LINCOLN CHARTER TOWNSHIP	DISTRIBUTION OF WATER/SEWER REVENUES COLLECTED IN JUN 2025	598,866.06
590-000.000-230.400	ROYALTON TOWNSHIP	DISTRIBUTION OF WATER/SEWER REVENUES COLLECTED IN JUN 2025	8,256.15
590-000.000-230.500	JOINT WASTEWATER TREATMENT PLANT	AUTHORITY SANITATION	90,414.72
590-000.000-256.000	SANTOS, DENISSE	UB REFUND: 090314	50.67
590-000.000-256.000	MURPHY, ALICE	UB REFUND: 268035	16.70
590-000.000-256.000	RICHARDS, AMY	UB REFUND: 160400	15.79
		Total For Dept 000.000	715,530.38

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EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Dept 527.000 Sewer System			
590-527.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	13.20
590-527.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	1,277.37
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00011	45.65
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00007	44.77
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00008	49.18
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT # 0506740475-00001	49.18
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0503619446-00001	49.32
590-527.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0614144879-00001	44.77
590-527.000-925.000	JOINT WASTEWATER TREATMENT PLANT	SJ CITY SANITATION BILL JUNE 2025	73,527.38
590-527.000-930.000	MICHIGAN CRITICAL POWER	GENERATOR MAINTENANCE AND REPAIR	1,017.00
590-527.000-930.000	MICHIGAN CRITICAL POWER	GENERATOR MAINTENANCE AND REPAIR	262.50
		Total For Dept 527.000 Sewer System	76,380.32
Dept 527.500 CSO storage project			
590-527.500-801.000	WADE TRIM	CSO EA PROJECT - CONST ADMIN SERVICES	13,739.92
590-527.500-956.000	WADE TRIM	CSO EA CONST. INSPECTOR DAYS	1,650.00
590-527.500-973.000	KALIN CONSTRUCTION	CSO EA PROJECT	10,974.91
		Total For Dept 527.500 CSO storage project	26,364.83
		Total For Fund 590 Sewer Fund	818,275.53
Fund 591 Water Fund			
Dept 000.000			
591-000.000-230.100	ST JOSEPH CHARTER TOWNSHIP	DISTRIBUTION OF WATER/SEWER REVENUES COLLECTED IN JUN 2025	10,834.21
591-000.000-230.200	LINCOLN CHARTER TOWNSHIP	DISTRIBUTION OF WATER/SEWER REVENUES COLLECTED IN JUN 2025	41,678.83
591-000.000-230.400	ROYALTON TOWNSHIP	DISTRIBUTION OF WATER/SEWER REVENUES COLLECTED IN JUN 2025	1,330.67
591-000.000-255.100	DUNIGAN, MAX	REFUND FOR TEMP METER	500.00
591-000.000-256.000	SANTOS, DENISSE	UB REFUND: 090314	34.29
591-000.000-256.000	VIGANSKY, GERALD A	UB REFUND: 653584	107.41
		Total For Dept 000.000	54,485.41
Dept 530.000 Water Treatment Plant			
591-530.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	97.00
591-530.000-740.000	KSS ENTERPRISES	JANITOR SUPPLIES	10.24
591-530.000-740.000	FIRST NATIONAL BANK OF OMAHA	MONICA HERRICK	673.07
591-530.000-740.000	ACE HARDWARE	SCREWS/DRILLS	254.70
591-530.000-740.000	ACE HARDWARE	KEYS	36.65
591-530.000-740.000	AMAZON CAPITAL SERVICES	OFFICE SUPPLIES	288.94
591-530.000-740.000	CERTIFIED LABORATORIES	WEED KILLER	2,326.75
591-530.000-740.000	GRAINGER	SAMPLE PARTS	1,634.16
591-530.000-740.000	LEEP'S SUPPLY CO., INC.	PARTS - CCT LEAD RIA	580.79
591-530.000-740.000	LEEP'S SUPPLY CO., INC.	PRESS TOOL 3'	3,952.94

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
591-530.000-740.000	MICHIANA SUPPLY INC.	COUPLERS - BLEACH FILL	28.00
591-530.000-740.000	MICHIANA SUPPLY INC.	PLUMBING PARTS	27.40
591-530.000-740.000	USA BLUE BOOK	CL AND TURB REAGENTS	2,514.78
591-530.000-740.000	ZBATTERY.COM, INC.	BATTERIES	311.88
591-530.000-750.000	CHEMICAL SYSTEMS, INC.	CHLORINE - PELLETS - BOOSTER STATIONS	5,400.00
591-530.000-750.000	WILSON CHEMICAL SOLUTIONS	ALUM	7,120.50
591-530.000-750.000	WILSON CHEMICAL SOLUTIONS	CHLORINE - BLEACH	9,974.00
591-530.000-790.000	FIRST NATIONAL BANK OF OMAHA	GREG ALIMENTI	99.00
591-530.000-801.000	CORNWELL ENGINEERING GROUP, INC.	CCT STUDY - LEAD ANALYSIS	1,260.00
591-530.000-801.000	CORNWELL ENGINEERING GROUP, INC.	CCT STUDY	5,132.00
591-530.000-801.000	CORNWELL ENGINEERING GROUP, INC.	CCT STUDY	8,075.80
591-530.000-801.000	CORNWELL ENGINEERING GROUP, INC.	CCT STUDY - LEAD ANALYSIS	1,545.00
591-530.000-801.000	EUROFINS EATON ANALYTICAL LLC	LEAD ANALYSIS	173.04
591-530.000-801.000	EUROFINS EATON ANALYTICAL LLC	LEAD ANALYSIS	735.42
591-530.000-802.000	DOUBLE K ENTERPRISES INC.	IT SERVICES - WATER PLANT	142.50
591-530.000-802.000	DOUBLE K ENTERPRISES INC.	COMPUTER ASSISTANCE	475.00
591-530.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	238.92
591-530.000-850.000	TELNET WORLDWIDE	BILL DATE 07-01-2025	74.26
591-530.000-860.000	FIRST NATIONAL BANK OF OMAHA	GREG ALIMENTI	3,230.37
591-530.000-870.000	FIRST NATIONAL BANK OF OMAHA	GREG ALIMENTI	9.99
591-530.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	32,574.93
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0614144879-00002	81.64
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00012	42.69
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0507486606-00001	42.58
591-530.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00004	42.58
591-530.000-930.000	PLAS-TANKS INDUSTRIES, INC	REPAIR FLOURIDE DAY TANK	7,225.00
591-530.000-930.000	FRANKLIN HOLWERDA COMPANY	SEPARATE STORM & SANITARY	3,925.00
591-530.000-930.000	PRIME DOORS SALES & SERVICES, LLC	REINSTALL FLUORIDE STORAGE DOOR	1,315.00
591-530.000-930.000	VESTIS SERVICES, LLC	RUGS AND RAGS	156.96
591-530.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
		Total For Dept 530.000 Water Treatment Plant	101,851.67
Dept 536.000 Water Distribution System			
591-536.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	94.60
591-536.000-740.000	HIGH GRADE MATERIALS CO.	CONCRETE PATCH FOR WATER	1,809.13
591-536.000-740.000	HIGH GRADE MATERIALS CO.	CONCRETE PATCHES FOR WATER	1,468.75
591-536.000-740.000	HIGH GRADE MATERIALS CO.	CONCRETE PATCHES FOR WATER	2,218.13
591-536.000-740.000	HIGH GRADE MATERIALS CO.	CONCRETE PATCHES FOR WATER	2,266.75
591-536.000-740.000	ZBATTERY.COM, INC.	REPLACEMENT BATTERIES	30.00
591-536.000-740.000	BEAVER RESEARCH COMPANY	SHOP SUPPLIES	371.88
591-536.000-740.000	CITY PLUMBING & HEATING	WATER SERVICE PARTS	86.55
591-536.000-740.000	ETNA SUPPLY COMPANY	METER PIT/RING & COVER	5,085.00
591-536.000-740.000	HIGH GRADE MATERIALS CO.	CONCRETE STREET REPAIR	1,891.88

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)



EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
591-536.000-740.000	RED ARROW TRANSPORT, INC	942.59	942.59
591-536.000-771.000	ETNA SUPPLY COMPANY	WATER METERS	5,583.59
591-536.000-771.000	ETNA SUPPLY COMPANY	WATER METERS	7,283.40
591-536.000-771.000	ETNA SUPPLY COMPANY	WATER METERS	(240.00)
591-536.000-801.000	BERRIEN COUNTY ROAD DEPARTMENT	ROW PERMIT	35.00
591-536.000-801.000	BERRIEN COUNTY ROAD DEPARTMENT	ROW PERMIT	35.00
591-536.000-860.000	GARD, NICK	MILEAGE REIMBURSEMENT AWWA	85.40
591-536.000-860.000	SEMI ACADEMY	CDL TRAINING COURSE	2,860.00
591-536.000-930.000	ANDY J. EGAN CO., INC.	REPAIR SOUTH BOILER	2,478.41
591-536.000-956.000	UPS STORE #1992, THE	SHIPPING COST	56.20
		Total For Dept 536.000 Water Distribution System	34,442.26
Dept 540.000 Water Administration			
591-540.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	23.80
591-540.000-728.000	QUADIENT FINANCE USA, INC	JUNE AND JULY BILLING	235.44
591-540.000-728.000	SBF ENTERPRISES	JULY DELINQUENT NOTICES FOR SJC AND ROYALTON	413.96
591-540.000-801.000	SBF ENTERPRISES	JULY DELINQUENT NOTICES FOR SJC AND ROYALTON	143.20
591-540.000-860.000	MICHIGAN SECTION, AWWA	AWWA CONFERENCE	575.00
591-540.000-870.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	828.00
591-540.000-941.100	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	22.19
		Total For Dept 540.000 Water Administration	2,241.59
Dept 900.000 General Capital Outlay			
591-900.000-972.000	RK DAVIS, INC.	SCIP PHASE II IMPROVEMENTS - PAY APP 21	586,233.70
		Total For Dept 900.000 General Capital Outlay	586,233.70
		Total For Fund 591 Water Fund	779,254.63
Fund 592 City System Development Fund			
Dept 000.000			
592-000.000-256.000	SANTOS, DENISSE	UB REFUND: 090314	35.51
		Total For Dept 000.000	35.51
Dept 536.000 Water Distribution System			
592-536.000-801.000	HYDROCOP	CROSS CONNECTION CONTROL - COMMERCIAL	1,441.00
		Total For Dept 536.000 Water Distribution System	1,441.00
		Total For Fund 592 City System Development Fund	1,476.51
Fund 594 Marina Fund			
Dept 597.000 Marina Operations			
594-597.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	50.60
594-597.000-740.000	ACE HARDWARE	MAINTENANCE SUPPLIES	61.12

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EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
594-597.000-740.000	AMAZON CAPITAL SERVICES	MAINTENANCE SUPPLIES	125.63
594-597.000-740.000	WEST MARINE PRO	MAINTENANCE SUPPLIES	9.56
594-597.000-740.000	WEST MARINE PRO	MAINTENANCE SUPPLIES	329.98
594-597.000-740.000	WEST MARINE PRO	MAINTENANCE SUPPLIES	32.22
594-597.000-741.000	MERLE BOES, INC	DIESEL	3,679.70
594-597.000-741.000	MERLE BOES, INC	GAS	9,224.99
594-597.000-741.000	MERLE BOES, INC	DIESEL	3,106.56
594-597.000-741.000	MERLE BOES, INC	GAS	6,274.26
594-597.000-742.000	ACE HARDWARE	RESALE - STORE	10.79
594-597.000-742.000	WEST MARINE PRO	RESALE - STORE	340.85
594-597.000-742.000	WEST MARINE PRO	RESALE - STORE	120.03
594-597.000-742.000	QUEST CAR CARE PRODUCTS INC.	RESALE - STORE	224.64
594-597.000-742.000	WEST MARINE PRO	RESALE - FOOD	292.33
594-597.000-742.000	WEST MARINE PRO	RESALE - STORE	24.40
594-597.000-742.200	FIRST NATIONAL BANK OF OMAHA	ANDREW PETERS	99.70
594-597.000-742.200	LAKESHORE ICE, LLC	RESALE - FOOD	147.90
594-597.000-850.000	COMCAST	BOAT LAUNCH INTERNET SERVICE	308.80
594-597.000-850.000	FIRST NATIONAL BANK OF OMAHA	FINANCE DEPARTMENT	413.57
594-597.000-850.000	TELNET WORLDWIDE	BILL DATE 07-01-2025	29.71
594-597.000-900.000	OSCAR'S PRINTING & COPY CENTER	SLIP LEASE AGREEMENTS	87.01
594-597.000-900.000	OSCAR'S PRINTING & COPY CENTER	TRANSIENT CHART	43.00
594-597.000-919.000	BEST WAY DISPOSAL INC	TRASH SERVICE	208.50
594-597.000-920.000	INDIANA MICHIGAN POWER COMPANY	JULY BILLING	2,643.17
594-597.000-920.000	MICHIGAN GAS UTILITIES	ACCT #0505563219-00002	57.99
594-597.000-930.000	CREATIVE LANDSCAPING	LAWN CARE	958.24
594-597.000-930.000	SHORELINE BUILDING SERVICES LLC	CLEANING SERVICE	1,015.00
594-597.000-930.000	CLEAN EARTH ENVIRONMENTAL SERVICES	BOAT LAUNCH SEPTIC	561.00
594-597.000-930.000	SHORELINE BUILDING SERVICES LLC	CLEANING SERVICE	1,050.00
594-597.000-930.000	TRAFFIC & SAFETY CONTROL SYSTEM INC	BOAT LAUNCH GATE REPAIR	560.00
594-597.000-941.100	T2 SYSTEMS CANADA INC.	T2 BOAT LAUNCH PAY MACHINE	55.00
		Total For Dept 597.000 Marina Operations	32,146.25
		Total For Fund 594 Marina Fund	32,146.25
Fund 661 Motor Pool Fund			
Dept 345.000 Public Safety Department			
661-345.000-930.000	MERLE BOES, INC	CAR WASHES FOR PUBLIC SAFETY	120.00
661-345.000-930.000	FIRST NATIONAL BANK OF OMAHA	GREG GROTHOUS	80.00
661-345.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TIRES	399.48
661-345.000-930.000	PRI MAR PETROLEUM	CAR WASH PUBLIC SAFETY	5.00
661-345.000-941.000	ENTERPRISE FM TRUST	VEHICLE LEASES	25.29
		Total For Dept 345.000 Public Safety Department	629.77

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Dept 441.000 Public Works Department			
661-441.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	12.40
661-441.000-740.000	AIRGAS USA, LLC	CYLINDER RENTAL	395.66
661-441.000-740.000	MACQUEEN GROUP RENTALS	DRAIN VALE #465	271.80
661-441.000-740.000	MANN, ANDY	CLOTHING REIMBURSEMENT	400.00
661-441.000-740.000	MICHIANA SUPPLY INC.	PARTS	386.01
661-441.000-740.000	MICHIANA SUPPLY INC.	HARDWARE	30.00
661-441.000-740.000	MICHIANA SUPPLY INC.	PART	7.75
661-441.000-740.000	MICHIANA SUPPLY INC.	PARTS AND HARDWARE	112.47
661-441.000-740.000	KEITH VERSAW	CLOTHING ALLOWANCE	317.94
661-441.000-740.000	FIRST NATIONAL BANK OF OMAHA	GREG GROTHOUS	911.47
661-441.000-740.000	FISHER AUTO PARTS, INC.	SHOP SUPPLIES	203.16
661-441.000-740.000	FISHER AUTO PARTS, INC.	PART	20.83
661-441.000-740.000	FISHER AUTO PARTS, INC.	FILTER	93.69
661-441.000-740.000	FISHER AUTO PARTS, INC.	LIGHT	56.54
661-441.000-740.000	FISHER AUTO PARTS, INC.	FILTERS	19.04
661-441.000-740.000	FISHER AUTO PARTS, INC.	FILTERS	95.56
661-441.000-740.000	FISHER AUTO PARTS, INC.	FILTERS	9.52
661-441.000-740.000	USA BLUE BOOK	HOSE REPAIR PARTS	21.95
661-441.000-740.000	USA BLUE BOOK	REPLACEMENT HOSES/REPAIR PARTS #465	470.51
661-441.000-740.000	WEST MICHIGAN INTERNATIONAL LLC	PARTS	576.87
661-441.000-740.000	BEAVER RESEARCH COMPANY	SHOP SUPPLIES	1,082.87
661-441.000-740.000	FISHER AUTO PARTS, INC.	FILTERS	132.34
661-441.000-740.000	FISHER AUTO PARTS, INC.	SHOP SUPPLIES	12.45
661-441.000-740.000	FISHER AUTO PARTS, INC.	BRAKES	163.93
661-441.000-740.000	FISHER AUTO PARTS, INC.	FILTERS	22.91
661-441.000-740.000	FISHER AUTO PARTS, INC.	FILTERS	75.63
661-441.000-740.000	KIMBALL MIDWEST	TOOLS AND PPE	821.60
661-441.000-740.000	MICHIANA SUPPLY INC.	PARTS AND HARDWARE	97.04
661-441.000-740.000	MICHIANA SUPPLY INC.	PARTS/HARDWARE	231.67
661-441.000-740.000	MID-COUNTY LAWN & GARDEN	MOWER FILTERS	50.82
661-441.000-740.000	PLATINUM CHEMICALS INC.	CLEANING SUPPLIES	446.00
661-441.000-740.000	SHARE CORPORATION	SHOP SUPPLIES	344.24
661-441.000-740.000	SIEMANS IN BRIDGMAN	PART	33.75
661-441.000-740.000	VALLEY TRUCK PARTS, INC	PART	81.43
661-441.000-740.000	WEST MICHIGAN INTERNATIONAL LLC	PART	121.41
661-441.000-741.000	MERLE BOES, INC	DEF	862.70
661-441.000-910.000	HUB INTERNATIONAL MIDWEST LIMITED	STORAGE TANK LIABILITY	9,513.03
661-441.000-910.000	HUB INTERNATIONAL MIDWEST LIMITED	STORAGE TAX LIABILITY	917.38
661-441.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TIRES	229.94
661-441.000-930.000	GOOD YEAR TIRE & RUBBER CO.	TIRES	210.00
661-441.000-930.000	CRYSTAL CLEAN, LLC	USED OIL REMOVAL	30.00
661-441.000-941.000	ENTERPRISE FM TRUST	VEHICLE LEASES	2,152.24

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Total For Dept 441.000 Public Works Department			22,046.55
Total For Fund 661 Motor Pool Fund			22,676.32
Fund 677 Self-Insurance Fund			
Dept 851.000 Insurance Premiums			
677-851.000-717.000	RELIANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 VOLUNTARY LIFE INSURANCE	270.85
Total For Dept 851.000 Insurance Premiums			270.85
Total For Fund 677 Self-Insurance Fund			270.85
Fund 690 Health Care Fund			
Dept 000.000			
690-000.000-687.000	BLUE CROSS BLUE SHIELD	BILL PERIOD 06-01-2025 TO 06-30-2025	47,999.21
Total For Dept 000.000			47,999.21
Dept 851.000 Insurance Premiums			
690-851.000-716.100	VARIPRO	AUG HEALTH PREMIUM - RETIREES OVER AGE 65	1,946.00
690-851.000-716.200	BLUE CROSS BLUE SHIELD	BILL PERIOD 06-01-2025 TO 06-30-2025	96,953.04
690-851.000-716.300	BLUE CROSS BLUE SHIELD	BILL PERIOD 06-01-2025 TO 06-30-2025	67,210.45
690-851.000-716.400	BLUE CROSS BLUE SHIELD	BILL PERIOD 06-01-2025 TO 06-30-2025	4,113.51
690-851.000-716.600	BLUE CROSS BLUE SHIELD	BILL PERIOD 06-01-2025 TO 06-30-2025	2,760.93
690-851.000-801.000	BASIC	QUARTERLY ADMIN FEE	390.00
Total For Dept 851.000 Insurance Premiums			173,373.93
Total For Fund 690 Health Care Fund			221,373.14
Fund 703 Current Tax Collection Fund			
Dept 000.000			
703-000.000-956.000	BENTON HARBOR AREA SCHOOLS	BHS SINKING FUND	3,486.22
703-000.000-956.000	BERRIEN COUNTY INTERMEDIATE	RESA GENERAL	5,534.97
703-000.000-956.000	BERRIEN COUNTY INTERMEDIATE	RESA SPECIAL	69,664.38
703-000.000-956.000	BERRIEN COUNTY TREASURER	BHS SET	10,463.91
703-000.000-956.000	BERRIEN COUNTY TREASURER	SJPS SET	180,103.80
703-000.000-956.000	BERRIEN COUNTY TREASURER	COUNTY GENERAL	151,437.37
703-000.000-956.000	GRUBKA, KIMBERLY A	CORRECTED SUMMER TAX NOTICE REFUND	112.72
703-000.000-956.000	LAKE MICHIGAN COLLEGE	LAKE MI COLLEGE	71,951.14
703-000.000-956.000	SOUTHWEST MI REGIONAL AIRPORT	AIRPORT	7,755.05
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	SJPS OPERATING	24,037.22
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	SJPS SCH-2014BLDGS	29,511.91
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	SJPS SCH-2010DEBT	93,353.11
703-000.000-956.000	ST JOSEPH PUBLIC SCHOOLS	SJPS SCH-2016DEBT	17,709.19
Total For Dept 000.000			665,120.99

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)

EXP CHECK RUN DATES 07/10/2025 - 07/24/2025

GL Number	Vendor	Invoice Desc.	Amount
Total For Fund 703 Current Tax Collection Fund			665,120.99
Fund 731 Retirement System Fund			
Dept 000.000			
731-000.000-801.200	GABRIEL, ROEDER, SMITH & CO	ACTUARIAL EVAL FOR ARBITRATION	5,000.00
731-000.000-801.200	GABRIEL, ROEDER, SMITH & CO	CONSULTING RELATED TO PENSION AUDIT	5,000.00
731-000.000-860.000	FIRST NATIONAL BANK OF OMAHA	SAMANTHA WINNELL	(28.62)
Total For Dept 000.000			9,971.38
Total For Fund 731 Retirement System Fund			9,971.38
Fund 755 Housing Payroll Fund			
Dept 535.000 Component Units & Joint Ventures			
755-535.000-717.000	RELANCE STANDARD LIFE INSURANCE CO	AUGUST 2025 LIFE INSURANCE	22.00
Total For Dept 535.000 Component Units & Joint Ventures			22.00
Total For Fund 755 Housing Payroll Fund			22.00
Fund Totals:			
Fund 101 General Fund			177,307.05
Fund 202 Major Street Fund			8,445.62
Fund 203 Local Street Fund			5,008.60
Fund 209 Cemetery Fund			7,261.78
Fund 214 Depot Fund			30.26
Fund 226 Rubbish Collection Fund			70,351.14
Fund 271 Library Fund			17,284.78
Fund 275 Band Fund			2,032.46
Fund 401 Capital Projects Fund			56,115.71
Fund 441 UPTON RECONSTRUCTION			698.28
Fund 590 Sewer Fund			818,275.53
Fund 591 Water Fund			779,254.63
Fund 592 City System Development Fund			1,476.51
Fund 594 Marina Fund			32,146.25
Fund 661 Motor Pool Fund			22,676.32
Fund 677 Self-Insurance Fund			270.85
Fund 690 Health Care Fund			221,373.14
Fund 703 Current Tax Collection Fund			665,120.99
Fund 731 Retirement System Fund			9,971.38
Fund 755 Housing Payroll Fund			22.00
Total For All Funds:			2,895,123.28

Attachment: EXP CHECK RUN DATES 07-10-2025 TO 07-24-2025 (10984 : Invoice and Tax Disbursements)



# Agenda Item

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**TO:** Members of the St. Joseph City Commission

**FROM:** Abby Bishop, City Clerk

**RE:** Zoning Board of Appeals Vacancy & Change in Positions

**MEETING DATE:** July 28, 2025

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As of July 28, 2025, Zoning Board of Appeals (ZBA) member Mark Schmidt has resigned from the ZBA. With that vacancy, it allows for changes in the alternate positions. The 1st Alternate, Craig Hubble, will become a voting member, and the 2nd Alternate, Chris Healy, will become a 1st Alternate - leaving the vacancy for the 2nd Alternate position. This item is placed on the Consent Agenda for official approval and change to the voting members and positions described. Please note that this does not affect term limits; the terms of current members will remain unchanged.

*Action Requested:* Motion to approve, as part of the Consent Agenda, the Zoning Board of Appeals member positions, as presented.



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Emily Hackworth, City Manager

**RE:** 2026 Meeting Dates

**MEETING DATE:** July 28, 2025

In July of 2024, the City Commission voted to introduce a new meeting cadence that shifted meetings to every three-weeks during the less busy season from November 2024 through April 2025 and again beginning in November 2025. From May to October 2025, the schedule is more traditional, with most meetings happening on second and fourth Mondays of the month.

The creating a proposed 2026 meeting schedule, staff maintained the three-week meeting cadence before May and after October.

The proposed schedule is as follows. All meetings would be on Monday at 6PM unless otherwise noted.

Three-Week Cadence

01/12  
02/02  
02/23  
03/16  
04/06  
04/27

Two-Week Cadence

05/11  
05/27 (Wednesday)  
06/08  
06/29 (Fifth Monday)  
07/13  
07/27  
08/10  
08/24  
09/14  
09/28  
10/12  
10/26

Three-Week Cadence

11/16  
12/07

*Action requested:* Motion to approve, as part of the consent agenda, the above City Commission regular meeting schedule for 2026.





# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Laurie Schmidt, City Attorney

**RE:** Approval of Resolution of NOI to Issue Joint Revenue Bonds-  
JWWTP, Rescind Res. 2025-226,

**MEETING DATE:** July 28, 2025

On July 14, 2025, the City Commission approved Resolution No. 2025-226, which was a Resolution Authorizing Notice of Intent to Issue Sewage Disposal System Joint Revenue Bonds for the Benton Harbor St. Joseph Joint Wastewater Treatment Plant. Exhibit A to the Resolution, which is the form of the Joint Notice of the Intent to Issue Revenue Bonds and the Right of Referendum ("Notice") to be published in the newspaper, was not included with the approved Resolution.

To approve the full resolution clearly, the Commission is being asked to approve the attached Resolution and Exhibit A, and rescind its prior approval of Resolution No. 2025-226 as part of the Consent Agenda. The 45-day referendum period will start from the date of publication of the Notice.

*Action Requested:* Motion to approve the enclosed Resolution Authorizing Notice of Intent to Issue Sewage Disposal System Joint Revenue Bonds, and Rescind Resolution No. 2025-226, and as part of the Consent Agenda.

## **ATTACHMENTS:**

- 20250714 CC Packet JWWTP (PDF)
- 07.03.25 NOI - Bond Projection Information - SJ City Draft (002) (PPTX)
- 20250728Notice of Intent Resolution Joint Revenue Bonds Act 129\_Act 94 - City of St. Joseph(44049214.5) (PDF)



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Laurie Schmidt, City Attorney

**RE:** Resolution - Notice of Intent to Issue Joint Revenue Bonds for Sewer Improvements -JWWTP

**MEETING DATE:** July 14, 2025

The JWWTP requires several costly infrastructure improvements in the near future and is seeking funding for the improvements through a grant and/or a low interest loan from the Clean Water State Revolving Fund (CWSRF) program administered by the Michigan Department of Environment, Great Lakes and Energy and the Michigan Finance Authority. If the JWWTP does not qualify for a CWSRF loan, they may pursue funding through the sale of one or more series of revenue bonds at a public competitive or negotiated sale. Benton Harbor and St. Joseph jointly own and operate the Benton Harbor St. Joseph Joint Wastewater Treatment Plant (the "JWWTP") as authorized under PA 129 of 1943 ("Act 129"), and may jointly authorize issuing bonds for the JWWTP improvements.

City staff is requesting approval of a Resolution Authorizing Notice of Intent to Issue Sewage Disposal Joint Revenue Bonds (NOI). This action is required to allow the JWWTP to move forward with the necessary projects identified in the Bond Project Information presentation, which is included for your review. This bond is for improvements to the sewer system and, as such, the cost is paid through sewer rates, not through taxes. The bond funding will help keep rate increases at a sustainable level, spreading the cost at a more consistent rate over a longer period of time.

Bonding is a two-step process that starts with approving a Resolution to authorize publication of the required NOI, attached as Exhibit A, in the Herald Palladium pursuant to Act 94, Public Acts of Michigan, 1933, as amended. This step is required so that electors in the City are properly informed that the City intends to issue bonds. It opens a 45-day period in which electors may request a ballot referendum on the matter. Adoption of this Resolution only authorizes the publication of the notice and does not authorize bond issuance. The next step is to request approval to issue the bonds, which will be brought to each City Commission for consideration only after the 45-day period to request a referendum has passed.

The Resolution also authorizes the retention of Bendzinski & Co. Registered Municipal Advisors as municipal advisor in connection with the Revenue Bonds, and retention of Miller, Canfield, Paddock and Stone, P.L.C. ("Miller, Canfield") to serve as bond counsel to the Issuer for the Revenue Bonds.

In sum, Benton Harbor and St. Joseph must both approve and publish the NOI, allow the 45-day referendum period to proceed, and if passed, approve issuing the bonds at the appropriate time.

On June 16, 2025, Benton Harbor approved a mirror Resolution Authorizing Notice of Intent to Issue Sewage Disposal Joint Revenue Bonds.

The \$20,000,000 noted amount is a “not to exceed” amount and serves as the bond ceiling for future borrowing by the JWWTP.

*Action Requested:* To adopt the Resolution Authorizing Notice of Intent to Issue Sewage Disposal Joint Revenue Bonds and to publish the Notice of Intent to Issue Joint Sewage Disposal Revenue bonds, as presented.

**CITY OF ST. JOSEPH  
COUNTY OF BERRIEN, STATE OF MICHIGAN**

**RESOLUTION AUTHORIZING NOTICE OF INTENT  
TO ISSUE SEWAGE DISPOSAL SYSTEM JOINT REVENUE BONDS**

Minutes of a regular meeting of the City Commission of the City of St. Joseph, County of Berrien, State of Michigan, held on the 14<sup>th</sup> day of July, 2025, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Commissioners \_\_\_\_\_

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

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_:

WHEREAS, pursuant to Act 129, Public Acts of Michigan, 1943, as amended (“Act 129”), the Benton Harbor St. Joseph Joint Wastewater Treatment Plant, County of Berrien, State of Michigan (the “Joint Plant”) was established as a sewage disposal facility under the joint ownership, use, and operation of the City of Benton Harbor and the City of St. Joseph; and WHEREAS, the City Commission of the City of St. Joseph (the “Issuer”) has determined that it is necessary for the public health, safety and welfare of the users of the Joint Plant’s Sewage Disposal System to acquire and construct improvements to the Joint Plant’s Sewage Disposal System (the “System”) including, but not limited to the acquisition, construction, and installation of improvements to the System including, but not limited to, sewer rehabilitation; replacement of aeration channel air piping and diffusers, inclusive of installing new stainless steel piping, new butterflies, new slide gates, and a new diffuser system; primary sludge valve replacements and related upgrades; replacement of final settling tanks; replacement of RAS pumps, together with associated appurtenances and attachments and site improvements, and payment of legal, engineering, financial and other incident expenses (collectively, the “Project”); and WHEREAS, the Issuer anticipates that the Joint Plant will obtain funding for the Project from the following sources: (a) through a grant and/or a low interest loan from the Clean Water Revolving Fund program administered by the Michigan Department of Environment, Great Lakes and Energy and the Michigan Finance Authority and documented by delivery of one or more series of revenue bonds, and (b) through sale of one or more series of revenue bonds at a public competitive or negotiated sale; and WHEREAS, Act 129 permits a Joint Plant to borrow money, subject to the requirements of Act 94, Public Acts of Michigan, 1933, as amended (“Act 94”), to finance the acquisition, construction, improvement, enlargement, extension, and repair of public improvements such as the Project through the issuance of joint revenue bonds by the Issuer; and WHEREAS, the issuance of joint revenue bonds under Act 129, pursuant to Act 94, payable from revenues of the System in an amount not to exceed Twenty Million Dollars (\$20,000,000),

to be issued in one or more series (the "Revenue Bonds"), for the purpose of financing all or a portion of the Project appears to be the most practical means to that end; and  
 WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Revenue Bonds in order to comply with the requirements of Section 33 of Act 94; and  
 WHEREAS, the Issuer intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the Issuer for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Revenue Bonds in *The Herald Palladium*, a newspaper of general circulation in the City of St. Joseph. The notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the form set forth in Exhibit A hereto and by this reference made a part hereof.
2. The City Commission does hereby determine that the form of Notice of Intent shown in Exhibit A, and the manner of publication directed, is adequate notice to the electors of the City of St. Joseph and users of the System and is the method best calculated to give them notice of the Issuer's intent to issue the Revenue Bonds, the purpose of the Revenue Bonds, the security for the Revenue Bonds, and the right of referendum of the electors with respect to issuance of the Revenue Bonds, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the Issuer's electors may exercise their legal rights of referendum, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed, and the newspaper complies with the requirements of Act No. 247, Public Acts of Michigan, 1963.
3. The Issuer may incur expenditures for the Project prior to receipt of proceeds of the Revenue Bonds and may advance moneys for that purpose from the funds of the Sewer Supply System to be reimbursed from proceeds of the Revenue Bonds when available.
4. The Issuer hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:
  - (a) As of the date hereof, the Issuer reasonably expects to reimburse itself with the proceeds of debt to be incurred by the Issuer for costs of the Project that were or will be paid subsequent to sixty (60) days prior to the date hereof.
  - (b) The maximum principal amount of debt expected to be issued for the Project is \$20,000,000.
  - (c) The expenditures described above are "capital expenditures" as defined in Treasury Regulation § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
5. The Issuer confirms the retention of Bendzinski & Co. Registered Municipal Advisors as municipal advisor in connection with the Revenue Bonds. The fees of the municipal advisor shall be paid from the proceeds of the sale of the Revenue Bonds, or other money legally available therefor.
6. The Issuer confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. ("Miller, Canfield") to serve as bond counsel to the Issuer for the Revenue Bonds. The fees of Miller Canfield shall be paid from the proceeds of the sale of the Revenue Bonds, or other money legally available therefor. The Issuer recognizes that Miller, Canfield has represented the Michigan Finance Authority, in the past and may be representing the Michigan Finance

Authority presently, in connection with various unrelated matters and the Issuer requests Miller, Canfield to continue as bond counsel, notwithstanding the potential concurrent representation of any such potential participant regarding any unrelated matter.

7. The officers of the Issuer are authorized to apply to a rating agency for a credit assessment if necessary to comply with requirements to participate in the Michigan Clean Water Revolving Fund program.

8. The officers, administrators, agents and attorneys of the Issuer are authorized and directed to take all other actions necessary and convenient to facilitate preparation of the Revenue Bonds for sale. The Revenue Bonds will be sold only after the Joint Plant approves an ordinance authorizing issuance and sale of the Revenue Bonds.

9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Commission of the City of St. Joseph, County of Berrien, State of Michigan at a regular meeting held on July 14, 2025 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Commissioners voted for adoption of said resolution:

\_\_\_\_\_ and that the following Commissioners voted against adoption of said resolution: \_\_\_\_\_.

\_\_\_\_\_  
City Clerk

**ATTACHMENTS:**

- 07.03.25 NOI - Bond Projection Information - SJ City Draft (002) (PDF)

# Notice of Intent Bond Projections

July 14, 2025 SJ City Council Meeting

- Models updated July 2025
- Multiple scenarios illustrated in models

## Projects in Scope:

Spending would include:

- q ID 3 - Sewer Rehabilitation - \$3,124,200
  - q From BH and SJ Meters to BHSJWWTP
- q ID 4 - Replacement of Channel Air System Equipment and Piping - \$2,544,000
- q ID 6 - Replacement of Final Tanks 3-5 - \$5,241,100
- q ID 8 - Replacement of RAS Pumps - \$1,149,100
- q ID 9 - Primary Sludge Valves Replacement and Misc Upgrades - \$217

2023 Projected Total: \$12,275,400



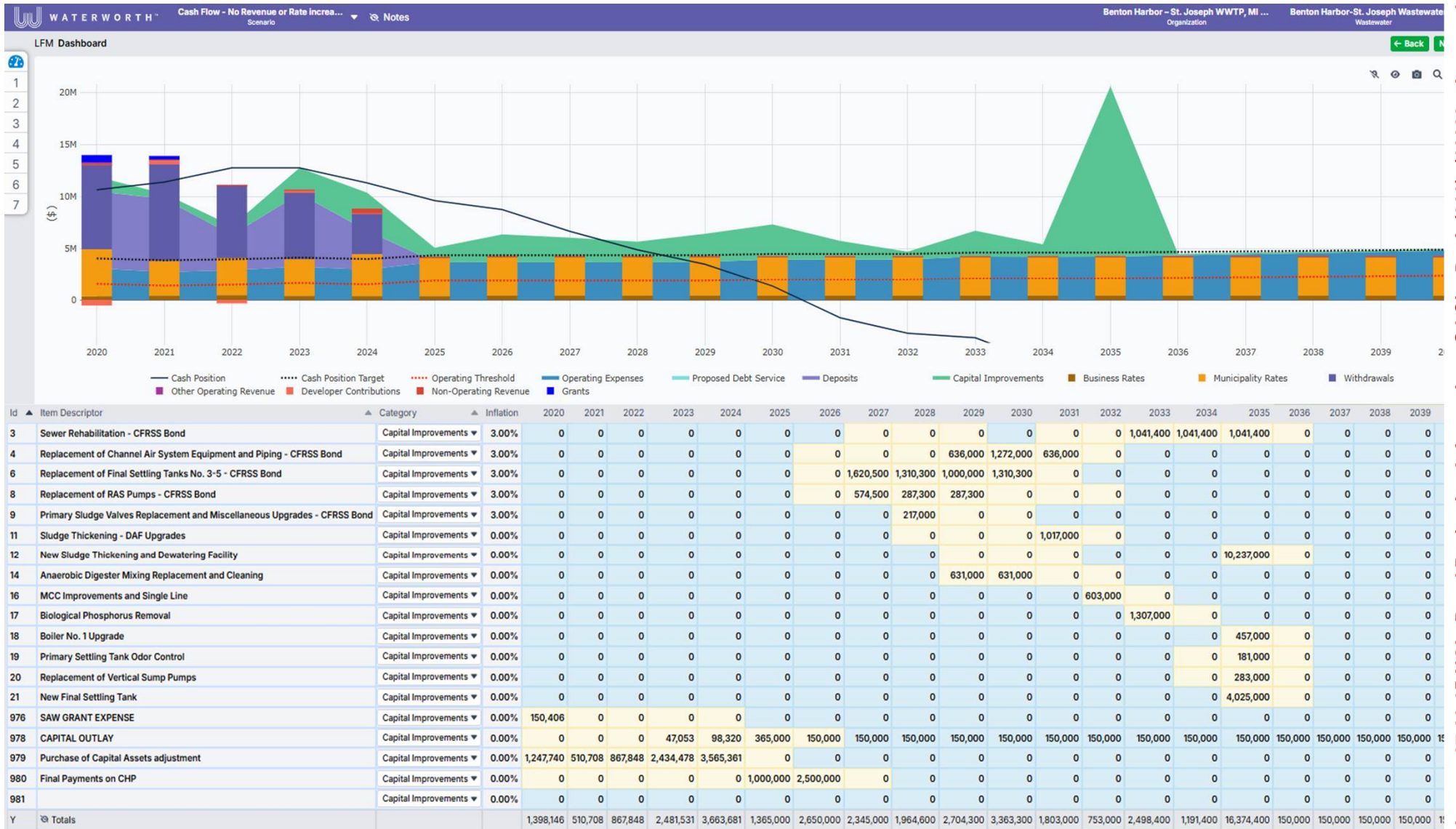
## Visual on project locations:



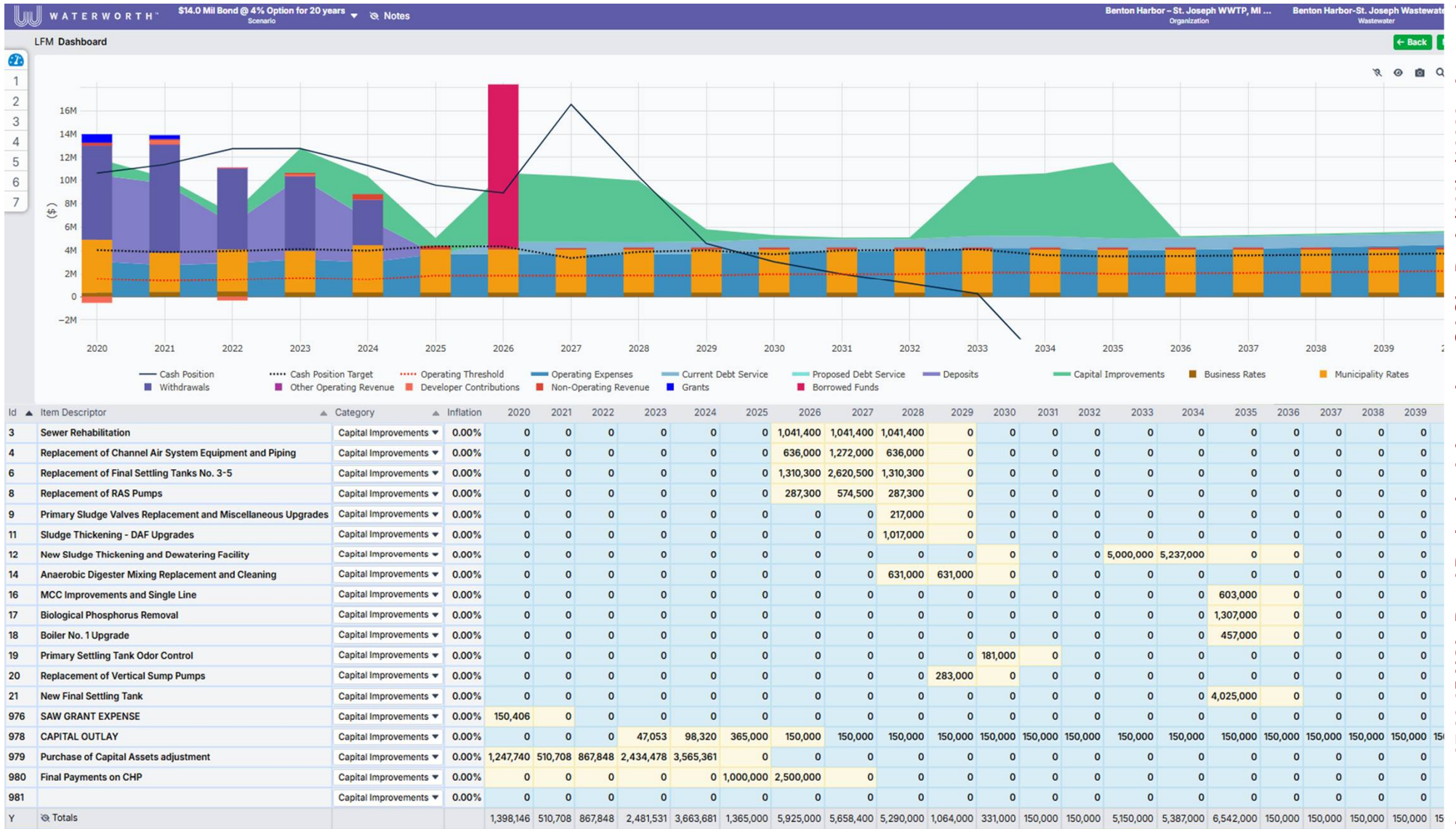


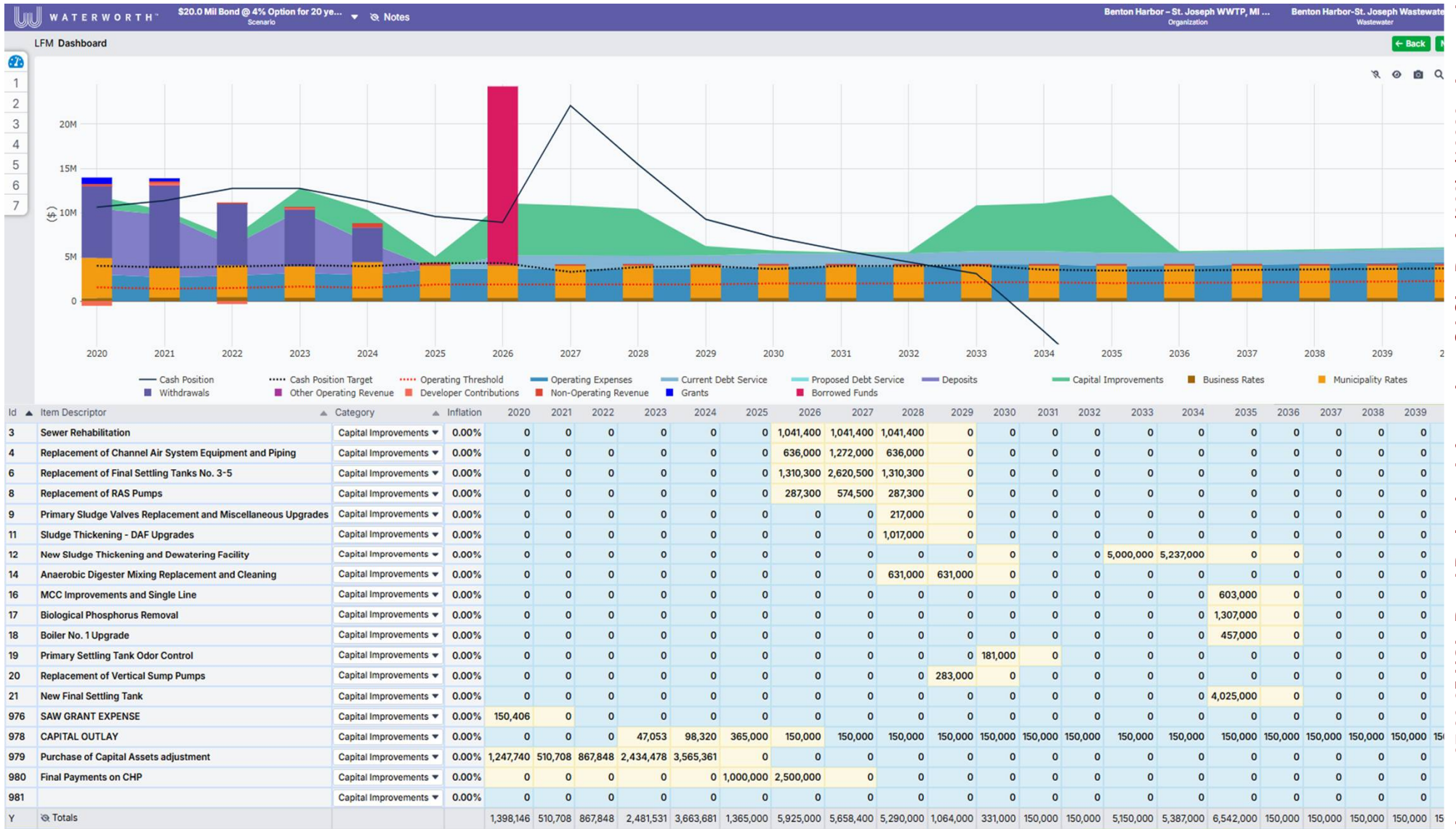
Visual on project locations:











**CITY OF ST. JOSEPH  
COUNTY OF BERRIEN, STATE OF MICHIGAN**

**RESOLUTION AUTHORIZING NOTICE OF INTENT  
TO ISSUE SEWAGE DISPOSAL SYSTEM JOINT REVENUE BONDS**

Minutes of a regular meeting of the City Commission of the City of St. Joseph, County of Berrien, State of Michigan, held on the 28<sup>th</sup> day of July, 2025, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Commissioners \_\_\_\_\_

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

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_:

WHEREAS, pursuant to Act 129, Public Acts of Michigan, 1943, as amended (“Act 129”), the Benton Harbor St. Joseph Joint Wastewater Treatment Plant, County of Berrien, State of Michigan (the “Joint Plant”) was established as a sewage disposal facility under the joint ownership, use, and operation of the City of Benton Harbor and the City of St. Joseph; and

WHEREAS, the City Commission of the City of St. Joseph (the “Issuer”) has determined that it is necessary for the public health, safety and welfare of the users of the Joint Plant’s Sewage Disposal System to acquire and construct improvements to the Joint Plant’s Sewage Disposal System (the “System”) including, but not limited to the acquisition, construction, and installation of improvements to the System including, but not limited to, sewer rehabilitation; replacement of aeration channel air piping and diffusers, inclusive of installing new stainless steel piping, new butterflies, new slide gates, and a new diffuser system; primary sludge valve replacements and related upgrades; replacement of final settling tanks; replacement of RAS pumps, together with associated appurtenances and attachments and site improvements, and payment of legal, engineering, financial and other incident expenses (collectively, the “Project”); and

WHEREAS, the Issuer anticipates that the Joint Plant will obtain funding for the Project from the following sources: (a) through a grant and/or a low interest loan from the Clean Water Revolving Fund program administered by the Michigan Department of Environment, Great Lakes and Energy and the Michigan Finance Authority and documented by delivery of one or more series of revenue bonds, and (b) through sale of one or more series of revenue bonds at a public competitive or negotiated sale; and

WHEREAS, Act 129 permits a Joint Plant to borrow money, subject to the requirements of Act 94, Public Acts of Michigan, 1933, as amended (“Act 94”), to finance the acquisition, construction, improvement, enlargement, extension, and repair of public improvements such as the Project through the issuance of joint revenue bonds by the Issuer; and



WHEREAS, the issuance of joint revenue bonds under Act 129, pursuant to Act 94, payable from revenues of the System in an amount not to exceed Twenty Million Dollars (\$20,000,000), to be issued in one or more series (the "Revenue Bonds"), for the purpose of financing all or a portion of the Project appears to be the most practical means to that end; and

WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Revenue Bonds in order to comply with the requirements of Section 33 of Act 94; and

WHEREAS, the Issuer intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the Issuer for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Revenue Bonds in *The Herald Palladium*, a newspaper of general circulation in the City of St. Joseph. The notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the form set forth in Exhibit A hereto and by this reference made a part hereof.

2. The City Commission does hereby determine that the form of Notice of Intent shown in Exhibit A, and the manner of publication directed, is adequate notice to the electors of the City of St. Joseph and users of the System and is the method best calculated to give them notice of the Issuer's intent to issue the Revenue Bonds, the purpose of the Revenue Bonds, the security for the Revenue Bonds, and the right of referendum of the electors with respect to issuance of the Revenue Bonds, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the Issuer's electors may exercise their legal rights of referendum, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed, and the newspaper complies with the requirements of Act No. 247, Public Acts of Michigan, 1963.

3. The Issuer may incur expenditures for the Project prior to receipt of proceeds of the Revenue Bonds and may advance moneys for that purpose from the funds of the Sewer Supply System to be reimbursed from proceeds of the Revenue Bonds when available.

4. The Issuer hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

- (a) As of the date hereof, the Issuer reasonably expects to reimburse itself with the proceeds of debt to be incurred by the Issuer for costs of the Project that were or will be paid subsequent to sixty (60) days prior to the date hereof.
- (b) The maximum principal amount of debt expected to be issued for the Project is \$20,000,000.

- (c) The expenditures described above are “capital expenditures” as defined in Treasury Regulation § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

5. The Issuer confirms the retention of Bendzinski & Co. Registered Municipal Advisors as municipal advisor in connection with the Revenue Bonds. The fees of the municipal advisor shall be paid from the proceeds of the sale of the Revenue Bonds, or other money legally available therefor.

6. The Issuer confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. (“Miller, Canfield”) to serve as bond counsel to the Issuer for the Revenue Bonds. The fees of Miller Canfield shall be paid from the proceeds of the sale of the Revenue Bonds, or other money legally available therefor. The Issuer recognizes that Miller, Canfield has represented the Michigan Finance Authority, in the past and may be representing the Michigan Finance Authority presently, in connection with various unrelated matters and the Issuer requests Miller, Canfield to continue as bond counsel, notwithstanding the potential concurrent representation of any such potential participant regarding any unrelated matter.

7. The officers of the Issuer are authorized to apply to a rating agency for a credit assessment if necessary to comply with requirements to participate in the Michigan Clean Water Revolving Fund program.

8. The officers, administrators, agents and attorneys of the Issuer are authorized and directed to take all other actions necessary and convenient to facilitate preparation of the Revenue Bonds for sale. The Revenue Bonds will be sold only after the Joint Plant approves an ordinance authorizing issuance and sale of the Revenue Bonds.

9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Commission of the City of St. Joseph, County of Berrien, State of Michigan at a regular meeting held on July 28, 2025 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Commissioners voted for adoption of said resolution:

\_\_\_\_\_ and that the following Commissioners voted against adoption of said resolution: \_\_\_\_\_.

\_\_\_\_\_  
City Clerk



## EXHIBIT A

JOINT NOTICE TO TAXPAYERS AND ELECTORS OF THE CITY OF ST. JOSEPH  
AND TO USERS OF THE BENTON HARBOR ST. JOSEPH JOINT WASTEWATER  
TREATMENT PLANT'S SEWAGE DISPOSAL SYSTEM OF  
INTENT TO ISSUE REVENUE BONDS AND THE RIGHT OF REFERENDUM

PLEASE TAKE NOTICE that the City Commissions of the City of Benton Harbor, Berrien County, Michigan ("Benton Harbor") and the City of St. Joseph, County of Berrien, Michigan ("St. Joseph," and together with Benton Harbor, the "Cities", intend to issue and sell joint revenue bonds pursuant to Act 129, Public Acts of Michigan, 1943 and Act 94, Public Acts of Michigan, 1933, as amended, in an amount not to exceed Twenty Million Dollars (\$20,000,000), in one or more series, for the purpose of paying all or a portion of the cost to acquire, construct, and install improvements to the Benton Harbor St. Joseph Joint Wastewater Treatment Plant's Sewage Disposal System including, but not limited to, sewer rehabilitation; replacement of aeration channel air piping and diffusers, inclusive of installing new stainless steel piping, new butterflies, new slide gates, and a new diffuser system; primary sludge valve replacements and related upgrades; replacement of final settling tanks; replacement of RAS pumps, together with associated appurtenances and attachments and site improvements, and payment of legal, engineering, financial and other incident expenses.

The Cities anticipate that (a) one or more series of the bonds will be sold to the Michigan Finance Authority to document a grant or a low interest loan from the Michigan Department of Environment, Great Lakes and Energy Clean Water Revolving Fund program, and (b) one or more series of the bonds may be sold at a public competitive or negotiated sale.

The bonds may be issued in one or more series as shall be determined by the City Commission of the Cities. Each series of the bonds will mature in annual installments not to exceed forty (40) in number, with interest rates on the unpaid balance of the bonds from time to time remaining outstanding to be determined at sale of the bonds but in no event to exceed such rates as may be permitted by law.

SOURCE OF PAYMENT OF REVENUE BONDS

THE PRINCIPAL OF AND INTEREST ON THE BONDS SHALL BE PAYABLE from the revenues received by the Joint Plant from the operations of the Sewage Disposal System. The revenues will consist of rates and charges billed to the users of the System. The rates and charges may from time to time be revised to provide sufficient revenues to provide for the expenses of operating and maintaining the System, to pay the principal of and interest on the bonds and to pay other obligations of the System and to provide reserves therefor.

ADDITIONAL SECURITY FOR BONDS  
SOLD TO MICHIGAN FINANCE AUTHORITY

IN THE EVENT THAT ANY OF THE BONDS ARE SOLD TO THE MICHIGAN FINANCE AUTHORITY, ST. JOSEPH MAY PLEDGE FOR THE PAYMENT OF SUCH BONDS MONEY RECEIVED OR TO BE RECEIVED BY IT DERIVED FROM

IMPOSITION OF TAXES BY THE STATE AND RETURNED OR TO BE RETURNED TO THE CITY AS PROVIDED BY LAW, except for money the use of which is prohibited for such purposes by the State Constitution. St. Joseph may enter into an agreement providing for the payment of taxes, which taxes are collected by the State and returned to St. Joseph as provided by law, to the Michigan Finance Authority or a trustee, and such funds may be pledged for the payment of the bonds.

#### RIGHT OF REFERENDUM

THE BONDS MAY BE ISSUED WITHOUT A VOTE OF THE ELECTORS UNLESS A VALID PETITION REQUESTING SUCH A VOTE SIGNED BY NOT LESS THAN 10% OF THE REGISTERED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE CITY OF ST. JOSEPH IS FILED WITH THE CITY CLERK OF ST. JOSEPH WITHIN FORTY-FIVE (45) DAYS AFTER PUBLICATION OF THIS NOTICE. IF SUCH PETITION IS FILED, THE BONDS MAY NOT BE ISSUED WITHOUT AN APPROVING VOTE OF A MAJORITY OF THE QUALIFIED ELECTORS RESIDING WITHIN THE BOUNDARIES OF THE CITY OF ST. JOSEPH VOTING THEREON. If such petition is filed and the electors of St. Joseph voting thereon approve the issuance of the bonds, then the bonds may be payable from revenues or from ad valorem taxes that may be levied on all taxable property in St. Joseph without limitation as to rate or amount.

THIS NOTICE is given pursuant to the requirements of Section 33, Act 94, Public Acts of Michigan, 1933, as amended.

ADDITIONAL INFORMATION will be furnished from the office of the City Clerk upon request.

Abby Bishop  
City Clerk, City of St. Joseph

44049214.5/102706.00003



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Steve Neubecker, Public Safety Director

**RE:** Shotgun Buy Back Program

**MEETING DATE:** July 28, 2025

In 2019, the Public Safety Department purchased rifles after the City Commission approved a patrol rifle buy-back program. The program has been successful.

The Department would now like to replicate the program to purchase one Benelli M4 semi-auto shotgun per officer at a cost of \$1,590 per shotgun. Over a two year period, the officers would pay for the weapon through payroll deductions of \$30.58 pay period. The city would hold ownership of the weapon until the officer separates from service with the department. At this time, any balance owed on the buy-back will become due immediately and the shotgun will be signed over to the officer.

The Department currently has no shotguns only ones used for less-lethal contact.

The advantage of the shotgun buy-back program include, but are not limited to:

Officers will take better care of the equipment that they have a personal investment in.  
 Officers will be more proficient with a shotgun that they sight in personally.  
 Officers will be more familiar with the mechanics and operation of a personally owned shotgun.

The initial cost to the city for 25 Benelli shotguns would be \$39,750 and the department allocated \$60,000 in the 2025/2026 capital improvement fund for this purchase.

*Action Requested:* Approve, as part of the consent agenda, the purchase of 25 Benelli M4 semi-auto 12 gauge shotguns at a cost of \$39,750, which would be paid back to the City over 52 payroll deductions.

## **ATTACHMENTS:**

- 2025 Shotguns (PDF)



**To: St. Joseph Public Safety Department  
700 Broad Street  
Saint Joseph, MI 49085**

Customer | **SJPD-001**

## Quotation

[illegible]

**Attachment: 2025 Shotguns (10979 : Shotgun Buy Back Program)**



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Greg Grothous, Director of Public Works

**RE:** Declaration and Notice - Whirlpool Centennial Park

**MEETING DATE:** July 28, 2025

As the Commission is aware the City received a Land and Water Conservation Fund (LWCF) grant administered through the Michigan DNR in the amount of \$345,000 for the Whirlpool Centennial Park development project. Now that the project is nearly complete and staff is working on closing out the grant, the City needs to provide a Declaration and Notice that will be attached to the deed for the property.

The Declaration and Notice includes the language that has been agreed to as part of the grant agreement that the property will remain a park and will be available for public outdoor recreation in perpetuity.

*Action Requested:* As part of the consent agenda, please consider a motion to approve the Declaration and Notice for Whirlpool Centennial Park and authorize the Mayor to sign the document on behalf of the City.

## **ATTACHMENTS:**

- DECLARATION AND NOTICE (PDF)
- Declaration and Notice Exhibit A (PDF)
- Deed with full Addendum Whirlpool Centennial Park (PDF)
- Project Agreement DNR Signed (PDF)
- Project Agreement Amendment DNR Signed (PDF)

## DECLARATION AND NOTICE

This Declaration made this \_\_\_\_ day of \_\_\_\_\_, 2025, by the City of St. Joseph, a Michigan municipal corporation 700 Broad Street, St. Joseph, Michigan 49085 (“City”), being the owner of all the property described as the Whirlpool Centennial Park, 200 Broad Street, St. Joseph, Michigan, Tax Identification Numbers 11-76-0340-0019-00-0 and 11-76-0340-0071-00-1, as described and depicted in Exhibit A attached hereto, hereinafter referred to as the Property, located in the City of St. Joseph, Berrien County, Michigan, hereby makes the following declaration regarding uses to which the Property may be put.

WITNESSETH:

The Declaration contained herein is based on the following factual recitals:

- A. The City developed the Property, in part, through the grant of money from the Land and Water Conservation Fund Agreement Amendment No. 1, for the Whirlpool Centennial Park Development, project number 26-01867.
- B. As a condition of the grant by the DNR, the City has agreed to impose certain restrictions on the Property.

**NOW, THEREFORE**, the City hereby declares that the portion of the property identified as the project area is and shall be held, transferred, sold, conveyed, leased, occupied and used subject to the obligation hereinafter set forth, all of which shall run with the land.

The lands included in this deed were developed by the City with funding assistance from the Land and Water Conservation Fund pursuant to the Development Project Agreement 26-01867 between the Michigan Department of Natural Resources and the City, fully executed on 10/20/2022, as amended and fully executed on 08/30/2024. The project agreement describes certain requirements to ensure the long-term conservation of the property and its use for public outdoor recreation. The City is placing this notice on record as confirmation of its obligations as set forth in the project agreement, including the requirement that the consent of the Michigan Department of Natural Resources and the (National Park Service) is required prior to the conveyance of any rights or interest in the property to another entity, or for the use of the property for purposes other than conservation or public outdoor recreation.

CITY OF ST. JOSEPH

Dated:

By: \_\_\_\_\_  
**BROOK THOMAS, Mayor**

[illegible]

On \_\_\_\_\_ 2025 before me, a Notary Public, in and for said County, personally appeared **Brook Thomas, Mayor** of the City of St. Joseph, to me known to be the same person(s) described in and who executed the within instrument on behalf of the City of St. Joseph.

\* \_\_\_\_\_, Notary Public  
Berrien County, Michigan  
Commission Expires: \_\_\_\_\_



EXHIBIT A  
LEGAL DESCRIPTION

File No.: 274108

The land referred to in this Commitment, situated in the County of Berrien, City of St. Joseph, State of Michigan, is described as follows:

Lots 19, 20, 21, 22, 37, 38, 39, 40, 67, 68, 69, 70, 71 and 72 of Newberryport, according to the plat thereof, recorded in Volume E of Deeds, page 564, Berrien County Records.

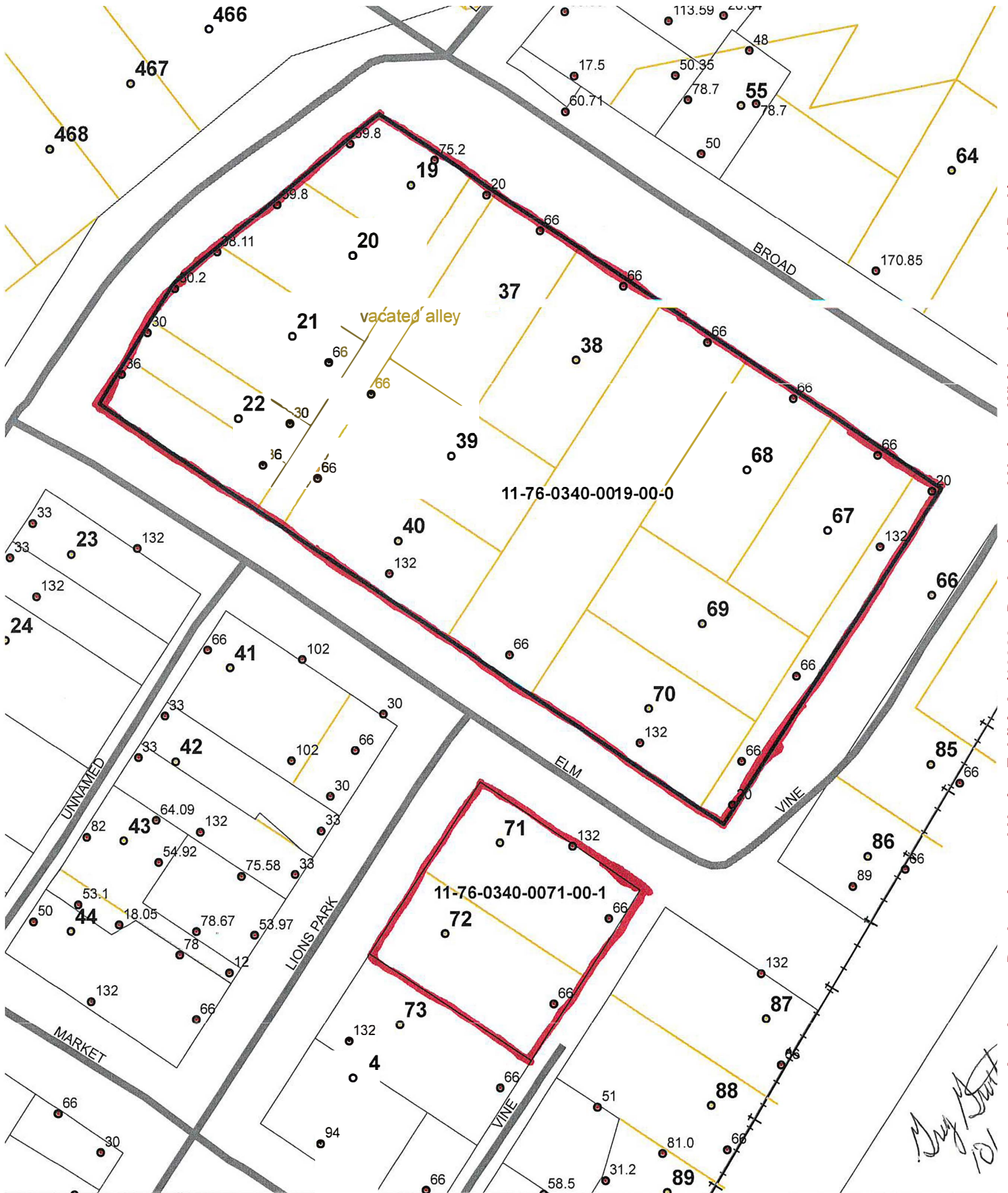
Also the vacated alley extended from Broad Street on the North to Elm Street on the South between Pine and Lake Streets, said plat.

Also the vacated alley extended from Broad Street to Elm Street between Pine Street and Vine Street and that part of Lots 66, 85 and 86, said plat, which is all described as: Beginning at the most Northerly corner of said Lot 66; thence Northwesterly, along the South line of Broad Street, 20 feet; thence Southwesterly, along the East line of Lots 67, 69 and 70, in said plat, 279.9 feet to the most Southerly corner of said Lot 70; thence Southeasterly, along the North line of Elm Street, 24.2 feet; thence Northeasterly to the place of beginning.

Also that part of Pine and Elm Streets in said plat, as is embraced in the following description: Commencing at the Northeast corner of Lot 38; thence Southerly, along the Westerly line of Pine Street, to a point 15 feet from the Southeast corner of Lot 40 along said line extended Southerly; thence Easterly, parallel with the North line of Elm Street, to a point 15 feet Southerly from the Southwest corner of Lot 86 along the Easterly line of the alley extended Southerly; thence Northerly 15 feet to the Southwest corner of Lot 86; thence Westerly, along the Southerly line of Lot 70, to the Southwest corner of said Lot 70; thence Northerly, along the Easterly line of Pine Street, to the Northwest corner of Lot 68; thence Westerly, along the Southerly line of Broad Street, to the place of beginning.

Attachment: Declaration and Notice Exhibit A (10983 : Declaration and Notice - Whirlpool Centennial Park)





Attachment: Declaration and Notice Exhibit A (10983 : Declaration and Notice - Whirlpool Centennial Park)

*Handwritten signature and date:*  
 May 14, 2011



County of Berrien  
 All Rights Reserved - 1997.  
 Parcel Lines are Generalized.

**Whirlpool Centennial Park**  
**Development Project 26-01867**  
**6f(3) BOUNDARY MAP - 2.87 Acres**

0 50 100 Feet

1 inch = 8

Packet Pg. 53



Berrien County, Michigan

Rec \$28.00  
 Remon \$4.00  
 Tax Crt \$0.00



Recorded  
 August 11, 2009 03:54:21 PM  
 Liber 2894 Page 2533-2539  
 Receipt # 24231 AGREE #2009021430



Liber 2894 Page 2533

## LAND DONATION AGREEMENT

This Agreement is by and between the CITY OF ST. JOSEPH, 700 Broad Street, St. Joseph, Michigan 49085 ("the City"), and WHIRLPOOL CORPORATION, a Delaware Corporation, 2000 M-63, Benton Harbor, MI 49022 ("Whirlpool"), and it sets forth the terms of a gift conveyance by Whirlpool of certain real estate within the City, to the City.

### Introduction

Whirlpool, the City and others have been working together to create plans for the development of certain real estate within the City, that real estate being more fully described on the attached Exhibit A (the "Whirlpool Parcel"). The plans call for the improvement of the Whirlpool Parcel with landscaping and a fountain for the use and enjoyment of the public, all to be dedicated and operated by the City as a public park in perpetuity.

### Agreement

1. The City agrees that if Whirlpool donates the Whirlpool Parcel to the City, the City will retain ownership of the Parcel and dedicate its use to educational, recreational and civic activities for the benefit of the general public in perpetuity (the "Restrictive Purpose"). Further, both the City and Whirlpool agree that the City's current plans to construct and maintain a public park, improved with landscaping and a fountain for the use and enjoyment of the public, meet the Restrictive Purpose.

2. In consideration of that agreement and promise by the City, Whirlpool agrees to transfer the Whirlpool Parcel to the City by Covenant Deed, subject to the Restrictive Purpose, promptly after the City and Whirlpool both execute this Agreement. If ever the Parcel is not used by the City in a manner consistent with the Restrictive Purpose, Whirlpool shall have a right of entry for the Parcel, as set forth in that Covenant Deed.

3. The City and Whirlpool agree that the Whirlpool Parcel has a history of industrial usage that predates Whirlpool's ownership of the Parcel, and which is known to go back to the 18th century. The environmental conditions on the Whirlpool Parcel have been assessed by the Michigan Department of Environmental Quality in 2006-7, and additional environmental characterization work is underway. The City and Whirlpool agree that to the best of their respective and collective knowledge, the Michigan Department of Environmental Quality has not determined Whirlpool to be a Potentially Responsible Party for environmental contamination on the Whirlpool Parcel. In this regard, Whirlpool has made no representations or warranties about the Parcel or its condition not set forth in this Agreement, including but not limited to (i) the possible contamination of the Property or any of its components, including the air above it and the soil and groundwater beneath it, and (ii) Whirlpool's compliance with any laws or

Berrien County Register of Deeds  
 Received 8/11/09 Time 10:00 AM

RECEIVED DEC 23 2008

11-76-0340-0019-00-0  
 11-76-0340-0071-00-1

Attachment: Deed with full Addendum Whirlpool Centennial Park (10983 : Declaration and Notice - Whirlpool Centennial Park)



regulations, whether federal, state or local, dealing with property or the environment or both. The City agrees to accept the Whirlpool Parcel in its current "as is" condition, and Whirlpool shall have no liability to City for any condition on, in, or above the Whirlpool Parcel for any reason whatsoever, including but not limited to any environmental condition.

4. The Covenant Deed to be executed by Whirlpool and accepted by the City in satisfaction of this Agreement is attached as Exhibit B.

5. Whirlpool has advised the City that Whirlpool has been working with Lowell L. Winans and Lillian E. Winans, 515 Lions Park Drive, St. Joseph, Michigan regarding the encroachment of their garage approximately three (3) feet into the Whirlpool Parcel. In this regard, the City agrees that after the conveyance of the Parcel to the City, the Winans may request that the City grant them a "license to encroach". and the City will give due and fair consideration to any such request, consistent with similar situations previously arising within the City and the standards utilized to evaluate such requests. In the event the City grants such a request, Whirlpool agrees that it will not be a violation of the Restrictive Purpose.

6. Whirlpool will pay for all real estate taxes billed prior to the conveyance contemplated by this Agreement, and the City will pay for all real estate taxes billed thereafter.

7. Evidencing the value of the Whirlpool Parcel and its donation to the City, a copy of the appraisal obtained by Whirlpool is attached to this Agreement as Exhibit C.

WHIRLPOOL CORPORATION

By: [Signature]  
Printed Name: D. Jeffrey Noel  
Its: V.P. Communications & Public Affairs

STATE OF MICHIGAN)  
COUNTY OF BERRIEN) SS:

This Agreement was signed before me on September 27, 2007, by D. JEFFREY NOEL, the VICE PRESIDENT of Whirlpool Corporation, on behalf of that company, and with full authority to do so and to so bind that company.

Signature of Notary Public: [Signature]  
Printed Name: MARK A. MILLER  
Acting and Commissioned in Berrien County, Michigan  
My Commission Expires: 4-23-2011

CITY OF ST. JOSEPH

By: Mary J. Goff  
Mary J. Goff, Mayor

I certify that this Agreement was approved by the St. Joseph City Commission at a special meeting held on September 27, 2007, and that Mayor Mary J. Goff is authorized to sign it on behalf of and to so bind the City.

Mark S. Bowman  
Mark S. Bowman  
St. Joseph City Attorney

STATE OF MICHIGAN     )  
                                      ) ss.  
COUNTY OF BERRIEN     )

On this 27 day of Sept, 2007, before me, a Notary Public, in and for said County, personally appeared Mary J. Goff, Mayor, to me known to be the same person(s) described in and who executed the within instrument, and who acknowledges the same to be her free act and deed.

Peggy M. Block  
\*Peggy M. Block, Notary Public  
Berrien County, Michigan  
Commission Expires: Nov. 15, 2012  
Acting in Berrien County, Michigan

Prepared By:  
Mark Bowman of  
Kinney, Burdick, Bowman & Engeln, PLC  
206 Court Street, P. O. Box 24  
St. Joseph, Michigan 49085  
(269) 983-0103

## EXHIBIT A LEGAL DESCRIPTION

File No.: 274108

The land referred to in this Commitment, situated in the County of Berrien, City of St. Joseph, State of Michigan, is described as follows:

Lots 19, 20, 21, 22, 37, 38, 39, 40, 67, 68, 69, 70, 71 and 72 of Newberryport, according to the plat thereof, recorded in Volume E of Deeds, page 564, Berrien County Records.

Also the vacated alley extended from Broad Street on the North to Elm Street on the South between Pine and Lake Streets, said plat.

Also the vacated alley extended from Broad Street to Elm Street between Pine Street and Vine Street and that part of Lots 66, 85 and 86, said plat, which is all described as: Beginning at the most Northerly corner of said Lot 66; thence Northwesterly, along the South line of Broad Street, 20 feet; thence Southwesterly, along the East line of Lots 67, 69 and 70, in said plat, 279.9 feet to the most Southerly corner of said Lot 70; thence Southeasterly, along the North line of Elm Street, 24.2 feet; thence Northeasterly to the place of beginning.

Also that part of Pine and Elm Streets in said plat, as is embraced in the following description: Commencing at the Northeast corner of Lot 38; thence Southerly, along the Westerly line of Pine Street, to a point 15 feet from the Southeast corner of Lot 40 along said line extended Southerly; thence Easterly, parallel with the North line of Elm Street, to a point 15 feet Southerly from the Southwest corner of Lot 86 along the Easterly line of the alley extended Southerly; thence Northerly 15 feet to the Southwest corner of Lot 86; thence Westerly, along the Southerly line of Lot 70, to the Southwest corner of said Lot 70; thence Northerly, along the Easterly line of Pine Street, to the Northwest corner of Lot 68; thence Westerly, along the Southerly line of Broad Street, to the place of beginning.

Attachment: Deed with full Addendum Whirlpool Centennial Park (10983 : Declaration and Notice - Whirlpool Centennial Park)



## COVENANT DEED

The **GRANTOR**, WHIRLPOOL CORPORATION, a Delaware corporation, 2000 M-63, Benton Harbor, Michigan 49022, conveys to the **GRANTEE**, THE CITY OF ST. JOSEPH, a Michigan municipal corporation, 700 Broad Street, St. Joseph, Michigan 49085, all of the Grantor's rights, title to and interest in the Premises situated in City of St. Joseph, Berrien County, Michigan, and described on the attached Exhibit A, for the sum of less than One Hundred and 00/100 Dollars (\$100.00).

Subject to easements and restrictions of record, zoning laws and ordinances affecting the Premises, and all taxes and special assessments hereafter becoming due, and further subject to any rights, title interest or claim thereof to that portion of the land taken, used or granted for streets, roads or highways.

Grantor covenants that neither Grantor nor any person claiming by, through, or under Grantor has through its acts, errors or omissions impaired the marketability of the title to the Premises conveyed by this Deed.

This conveyance is exempt from county and state transfer taxes pursuant to MCL 207.526(a) and MCL 207.505(a).

This Deed is given to and accepted by the City of St. Joseph on the express condition that the Premises shall be owned by the City and dedicated in perpetuity to educational, recreational and civic uses for the benefit of the general public, that being the Restrictive Purpose.

In the event the City's use of the Premises violates the Restrictive Purpose, Grantor shall have a right of entry. To exercise that right of entry, Grantor must first provide written notice to the City of the claimed violation of the Restrictive Purpose and the steps necessary to remedy that violation. The City shall then have ninety-one (91) days, or such period of time as is reasonable in light of the nature of the claimed violation, in which to remedy the violation, or to provide such assurances and take such actions as are otherwise satisfactory to Grantor. In the event the City fails to do so, Grantor shall file the appropriate action with the Berrien County Trial Court, or such other court of competent jurisdiction, seeking the termination of the City's ownership of the Premises and the return of title to and possession of the Premises to Grantor, and the City may, if it wishes, contest that action. For the purposes of this paragraph, the term "Grantor" shall include Grantor's successors and assigns.

## EXHIBIT B

Dated: September \_\_\_\_\_, 2007

WHIRLPOOL CORPORATION

By: \_\_\_\_\_

Its: \_\_\_\_\_

STATE OF MICHIGAN

COUNTY OF BERRIEN

Acknowledged before me on September \_\_\_\_\_, 2007, by \_\_\_\_\_  
of Whirlpool Corporation, on  
behalf of that Corporation and by the authority of its Board of Directors.

\_\_\_\_\_, Notary Public  
Berrien County, Michigan  
My Comm. Expires:  
Acting in Berrien County, Michigan

**Agreed and accepted:**

Dated: September 27, 2007

CITY OF ST. JOSEPH

By: \_\_\_\_\_  
Mary J. Goff, Mayor

STATE OF MICHIGAN

COUNTY OF BERRIEN

Acknowledged before me on September 27, 2007, by Mary J Goff, Mayor of the  
City of St Joseph, on behalf of the City.

\_\_\_\_\_  
Mark S. Bowman, Notary Public  
Berrien County, Michigan  
My Comm. Expires: June 21, 2010  
Acting in Berrien County, Michigan

**When Recorded Return to:**

City of St. Joseph  
Attn: Peggy A. Block  
St. Joseph City Hall  
700 Broad Street  
St. Joseph, MI 49085

**Drafted by:**

Mark S. Bowman (P34207)  
Kinney, Burdick, Bowman & Engeln, P.L.C  
206 Court Street, P.O. Box 24  
St. Joseph, MI 49085

6/E/stjoseph/cs/0229 1

Attachment: Deed with full Addendum Whirlpool Centennial Park (10983 : Declaration and Notice - Whirlpool Centennial Park)

## EXHIBIT A LEGAL DESCRIPTION

File No.: 274108

The land referred to in this Commitment, situated in the County of Berrien, City of St. Joseph, State of Michigan, is described as follows:

Lots 19, 20, 21, 22, 37, 38, 39, 40, 67, 68, 69, 70, 71 and 72 of Newberryport, according to the plat thereof, recorded in Volume E of Deeds, page 564, Berrien County Records.

Also the vacated alley extended from Broad Street on the North to Elm Street on the South between Pine and Lake Streets, said plat.

Also the vacated alley extended from Broad Street to Elm Street between Pine Street and Vine Street and that part of Lots 66, 85 and 86, said plat, which is all described as: Beginning at the most Northerly corner of said Lot 66; thence Northwesternly, along the South line of Broad Street, 20 feet; thence Southwesterly, along the East line of Lots 67, 69 and 70, in said plat, 279.9 feet to the most Southerly corner of said Lot 70; thence Southeasterly, along the North line of Elm Street, 24.2 feet; thence Northeasterly to the place of beginning.

Also that part of Pine and Elm Streets in said plat, as is embraced in the following description: Commencing at the Northeast corner of Lot 38; thence Southerly, along the Westerly line of Pine Street, to a point 15 feet from the Southeast corner of Lot 40 along said line extended Southerly; thence Easterly, parallel with the North line of Elm Street, to a point 15 feet Southerly from the Southwest corner of Lot 86 along the Easterly line of the alley extended Southerly; thence Northerly 15 feet to the Southwest corner of Lot 86; thence Westerly, along the Southerly line of Lot 70, to the Southwest corner of said Lot 70; thence Northerly, along the Easterly line of Pine Street, to the Northwest corner of Lot 68; thence Westerly, along the Southerly line of Broad Street, to the place of beginning.

Attachment: Deed with full Addendum Whirlpool Centennial Park (10983 : Declaration and Notice - Whirlpool Centennial Park)



Lori D. Jarvis Register Of Deeds

Berrien County, Michigan

Rec \$28.00

Remon \$4.00

Tax Crt \$0.00

Recorded

August 20, 2009 02:11:16 PM

Liber 2895 Page 2143-2149  
Receipt # 26507 AGREE #2009022372

Liber 2895 Page 2143

## ADDENDUM TO LAND DONATION AGREEMENT

This Addendum to Land Donation Agreement amends the Land Donation Agreement by and between the CITY OF ST. JOSEPH, 700 Broad Street, St. Joseph, Michigan 49085 ("the City"), and WHIRLPOOL CORPORATION, a Delaware Corporation, 2000 M-63, Benton Harbor, MI 49022 ("Whirlpool"), dated September 27, 2007. This Addendum is being entered into in order to further detail the maintenance standards for the donated land and the improvements placed thereon. Additionally joining in this Addendum is Bluffside Development, Inc., a Michigan Nonprofit Corporation, of 728 Pleasant Street, Suite 101, St. Joseph, MI 49085 ("Bluffside").

### Introduction

Whirlpool, the City and others have been working together to create plans for and develop certain real estate within the City, that real estate being more fully described on the attached Exhibit A (the "Whirlpool Parcel"). To date, the efforts of the parties have resulted in the donation of the real estate described on Exhibit A pursuant to the Covenant Deed recorded in Liber 2812, page 402, Berrien County Records. The parties have begun construction of the park and the fountain contemplated by the plans for the Whirlpool Parcel (hereinafter respectively referred to as the "Park" and "Fountain"). Whirlpool and the City have both worked with other donors and parties interested in the project to form Bluffside as a Michigan nonprofit corporation. Bluffside was formed to help assure the long term viability of the Park and the companion project being built on the property across Broad Street (hereinafter the "Bluffside Project"). The land for the Bluffside Project was donated to the City by the Gast and Schalon families pursuant to the Deed recorded in Liber 2821, Page 626, Berrien County Records. During the discussions between the parties during this construction phase it has become clear that the parties desire to further clarify the maintenance standards for the Park and the Fountain. In consideration of the City's continuing construction of the Park and Fountain, and in consideration of the continuing financial donations by Whirlpool and other members of the St. Joseph, Michigan community toward that construction, the parties agree as follows. Definitions in this Addendum have the same meaning as ascribed to them in the Land Donation Agreement unless otherwise provided herein.

### Addendum to Agreement

A new paragraph 8 is added to the Land Donation Agreement as follows:

8. Both parties hereby agree the donations of Whirlpool Field for the Park and the Gast and Schalon property for the Bluffside Project were made with the understanding the City of St. Joseph would maintain the Park at a world-class standard and perpetually operate the water Fountain in commensurate fashion. Both parties further agree there are difficulties in clearly defining "world-class" and "perpetually" and that various interpretations of these words may exist. Therefore both the City and Whirlpool understand that in the unlikely event the parties do not agree with maintenance provided or actions taken by the City based upon one or more interpretations of these words, a process will be followed to

Page 1 of 7



resolve this impasse and determine what is in the best interest of the community at large. This process shall include fulfilling, wherever possible, the original intent of the donors, and where it is not possible to fulfill the original intent of the donors, such change is due solely to meeting an overwhelmingly and clearly superior public objective.

For the purpose of implementing the provisions of this Agreement, Whirlpool hereby assigns its rights to review the maintenance of the Park and Fountain to Bluffside, its successors and assigns. This assignment includes the right to institute legal action as necessary to insure compliance with the terms of this Agreement. The City pledges to work directly with Bluffside, as represented by its officers and board of directors, from time to time, to resolve any differences as to the maintenance and operating standards of the Park and the maintenance and perpetual operation of the Fountain and/or alterations thereof. Pursuant to the donors' intent and City of St. Joseph's respect for that intent, the parties further acknowledge that in the event a disagreement arises from time to time regarding maintenance and perpetual operation between representatives of the City of St. Joseph and Bluffside, a process shall be followed in which the City Manager of St. Joseph shall appoint 5 individual residents of the City of St. Joseph and Bluffside Development, Inc. shall appoint 3 individuals to a public panel (hereinafter the "Panel") under the auspices of the St. Joseph City Commission.

The Panel shall work to understand the differences of opinion between Bluffside and the City and the rationale of each regarding the definition of the maintenance standards of the Park and/or any potential alterations to the operations of the Park and/or the Fountain. The Panel shall meet at least once, and by majority vote make recommendations to the St. Joseph City Commission as to the maintenance of the Park and Fountain, the need to alter the Park and/or Fountain or change the scope of operation of these facilities in the manner that is in the best interest of the community at large and where possible, also meets the original objectives of the donors. If the wishes of the donors are not met, the recommendation must be the result of meeting an overwhelmingly and clearly superior public objective. The Panel shall operate informally or under such rules of procedure as it decides upon. In the event the Panel has a disagreement regarding rules of procedure, then Robert's Rules of Order shall govern. In the event that Robert's Rules of Order no longer exist, the Panel shall choose a similar set of instructions for parliamentary procedure then available and customarily used at meetings of small non-profit organizations.

The City, through the City Commission, shall then receive the recommendation(s) of the Panel at a public meeting and act upon them accordingly.

It is understood by both parties the actions of the City, acting through the City Commission, may not be in keeping with the recommendations made by the Panel so appointed by the City and Bluffside, but shall serve as the mechanism by which the City of St. Joseph shall have all of the facts and information necessary to publicly decide upon the course of action that clearly meets the overall public needs.

The parties, recognizing that this is an agreement intended to be a guide to actions taken both currently and long into the future, hereby agree that in the event of a restructuring of the City government, any actions to be taken by the Manager and/or City Commission shall be taken by the person and/or public body existing at that time with rights and duties most closely resembling those of the Manager and/or City Commission.

The parties acknowledge that the terms contained in the Land Donation Agreement remain in full force and effect except as amended by this Addendum. In the event of a conflict in terms, this Addendum will prevail. The parties intend for this Addendum to Land Donation Agreement to be recorded.

**WHIRLPOOL CORPORATION**

By: \_\_\_\_\_

Printed Name: D. Jeffrey Noel

Its: Vice President of Communications and Public Affairs

STATE OF MICHIGAN, )

) SS:

COUNTY OF BERRIEN )

This Agreement was signed before me on August 7, 2009, by D. Jeffrey Noel, Vice President of Communications and Public Affairs of Whirlpool Corporation, on behalf of that company, and with full authority to do so and to so bind that company.

Signature of Notary Public: \_\_\_\_\_

Printed Name: Loralie Lynn Jenkins

Acting and Commissioned in Berrien County, Michigan

My Commission Expires: 09/25/2011

**LORALIE LYNN JENKINS**  
Notary Public - Michigan  
Berrien County  
My Commission Expires Sep 25, 2011  
Acting in the County of Berrien

**CITY OF ST. JOSEPH**

By: \_\_\_\_\_

Robert L. Judd, Mayor and authorized signer  
to bind the City of St. Joseph

STATE OF MICHIGAN, )

) SS:

COUNTY OF BERRIEN )

This Agreement was signed before me on August 5, 2009, by Robert L. Judd, Mayor of the City of St. Joseph.

Signature of Notary Public: \_\_\_\_\_

Printed Name: LAURIE L. SCHMIDT

Acting and Commissioned in Berrien County, Michigan

My Commission Expires: 5-19-2012

I certify that this Agreement was approved by the St. Joseph City Commission at a special regular meeting held on August 3, 2009, and that Mayor Robert L. Judd is authorized to sign it on behalf of and to so bind the City.

Laurie L. Schmidt  
Laurie L. Schmidt  
St. Joseph City Attorney



STATE OF MICHIGAN,     )  
                                       ) SS:  
 COUNTY OF BERRIEN     )

The above certification was signed before me on August 5, 2009, by Laurie L. Schmidt, St. Joseph City Attorney.

Signature of Notary Public: Deborah S. Koroch  
 Printed Name: Deborah S. Koroch  
 Acting and Commissioned in Berrien County, Michigan  
 My Commission Expires: 12-4-2014

STATE OF MICHIGAN,     )  
                                       ) SS:  
 COUNTY OF BERRIEN     )

This Agreement was signed before me on August 5, 2009, by Robert L. Judd, Mayor and Laurie L. Schmidt, City Attorney of the City of St. Joseph, on behalf of the City.

Signature of Notary Public: Deborah S. Koroch  
 Printed Name: Deborah S. Koroch  
 Acting and Commissioned in Berrien County, Michigan  
 My Commission Expires: 12-4-2014

The undersigned party executes this Addendum to Land Donation Agreement to acknowledge acceptance of assignment of the rights to review the maintenance of the Park and Fountain from Whirlpool Corporation, as provided above.

**BLUFFSIDE DEVELOPMENT, INC.**

By: \_\_\_\_\_

Printed Name: D. Jeffrey Noel

Its: President

STATE OF MICHIGAN, )

) SS:

COUNTY OF BERRIEN )

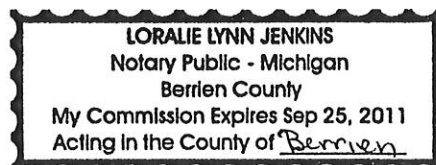
This Agreement was signed before me on August 7, 2009, by D. Jeffrey Noel, President of Bluffside Development, Inc., on behalf of that company, and with full authority to do so and to so bind that company.

Signature of Notary Public: Loralie Lynn Jenkins

Printed Name: Loralie Lynn Jenkins

Acting and Commissioned in Berrien County, Michigan

My Commission Expires: 09/25/2011



Drafted by:

Mark A. Miller

Klute Miller Johnson, PLC

728 Pleasant Street, Suite 101

St. Joseph, MI 49085

Telephone: (269) 983-1000

The Land Donation Agreement between the City of St. Joseph and Whirlpool Corporation dated September 27, 2007, and recorded on August 11, 2009 in Liber 2894, Page 2533, Berrien County Records.

Attachment: Deed with full Addendum Whirlpool Centennial Park (10983 : Declaration and Notice - Whirlpool Centennial Park)

EXHIBIT A  
LEGAL DESCRIPTION

File No.: 274108

The land referred to in this Commitment, situated in the County of Berrien, City of St. Joseph, State of Michigan, is described as follows:

Lots 19, 20, 21, 22, 37, 38, 39, 40, 67, 68, 69, 70, 71 and 72 of Newberryport, according to the plat thereof, recorded in Volume E of Deeds, page 564, Berrien County Records.

Also the vacated alley extended from Broad Street on the North to Elm Street on the South between Pine and Lake Streets, said plat.

Also the vacated alley extended from Broad Street to Elm Street between Pine Street and Vine Street and that part of Lots 66, 85 and 86, said plat, which is all described as: Beginning at the most Northerly corner of said Lot 66; thence Northwesterly, along the South line of Broad Street, 20 feet; thence Southwesterly, along the East line of Lots 67, 69 and 70, in said plat, 279.9 feet to the most Southerly corner of said Lot 70; thence Southeasterly, along the North line of Elm Street, 24.2 feet; thence Northeasterly to the place of beginning.

Also that part of Pine and Elm Streets in said plat, as is embraced in the following description: Commencing at the Northeast corner of Lot 38; thence Southerly, along the Westerly line of Pine Street, to a point 15 feet from the Southeast corner of Lot 40 along said line extended Southerly; thence Easterly, parallel with the North line of Elm Street, to a point 15 feet Southerly from the Southwest corner of Lot 86 along the Easterly line of the alley extended Southerly; thence Northerly 15 feet to the Southwest corner of Lot 86; thence Westerly, along the Southerly line of Lot 70, to the Southwest corner of said Lot 70; thence Northerly, along the Easterly line of Pine Street, to the Northwest corner of Lot 68; thence Westerly, along the Southerly line of Broad Street, to the place of beginning.



## LAND AND WATER CONSERVATION FUND DEVELOPMENT PROJECT AGREEMENT

This information is required by authority of Part 5 of Act 451, P.A. 1994 as amended, to receive funds.  
CFDA 15.916, Outdoor Recreation, Acquisition, Development & Planning

This Agreement is between **City of St. Joseph** in the county of **Berrien County**, hereinafter referred to as the "GRANTEE," and the MICHIGAN DEPARTMENT OF NATURAL RESOURCES, an agency of the State of Michigan, hereinafter referred to as the "DEPARTMENT." The DEPARTMENT has authority to issue grants to local units of government for the development of public outdoor recreation facilities under Part 703 of the Natural Resources and Environmental Protection Act, P.A. 451 of 1994, as amended. The GRANTEE has been approved by the DEPARTMENT and the United States Department of the Interior, National Park Service ("SERVICE") to receive a grant. In Public Act 87 of 2021, the Legislature appropriated funds to the DEPARTMENT for a Land and Water Conservation Fund (LWCF) grant to the GRANTEE. The Federal Award Date is 09/02/2022 and the Federal Award ID Number for these funds is P22AP00454.

The purpose of this Agreement is to provide funding in exchange for completion of the project named below. This Agreement is subject to the terms and conditions specified herein.

**Project Title:** Whirlpool Centennial Park Development **Project Number:** 26-01867

**Amount of grant:** \$345,000.00 50% **PROJECT TOTAL:** \$690,000.00

**Amount of match:** \$345,000.00 50%

**Start Date:** Date of Execution by DEPARTMENT **End Date:** 06/30/2025

As a precondition to the effectiveness of the Agreement, the GRANTEE is required to sign the Agreement and return it to the DEPARTMENT with the required attachments by **11/01/2022**, or the Agreement may be cancelled by the DEPARTMENT. **This Agreement is not effective until the GRANTEE has signed it, returned it, and the DEPARTMENT has signed it.** The Agreement is considered executed when signed by the DEPARTMENT.

The individuals signing below certify by their signatures that they are authorized to sign this Agreement on behalf of their agencies, and that the parties will fulfill the terms of this Agreement, including any attached appendices, as set forth herein.

### GRANTEE

SIGNED

By [Print Name]:

Title:

Organization:

567PYA9S1G35

Unique Entity Identifier

CV0047811

SIGMA Vendor Number

SIGMA Address ID

### MICHIGAN DEPARTMENT OF NATURAL RESOURCES

SIGNED

By:

Grants Section Manager

10/20/2022

Date of Execution by DEPARTMENT

Phone: 517-284-7268

Email: [dnr-grants@michigan.gov](mailto:dnr-grants@michigan.gov)



1. This Agreement shall be administered on behalf of the DEPARTMENT by the Grants Management Section within the Finance and Operations Division. All notices, reports, documents, requests, actions or other communications required between the DEPARTMENT and the GRANTEE shall be submitted through the department's online grant management system, MiGrants, which is accessed through [www.michigan.gov/dnr-grants](http://www.michigan.gov/dnr-grants), unless otherwise instructed by the DEPARTMENT. Primary points of contact pertaining to this agreement shall be:

### GRANTEE CONTACT

Greg Grothaus Director of Public Works

Name/Title

City of St. Joseph

Organization

700 Broad St

Address

St. Joseph MI 49085

Address

269-985-0309

Telephone Number

ggrothaus@sjcity.com

E-mail Address

### DEPARTMENT CONTACT

LWCF Grant Program Manager

Name/Title

Grants Management/DNR Finance & Operations

Organization

525 W. Allegan Street, Lansing, MI 48933

Address

P.O. Box 30425, Lansing, MI 48909

Address

517-284-7268

Telephone Number

DNR-Grants@michigan.gov

E-mail Address

2. The legal description of the project area, boundary map of the project area, the development grant application bearing the number **26-01867** uploaded to MiGrants. The Agreement together with the referenced documents in MiGrants and Appendices constitute the entire Agreement between the parties and may be modified only in writing and executed in the same manner as the Agreement is executed.
3. Grant funds are made available to the GRANTEE through a grant by the SERVICE to the DEPARTMENT.
4. The budget period of performance allowed for project completion is from **09/02/2022** through **06/30/2025**, hereinafter referred to as the "project period." Requests by the GRANTEE to extend the project period shall be submitted in MiGrants before the expiration of the project period. Extensions to the project period are at the discretion of the DEPARTMENT and may only be extended by an amendment to this Agreement.
5. The words "project area" shall mean the land and area described in the uploaded legal description and boundary map already referenced as being a part of the project file.
6. The words "project facilities" shall mean the following individual components, as further described in the application.

Access Pathway 6' wide or more  
Concrete Seatwall  
Drinking Fountain(s)  
Foot Wash Stations  
Restroom Building  
Shade Structures with Accessible Pad  
Signage  
Trail 8' wide or more  
Permit Fees

Attachment: Project Agreement DNR Signed (10983 : Declaration and Notice - Whirlpool Centennial Park)

29. Failure by the GRANTEE to comply any of the provisions of this Agreement shall constitute a material breach of this Agreement.
30. Upon breach of the Agreement by the GRANTEE, the DEPARTMENT, in addition to any other remedy provided by law, may:
- Terminate this Agreement; and/or
  - Withhold and/or cancel future payments to the GRANTEE on any or all current recreation grant projects until the violation is resolved to the satisfaction of the DEPARTMENT; and/or
  - Withhold action on all pending and future grant applications submitted by the GRANTEE under the Land and Water Conservation Fund, the Michigan Natural Resources Trust Fund and the Recreation Passport Grant Program; and/or
  - Require the GRANTEE to pay penalties or perform other acts of mitigation or compensation as directed by the DEPARTMENT or the SERVICE; and/or
  - Require repayment of grant funds paid to GRANTEE; and/or
  - Require specific performance of the Agreement.
31. This Agreement may be canceled by the DEPARTMENT, upon 30 days written notice, due to Executive Order, budgetary reduction, other lack of funding, upon request by the GRANTEE, or upon mutual agreement by the DEPARTMENT and GRANTEE. The DEPARTMENT may honor requests for just and equitable compensation to the GRANTEE for all satisfactory and eligible work completed under this Agreement up until 30 days after written notice, upon which time all outstanding reports and documents are due to the DEPARTMENT and the DEPARTMENT will no longer be liable to pay the GRANTEE for any further charges to the grant.
32. The GRANTEE agrees that the benefit to be derived by the State of Michigan from the full compliance by the GRANTEE with the terms of this Agreement is the preservation, protection and net increase in the quality of public recreation facilities and resources which are available to the people of the State and of the United States and such benefit exceeds to an immeasurable and unascertainable extent the amount of money furnished by the State of Michigan by way of assistance under the terms of this Agreement. The GRANTEE agrees that after final reimbursement has been made to the GRANTEE, repayment by the GRANTEE of grant funds received would be inadequate compensation to the State for any breach of this Agreement. The GRANTEE further agrees therefore, that the appropriate remedy in the event of a breach by the GRANTEE of this Agreement after final reimbursement has been made shall be the specific performance of this Agreement
33. The GRANTEE shall return all grant money if the project area or project facilities are not constructed, operated or used in accordance with this Agreement.
34. The GRANTEE agrees not to discriminate against an employee or applicant for employment with respect to hire, tenure, terms, conditions, or privileges of employment, or a matter directly or indirectly related to employment, because of religion, race, color, national origin, age, sex, sexual orientation, height, weight, marital status, partisan considerations, or a disability or genetic information that is unrelated to the person's ability to perform the duties of a particular job or position. The GRANTEE further agrees that any subcontract shall contain non-discrimination provisions which are not less stringent than this provision and binding upon any and all subcontractors. A breach of this covenant shall be regarded as a material breach of this Agreement.
35. The DEPARTMENT shall terminate this Agreement and recover grant funds paid if the GRANTEE or any subcontractor, manufacturer, or supplier of the GRANTEE appears in the register compiled by the Michigan Department of Licensing and Regulatory Affairs pursuant to Public Act No. 278 of 1980.
36. The GRANTEE may not assign or transfer any interest in this Agreement without prior written authorization of the

**20. The GRANTEE acknowledges that:**

- a. The GRANTEE has examined the project area and that it has found the property to be safe for public use or that action will be taken by the GRANTEE before beginning the project to assure safe use of the property by the public, and
- b. The GRANTEE is solely responsible for development, operation, and maintenance of the project area and project facilities, and that responsibility for actions taken to develop, operate, or maintain the property is solely that of the GRANTEE, and
- c. The DEPARTMENT'S involvement in the premises is limited solely to the making of a grant to assist the GRANTEE in developing the project site.

**21. The GRANTEE assures the DEPARTMENT that the proposed State-assisted action will not have a negative effect on the environment and, therefore, an Environmental Impact Statement is not required.**

**22. The GRANTEE hereby acknowledges that this Agreement does not require the State of Michigan or the federal government to issue any permit required by law to construct the outdoor recreational project that is the subject of this Agreement . Such permits include, but are not limited to, permits to fill or otherwise occupy a floodplain, and permits required under Parts 301 and 303 of the Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended. It is the sole responsibility of the GRANTEE to determine what permits are required for the project, secure the needed permits and remain in compliance with such permits.**

**23. Before the DEPARTMENT will approve plans, specifications, or bid documents; or give approval to the GRANTEE to advertise, seek quotes, or incur costs for this project, the GRANTEE must provide documentation to the DEPARTMENT that indicates either:**

- a. It is reasonable for the GRANTEE to conclude, based on the advice of an environmental consultant, as appropriate, that no portion of the project area is a facility as defined in Part 201 of the Michigan Natural Resources and Environmental Protection Act, Act 451 of the Public Acts of 1994, as amended; or
- b. If any portion of the project area is a facility, documentation that Department of Environment, Great Lakes and Energy-approved response actions have been or will be taken to make the site safe for its intended use within the project period, and that implementation and long-term maintenance of response actions will not hinder public outdoor recreation use and/or the resource protection values of the project area.

**24. If the DEPARTMENT determines that, based on contamination, the project area will not be made safe for the planned recreation use within the project period, or another date established by the DEPARTMENT in writing, or if the DEPARTMENT determines that the presence of contamination will reduce the overall usefulness of the property for public recreation and resource protection, the grant may be cancelled by the DEPARTMENT with no reimbursement made to the GRANTEE.**

**25. The GRANTEE shall acquire and maintain, or cause to be acquired or maintained, insurance which will protect the GRANTEE from claims which may arise out of or result from the GRANTEE'S operations under this Agreement, whether performed by the GRANTEE, a subcontractor or anyone directly or indirectly employed by the GRANTEE, or anyone for whose acts any of them may be liable. Such insurance shall be with companies authorized to do business in the State of Michigan in such amounts and against such risks as are ordinarily carried by similar entities, including but not limited to public liability insurance, worker's compensation insurance or a program of self-insurance complying with the requirements of Michigan law. The GRANTEE shall provide evidence of such insurance to the DEPARTMENT at its request.**

**26. Nothing in this Agreement shall be construed to impose any obligation upon the DEPARTMENT or the SERVICE to operate, maintain or provide funding for the operation and/or maintenance of any recreational facilities in the project area.**

**27. The GRANTEE hereby represents that it will defend any suit brought against either party which involves title, ownership, or specific rights, including appurtenant riparian rights, of any lands connected with or affected by this project.**

**28. The GRANTEE is responsible for the use and occupancy of the premises, the project area and the facilities thereon. The GRANTEE is responsible for the safety of all individuals who are invitees or licensees of the premises. The GRANTEE will defend all claims resulting from the use and occupancy of the premises, the project area and the facilities thereon. The DEPARTMENT is not responsible for the use and occupancy of the premises, the project area and the facilities thereon.**

- a. Submit a progress report every 180 days during the project period.
  - b. Submit complete requests for partial reimbursement when the GRANTEE is eligible to request at least 25 percent of the grant amount and construction contracts have been executed or construction by force account labor has begun.
  - c. Submit a complete request for final reimbursement within **90 days of project completion and no later than 9/30/2025**. If the GRANTEE fails to submit a complete final request for reimbursement by this date, the DEPARTMENT may audit the project costs and expenses and make final payment based on documentation on file as of that date or may terminate this Agreement and require full repayment of grant funds by the GRANTEE.
12. During the project period, the GRANTEE shall obtain prior written authorization from the DEPARTMENT before adding, deleting or making a significant change to any of the project facilities as proposed. Approval of changes is solely at the discretion of the DEPARTMENT. Furthermore, following project completion, the GRANTEE shall obtain prior written authorization from the DEPARTMENT before implementing a change that significantly alters the project facilities as constructed and/or the project area, including but not limited to discontinuing use of a project facility or making a significant change in the recreational use of the project area. Changes pursuant to this Section may also require prior approval of the SERVICE.
13. All project facilities constructed or purchased by the GRANTEE under this Agreement shall be placed and used at the project area and solely for the purposes specified in the application and this Agreement.
14. The project area and all facilities provided thereon and the land and water access ways to the project facilities shall be open to the general public at all times on equal and reasonable terms. No individual shall be denied ingress or egress thereto or the use thereof on the basis of sex, race, color, religion, national origin, residence, age, or disability.
15. Unless an exemption has been authorized by the DEPARTMENT, and as appropriate the SERVICE, pursuant to this Section, the GRANTEE hereby represents that it possesses fee simple title, free of all liens and encumbrances, to the project area. The fee simple title acquired shall not be subject to: (a) any possibility of reversion or right of entry for condition broken or any other executory limitation which may result in defeasance of title or (b) to any reservation or prior conveyance of coal, oil, gas, sand, gravel or other mineral interests.
16. The GRANTEE shall not allow any encumbrance, lien, security interest, mortgage or any evidence of indebtedness to attach to or be perfected against the project area or project facilities included in this Agreement.
17. None of the project area nor any of the project facilities constructed under this Agreement shall be wholly or partially conveyed during the life of the project, either in fee or otherwise or leased for a term of years or for any other period, nor shall there be any whole or partial transfer of the lease title, ownership, or right of maintenance or control by the GRANTEE except with the written approval and consent of the DEPARTMENT and the SERVICE.
18. The assistance provided to the GRANTEE as a result of this Agreement is intended to have a lasting effect on the supply of outdoor recreation, scenic beauty sites, and recreation facilities beyond the financial contribution alone and permanently commits the project area to Michigan's outdoor recreation estate, therefore:
  - a. The GRANTEE agrees that the project area or any portion thereof will not be converted to other than public outdoor recreation use without prior written approval by the DEPARTMENT and the SERVICE and implementation of mitigation approved by the DEPARTMENT and the SERVICE, including, but not limited to, replacement with land of equal or greater recreational usefulness and market value.
  - b. Approval of a conversion shall be at the sole discretion of the DEPARTMENT and the SERVICE.
  - c. Before completion of the project, the GRANTEE, the DEPARTMENT and the SERVICE may mutually agree to alter the project area through an amendment to this Agreement to provide the most satisfactory public outdoor recreation area.
19. Should title to the project area or any portion thereof be acquired from the GRANTEE by any other entity through exercise of the power of eminent domain, the GRANTEE agrees that the proceeds awarded to the GRANTEE shall be used to replace the lands and project facilities affected with outdoor recreation lands and project facilities of at least equal or greater market value, and of equal or greater usefulness and locality. The DEPARTMENT and the SERVICE shall approve such replacement only upon such conditions as it deems necessary to assure the substitution of GRANTEE of other outdoor recreation properties and project facilities of at least equal or greater market value and of equal or greater usefulness and location. Such replacement shall be subject to all the provisions of this Agreement.



- Attachment: Project Agreement DNR Signed (10983 : Declaration and Notice - Whirlpool Centennial Park)**

7. The award is not for Research and Development.

8. The DEPARTMENT will:

- a. grant to the GRANTEE a sum of money equal to **Fifty Percent (50%) of Six Hundred and Ninety Thousand dollars (\$690,000.00)**, which is the total eligible cost of construction of the project facilities including engineering costs, but in any event not to exceed **Three Hundred and Forty-Five Thousand dollars (\$345,000.00)** which is the total amount obligated by this action.
- b. grant these funds in the form of reimbursements to the GRANTEE for eligible costs and expenses incurred as follows:
  - i. Payments will be made on a reimbursement basis at **Fifty Percent (50%)** of the eligible expenses incurred by the GRANTEE up to 90% of the maximum reimbursement allowable under the grant.
  - ii. Reimbursement will be made only upon DEPARTMENT review and approval of a complete reimbursement request submitted by the GRANTEE through the MiGrants website which includes an expenditure list supported by documentation as required by the DEPARTMENT, including but not limited to copies of invoices, cancelled checks, EFTs and/or list of volunteer labor and/or force account time and attendance records.
  - iii. The DEPARTMENT shall conduct an audit of the project's financial records upon approval of the final reimbursement request by DEPARTMENT staff. The DEPARTMENT may issue an audit report with no deductions or may find some costs ineligible for reimbursement.
  - iv. Final payment will be released pending satisfactory project completion as determined by the DEPARTMENT and completion of a satisfactory audit.

9. The GRANTEE will:

- a. immediately make available all funds required to complete the project and to **Three Hundred and Forty-Five Thousand dollars (\$345,000.00)** in local match. This sum represents **Fifty Percent (50%)** of the total eligible cost of construction including engineering costs. Any cost overruns incurred to complete the project facilities called for by this Agreement shall be the sole responsibility of the GRANTEE. The indirect rate for this award is zero because it has been waived by the GRANTEE.
- b. Follow the requirements of 2 CFR 200.92 Subaward; 200.101 Applicability; 200.332 Requirements for pass through entities; and 2 CFR 200.318 - 200.327 Procurement Standards.
- c. For infrastructure projects, comply with the Build America, Buy America (BABA) Act. All of the iron, steel, manufactured products, and construction materials used in the project must be produced in the United States. For further information, refer to the Development Procedures Booklet.
- d. with the exception of section 106 consultation and engineering costs as provided for in Section 9 incur no costs toward completion of the project facilities before execution of this Agreement and before DEPARTMENT approval of plans, specifications, and bid documents.
- e. complete construction of the project facilities to the satisfaction of the DEPARTMENT and to comply with the development project procedures set forth by the DEPARTMENT in completion of the project, including but not limited to the following:
  - i. Retain the services of a professional architect, landscape architect, or engineer, registered in the State of Michigan to serve as the GRANTEE'S Prime Professional. The Prime Professional shall prepare the plans, specifications and bid documents for the project and oversee project construction, which must include reference of the BABA Act for infrastructure project, as noted in our Development Procedure's Booklet..
  - ii. Within 180 days of execution of this Agreement and before soliciting bids or quotes or incurring costs other than costs associated with the development of plans, specifications, or bid documents, provide the DEPARTMENT with plans, specifications, and bid documents for the project facilities, sealed by the GRANTEE'S Prime Professional.
  - iii. Upon DEPARTMENT approval of plans, specifications and bid documents, openly advertise and seek written bids for contracts for purchases or services with a value equal to or greater than \$50,000 and accept the lowest qualified bid as determined by the GRANTEE'S Prime Professional.
  - iv. Upon DEPARTMENT approval of plans, specifications and bid documents, solicit three (3) written quotes for contracts for purchases or services between \$5,000 and \$50,000 and accept the lowest qualified bid as determined by the GRANTEE'S Prime Professional.

**MICHIGAN DEPARTMENT OF NATURAL RESOURCES-GRANTS MANAGEMENT****LAND AND WATER CONSERVATION FUND AGREEMENT AMENDMENT**

Organization: City of St. Joseph

Project Title: Whirlpool Centennial Park Development

Project Location: Berrien

Project Number: 26-01867

Amendment Number: 1

This is an amendment to the Agreement entered into between the Michigan Department of Natural Resources ("DEPARTMENT") and the City of St. Joseph in the county of Berrien County for the Land and Water Conservation Fund grant number 26-01867.

The purpose of this amendment is to:

- change the project facilities by DELETING concrete seat wall as scope item.

A. The DEPARTMENT and the GRANTEE mutually agree to amend the Agreement as follows:

- The words "project facilities" shall mean the following individual components, as further described in APPENDIX C.

Access Pathway 6' wide or more

Drinking Fountain(s)

Restroom Building

Signage

Trail 8' wide or more

Foot Wash Stations

Shade Structures with Accessible Pad

B. All other provisions of the Agreement shall be continued in full force and effect.

C. The amendment may be executed separately by the parties and is not effective until both the GRANTEE and the DEPARTMENT have signed it.

Attachment: Project Agreement Amendment DNR Signed (10983 : Declaration and Notice - Whirlpool Centennial Park)





D. This amendment modifies an Agreement which was approved by resolution of the GRANTEE'S governing body as evidenced by the resolution attached to the Agreement. It is the sole responsibility of the GRANTEE to determine if its laws, policies, or procedures require approval by its governing body before execution of this amendment by the GRANTEE. By signature of this amendment, the GRANTEE certifies that:

1. Approval of the amendment by its governing body is not required, or
2. The amendment has been approved by resolution (true copy attached) of the

8/27/24 Regular meeting of the City Commission  
(date) (special or regular) (name of approving body)

## GRANTEE

## SIGNED

By: [Signature] Justin M. Hopson  
Title: CITY MANAGER  
Date: 8/27/2024

## WITNESSED

By: [Signature]  
By: [Signature]

## MICHIGAN DEPARTMENT OF NATURAL RESOURCES

## SIGNED

By: [Signature]  
EFFECTIVE DATE: 8/30/2024

## WITNESSED

By: \_\_\_\_\_  
By: \_\_\_\_\_

Minutes of the St. Joseph City Commission Meeting held Commission Chambers, 700 Broad Street, St Joseph, MI 49085 on July 14, 2025.

**This meeting will be held in person: the public can view the meeting by going to Zoom.us on a computer or mobile device, or by calling 312.626.6799 (or 877.853.5247 toll free). Comments will not be received via Zoom; persons wishing to speak should be present in person.**

**Meeting ID: 844 8860 9278**

**Telecommunications relay services to assist individuals with disabilities are available by calling 7-1-1 and providing the meeting information to the relay operator; there is no charge to the caller.**

### Call to Order

The meeting was called to order at 6:00 PM by Mayor Brook Thomas

Attendee Name	Title	Status	Arrived
Michele Binkley	Mayor pro tem	Present	
Brook Thomas	Mayor	Present	
Michael Sarola	Commissioner	Present	
Michael Fernandez	Commissioner	Present	
Tess Ulrey	Commissioner	Absent	
Emily Hackworth	City Manager	Present	
Laurie Schmidt	City Attorney	Present	
Abby Bishop	City Clerk	Present	

### Order of Business

1. Pledge of Allegiance
2. Approval of Agenda

**MOTION:** To approve the Agenda as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Fernandez, Commissioner
<b>SECONDER:</b>	Michele Binkley, Mayor pro tem
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

3. Public Comment

Jimmy Fastiggi, a City resident, presented several different photos of cars parked incorrectly and blocking driveways along Lions Park Drive to show the need for parking lines. He stated the street is heavily trafficked, and parking lines would provide more guidance to visitors and people parking on the street.

Mary Goff, a City resident and former City Mayor, recalled many development plans for properties on Lake Boulevard and emphasized the importance of pursuing plans that match the City's character. Goff read a statement and expressed concerns about the proposed development, including the loss of parking and the height of the new building. She stated that the existing City lot serves more than just as parking; it supports community functions. Additionally, she shared previous ideas for the space that were turned down because they were not good for the community, and the thought that went into the Master Plan and height restrictions.

Steven Spielman, a City resident, stated he has not seen the street cleaner out to address all the sand in the streets; that on Lions Park and Park Drive, weeds over two feet high are growing on the non-parking side; the new traffic patterns below the bluff are creating difficulties; and the

pylons at the corner of Price Street are an eyesore. He also requested that the City reshape the Zoning Ordinance process.

Suz Schalon, a City resident and President of the Silver Beach Carousel, stated that the summer experience below the bluff has been a nightmare. She noted that the Carousel revenue is down 9% at the end of June due to confusion among visitors with the new traffic patterns and signs above and below the bluff; piles of sand on the sidewalk at the Whirlpool Centennial Park are covering the view of the Lake from the Carousel; traffic cones, barricades, and signs make it look like a construction zone, are unsightly, and confusing; and she is concerned they will be bypassed for booking receptions at Shadowland. Schalon also said that the blue footprints painted on the sidewalk direct pedestrians away from the carousel. This is not the WOW factor donors expected when they gave \$20M for the project.

Joyce Shellito, a City resident, agreed with Schalon. She stated that the ADA mat at Tiscornia Beach needs to be doubled in size because it is not wide enough. She also requested that a mat be added near the entrance so that people could access the bathrooms more easily.

Richard Massa, a City resident, stated that the new traffic pattern below the bluff is a degradation to their quality of life, as it has increased traffic on Lions Park Drive and Lake Street. He has also witnessed speeding, which creates unsafe conditions.

Bern Schwartz, a City resident, suggested that the solution for the traffic below the bluff is to create three lanes: one for the park, one for other traffic below the bluff, and one for returning.

Cindy Haigler, a City resident, stated that with all the sand, rocks, and weeds at Silver Beach, a silt fence is supposed to be put up to keep it out of the road and drains. She stated that there has been a wide broken piece of stairs on the stairway next to the Whitcomb, and a part of the sidewalk has sunk in near Café Tosi. She also stated the weeds are 10 feet tall over the bridge entering the City.

Ann Barnes, a City resident, expressed concerns about long-term rentals in her neighborhood being converted into short-term rentals. She also has concerns about the size of the building in the proposed downtown development and its potential to change the hometown feel. Additionally, she raised concerns about the underground parking due to unstable ground.

Dale Haigler, a City resident, suggested this summer to stop the paid parking, the one-way streets below the bluff, the sand piles on the sidewalks, and to put everything back the way it was.

Jack Sanderson, a City resident, stated that he has not seen a street sweeper out and is aware of two accidents caused by sand on the streets. He stated that more needs to be done to remove the sand from the streets and sidewalks; residents have had to call multiple times to get trash containers emptied at First and Second Streets and weeds covered the bicycle rack, and residents had to clear it; trees that have fallen during storms are taking weeks or months to get moved and he was concerned uprooted trees may damage or hurt someone. He mentioned a hole that was dug up for service work on Market and Vine Street on May 5<sup>th</sup> is still there.

Carol Michaels, a City resident, inquired about access to the parking garage regarding the proposed downtown development, and she stated that one parking spot per unit is not sufficient.

She does not believe that the alley can support two additional businesses and 100 residential units and raised concerns about public safety related to accessing the alley. Additionally, she was concerned about the increase in deliveries from Amazon, UPS, FedEx, and food services in such a congested area of town.

#### Announcements

##### 4. Silver Beach Enforcement

Berrien County Sheriff Chuck Heit said the County Board of Commissioners approved an update to their Ordinance last Thursday night, which clarifies some violations as misdemeanors or civil infractions, adds clearer descriptions of disturbing the peace and nuisance gatherings, describes the process for trespassing someone from the parks property and prohibiting their presence in any county park for 12 months, and outlines the enforcement penalties and fees for each violation. He stated that some fees increased in hopes of deterring certain activities observed in the park.

#### Consent Agenda

**MOTION:** To approve the Consent Agenda as presented.

<b>RESULT:</b>	<b>ADOPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Fernandez, Commissioner
<b>SECONDER:</b>	Michele Binkley, Mayor pro tem
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

##### 5. Regular Meeting Minutes of Monday, June 23, 2025

Approved the minutes of June 23, 2025, as presented.

##### 6. Cleveland Avenue Resurfacing Project - MDOT Contract Amendment

#### RESOLUTION 2025-RES-15

#### CLEVELAND AVENUE RESURFACING PROJECT - MDOT CONTRACT AMENDMENT

#### **APPROVAL OF MDOT AMENDATORY CONTRACT 25-5173/JOB NO. 21088CON CLEVELAND AVENUE RESURFACING PROJECT**

WHEREAS, the City of St. Joseph is engaged in a resurfacing project referred to as the Cleveland Avenue Resurfacing Project ("Project"), and

WHEREAS, federal funds will be provided for performance of certain improvements to the Project, such funds being managed and administered by the Michigan Department of Transportation Commission ("MDOT"); and

WHEREAS, the City and MDOT have reached an agreement regarding performance and funding of the Project as set forth in MDOT Contract 25-5173/Job Number 221088CON.

NOW, THEREFORE, BE IT RESOLVED, that the City Commission approves the amendment to the agreement between the City of St. Joseph and the Michigan Department of Transportation Commission (MDOT Contract 25-5173/Job Number 221088CON) to resurface Cleveland Avenue from Hilltop Road to Lakeshore Drive (BL-94) in the City of St. Joseph and authorize the City

Manager and City Clerk to sign the agreement on the City's behalf.

Adopted this 14th day of July, 2025.

BY:

\_\_\_\_\_  
Emily W.N. Hackworth, City Manager

ATTEST:

\_\_\_\_\_  
Abby Bishop, City Clerk

Approved a Resolution to amend MDOT Contract 25- 5173 to be eligible for Surface Transportation Block Grant funding for the Cleveland Avenue Resurfacing Project and authorized City Manager Hackworth and City Clerk Bishop to sign the agreement on behalf of the City.

7. Invoice and Tax Disbursements

Approved the invoice and tax disbursements as presented.

8. Board and Commission Vacancies

**Old Business**

9. Downtown Parking Program Update

City Manager Emily Hackworth provided an update on behalf of the Parking Subgroup. She explained that City staff have spent the past month visiting downtown businesses, talking with owners and employees about what is not working and what changes they would like to see. Hackworth mentioned that they also engaged with many residents who shared their feedback. As a result, the Parking Subgroup recommends the City extend the Parking Program pause through the year and take more time to gather additional feedback before relaunching the program next spring.

Hackworth stated that they are also requesting changes to the Pear Lot due to requests from businesses indicating there are not enough short-term parking spaces. Many employees park all day in this lot, leaving insufficient short-term spaces for customers. Hackworth explained that they have added 26 more 3-hour parking spaces, in addition to the 40 already available.

**MOTION:** Motion to modify the parking spaces in the Pear Lot to include an addition 25 3-hour spaces at the west end of the lot, as identified in the map attached.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Fernandez, Commissioner
<b>SECONDER:</b>	Michael Sarola, Commissioner
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

10. Map Amendment - 230 Upton Drive - Harbor Shores Community Redevelopment LLC - Whirlpool Corporation - Rezoning I-2 Heavy Industrial to W Water Recreation District - Second and Final Reading of Ordinance

ORDINANCE 2025-ORD-10

Minutes Acceptance: Minutes of Jul 14, 2025 6:00 PM (Consent Agenda)

MAP AMENDMENT - 230 UPTON DRIVE - HARBOR SHORES COMMUNITY REDEVELOPMENT LLC -  
WHIRLPOOL CORPORATION - REZONING I-2 HEAVY INDUSTRIAL TO W WATER RECREATION  
DISTRICT - SECOND AND FINAL READING OF ORDINANCE

**CITY OF ST. JOSEPH  
BERRIEN COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
THE CITY OF ST. JOSEPH, MICHIGAN**

The CITY OF ST. JOSEPH ORDAINS that Chapter 33, Appendix A, “Zoning Ordinance,” of the City of St. Joseph Code of Ordinances, is hereby amended as follows:

Article IV, Section 4.2.2 “Zoning Map of the City of St. Joseph” is amended in accordance with Art. IV, Sections 4.2.2.B and C, to rezone from I-2 Heavy Industrial District to W Water Recreation District for the property commonly known as 230 Upton Drive, St. Joseph, Michigan. Property ID Number: 11-76-0023-0030-01-2.

All other parts of the Zoning Ordinance not in conflict with this ordinance shall remain in full force and effect. This ordinance shall take effect 10 days after its final passage.

**MOTION:** To approve the second and final reading of an Ordinance to approve zoning map amendment (rezoning) request by Harbor Shores Community Redevelopment LLC, on behalf of the property owner Whirlpool Corporation for the property known as 230 Upton Drive from the I-2 Heavy Industrial District to the W Water Recreation District based on the information included in the June 5, 2025 Planning Commission agenda packet as the request meets the required standards under Section 22.3 of the zoning ordinance.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Sarola, Commissioner
<b>SECONDER:</b>	Michael Fernandez, Commissioner
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

**New Business**

11. Eagle Scout Project - Milton Park

**MOTION:** To approve Colin Peek's Eagle Scout project to build and install a Little Free Library in Milton park.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Fernandez, Commissioner
<b>SECONDER:</b>	Michele Binkley, Mayor pro tem
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

12. Harbor Shores Parcel 2: Brownfield Modification

City Manager Emily Hackworth introduced Chris Cook, Harbor Shores Community Redevelopment President, and Dan Fette, Berrien County Community Development Director, along with the next phase of the Harbor Shores project. This involves modifying the current Berrien County Brownfield TIF, which is currently in place at Harbor Shores, specifically for four parcels known as Parcel 2. She explained that they plan to remove these parcels from the existing Brownfield Plan at an earlier date and place them into a new Brownfield Plan, allowing the project to move forward. Dan Fette clarified that these parcels include the old water tower site, which has experienced delays in development. They are concerned about running out of time under the current plan to reimburse all eligible costs. Fette stated that their goal is to terminate the TIF plan for the 425 developed parcels after 2026, to completely end the Brownfield Plan for parcels 1 and 2, and to immediately initiate a new plan for those parcels.

Commissioner Sarola inquired about the end date of the new plan. Fette explained that legislation allows for a plan lasting up to 30 years, but they likely won't need to go that long. He estimated that by 2044 or 2045, the project could be fully reimbursed. He also explained that once the County drafts the new plan, it will be brought back to the City Commission for review before becoming final.

Mayor Thomas asked if there would be any negative consequences from this change. Fette stated no, and that creating a new plan will allow for more benefits, as Brownfield law has changed since the original plan was in place.

**MOTION:** Motion to support the request of Harbor Shores as presented and to issue the attached letter to the Berrien County Commissioners and Brownfield Authority.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Fernandez, Commissioner
<b>SECONDER:</b>	Michael Sarola, Commissioner
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

13. Lake Blvd. Banners

Director of Public Works Greg Grothous presented the request from Carl Meyer to place banners along Lake Boulevard. Grothous explained that in 2019, Carl Meyer requested permission to place banners along Lake Boulevard to recognize veterans, active-duty military personnel, as well as police and fire personnel. After five years of providing these banners, he is no longer receiving requests for banners and would like to change the theme. Grothous stated that Meyer met with the DDA, and they are in support of the banners, hoping to work with him on new banners for next year.

City Manager Emily Hackworth stated that the DDA approved the banners, except for the one that reads "Life is Precious," due to concerns it could be perceived as political.

Commissioner Fernandez asked whether this type of request needs approval from the Commission or if it can be approved at the City Manager level. Hackworth mentioned that they spoke with Meyer at the DDA meeting about coordinating the City's marketing, colors, and branding going forward. She said that as long as they stay within certain parameters, it would make sense, and if there is a new concept, it could be brought to the City Commission for



approval. Grothous explained that since the banners have been donated and are not paid for by the City, they come before the Commission for approval.

Kim Gane, a City resident, said she believes life is precious, but the statement has a politicized context, and she supported approving them without the 'life is precious' banner.

Debbie Johnson, a City resident, said it was nice to have the banners donated and disagreed with the edit. She suggested the banners display the City logo or the U.S. flag, noting that the City already has a lot to manage and that taxpayer money is better spent on other priorities.

Shawn Hill, a City resident, spoke in favor of the banner stating Life is Precious and disagreed with the City Commission making a big deal out of it.

Ann Barnes, a City resident, spoke in favor of the banner "Life is Precious" and disagreed that it was a political statement.

Tim Johnson, a City resident, spoke in favor of the banner "Life is Precious" and saw it in context of discouraging violence; he did not see it as a political statement.

Commissioner Sarola stated he supports all of the banners, and did not support removing the banner reading "Life is Precious", and that he was voting against the motion for that reason.

**MOTION:** Please consider Mr. Meyer's request and direct staff accordingly.

<b>RESULT:</b>	<b>APPROVED [3 TO 1]</b>
<b>MOVER:</b>	Michele Binkley, Mayor pro tem
<b>SECONDER:</b>	Michael Fernandez, Commissioner
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Fernandez
<b>NAYS:</b>	Commissioner Sarola
<b>ABSENT:</b>	Commissioner Ulrey

14. Resolution - Notice of Intent to Issue Joint Revenue Bonds for Sewer Improvements -JWWTP
- City Attorney Laurie Schmidt explained that this request is for the Commission to approve the Notice of Intent for the Joint Wastewater Treatment Plant (JWWTP) to issue joint revenue bonds for upgrades to the Plant. Schmidt mentioned that both Benton Harbor and St. Joseph jointly own and operate the JWWTP, and the plant needs several costly infrastructure improvements that will be happening soon. The Plant is exploring ways to fund these upgrades most economically, and one way to achieve this is to issue a series of revenue bonds, which will begin with a notice of intent. Schmidt stated that the notice is then published in the paper, starting a 45-day referendum period. If there is opposition, voters can request a ballot referendum. She explained that if this does not happen within 45 days of publication, they can proceed with the second step. The second step involves presenting a bond proposal to the City Commission. Schmidt also noted that Benton Harbor approved a mirror resolution authorizing the issuance of the notice of intent.

Commissioner Sarola requested an overview of the plant equipment's lifecycle status. Kevin Pockrandt, Plant Manager, outlined the projects in scope, which included sewer rehabilitation, replacement of channel air system equipment and piping, final tanks, RAS pumps, and primary sludge valve replacement, along with miscellaneous upgrades.

Commissioner Sarola asked if any of the leaks could be sleeved. Pockrandt stated that this is what it would entail, as it would not be a total replacement.

**MOTION:** To adopt the Resolution Authorizing Notice of Intent to Issue Sewage Disposal Joint Revenue Bonds and to publish the Notice of Intent to Issue Joint Sewage Disposal Revenue bonds, as presented.

**CITY OF ST. JOSEPH**

**COUNTY OF BERRIEN, STATE OF MICHIGAN**

**RESOLUTION AUTHORIZING NOTICE OF INTENT**

**TO ISSUE SEWAGE DISPOSAL SYSTEM JOINT REVENUE BONDS**

Minutes of a regular meeting of the City Commission of the City of St. Joseph, County of Berrien, State of Michigan, held on the 14<sup>th</sup> day of July, 2025, at 6:00 p.m., prevailing Eastern Time.

PRESENT: Commissioners

ABSENT: Commissioners

The following preamble and resolution were offered by Commissioner \_\_\_\_\_ and supported by Commissioner \_\_\_\_\_:

WHEREAS, pursuant to Act 129, Public Acts of Michigan, 1943, as amended (“Act 129”), the Benton Harbor St. Joseph Joint Wastewater Treatment Plant, County of Berrien, State of Michigan (the “Joint Plant”) was established as a sewage disposal facility under the joint ownership, use, and operation of the City of Benton Harbor and the City of St. Joseph; and

WHEREAS, the City Commission of the City of St. Joseph (the “Issuer”) has determined that it is necessary for the public health, safety and welfare of the users of the Joint Plant’s Sewage Disposal System to acquire and construct improvements to the Joint Plant’s Sewage Disposal System (the “System”) including, but not limited to the acquisition, construction, and installation of improvements to the System including, but not limited to, sewer rehabilitation; replacement of aeration channel air piping and diffusers, inclusive of installing new stainless steel piping, new butterflies, new slide gates, and a new diffuser system; primary sludge valve replacements and related upgrades; replacement of final settling tanks; replacement of RAS pumps, together with associated appurtenances and attachments and site improvements, and payment of legal, engineering, financial and other incident expenses (collectively, the “Project”); and

WHEREAS, the Issuer anticipates that the Joint Plant will obtain funding for the Project from the following sources: (a) through a grant and/or a low interest loan from the Clean Water Revolving Fund program administered by the Michigan Department of Environment, Great Lakes and Energy and the Michigan Finance Authority and documented by delivery of one or more series of revenue bonds, and (b) through sale of one or more series of revenue bonds at a public competitive or negotiated sale; and WHEREAS, Act 129 permits a Joint Plant to borrow money, subject to the requirements of Act 94, Public Acts of Michigan, 1933, as amended (“Act 94”), to finance the

acquisition, construction, improvement, enlargement, extension, and repair of public improvements such as the Project through the issuance of joint revenue bonds by the Issuer; and

WHEREAS, the issuance of joint revenue bonds under Act 129, pursuant to Act 94, payable from revenues of the System in an amount not to exceed Twenty Million Dollars (\$20,000,000), to be issued in one or more series (the "Revenue Bonds"), for the purpose of financing all or a portion of the Project appears to be the most practical means to that end; and

WHEREAS, a notice of intent to issue revenue bonds must be published before the issuance of the Revenue Bonds in order to comply with the requirements of Section 33 of Act 94; and

WHEREAS, the Issuer intends at this time to state its intentions to be reimbursed from proceeds of the Bonds for any expenditures undertaken by the Issuer for the Project prior to issuance of the Bonds.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to publish a notice of intent to issue the Revenue Bonds in *The Herald Palladium*, a newspaper of general circulation in the City of St. Joseph. The notice of intent shall be published as a one-quarter (1/4) page display advertisement in substantially the form set forth in Exhibit A hereto and by this reference made a part hereof.
2. The City Commission does hereby determine that the form of Notice of Intent shown in Exhibit A, and the manner of publication directed, is adequate notice to the electors of the City of St. Joseph and users of the System and is the method best calculated to give them notice of the Issuer's intent to issue the Revenue Bonds, the purpose of the Revenue Bonds, the security for the Revenue Bonds, and the right of referendum of the electors with respect to issuance of the Revenue Bonds, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the Issuer's electors may exercise their legal rights of referendum, and the newspaper named for publication is hereby determined to reach the largest number of persons to whom the notice is directed, and the newspaper complies with the requirements of Act No. 247, Public Acts of Michigan, 1963.
3. The Issuer may incur expenditures for the Project prior to receipt of proceeds of the Revenue Bonds and may advance moneys for that purpose from the funds of the Sewer Supply System to be reimbursed from proceeds of the Revenue Bonds when available.
4. The Issuer hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:
  - (a) As of the date hereof, the Issuer reasonably expects to reimburse itself with the proceeds of debt to be incurred by the Issuer for costs of the Project that were or will be paid subsequent to sixty (60) days prior to the date hereof.
  - (b) The maximum principal amount of debt expected to be issued for the Project is \$20,000,000.
  - (c) The expenditures described above are "capital expenditures" as defined in Treasury Regulation § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with

the application of the definition of placed in service under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

5. The Issuer confirms the retention of Bendzinski & Co. Registered Municipal Advisors as municipal advisor in connection with the Revenue Bonds. The fees of the municipal advisor shall be paid from the proceeds of the sale of the Revenue Bonds, or other money legally available therefor.

6. The Issuer confirms the retention of Miller, Canfield, Paddock and Stone, P.L.C. ("Miller, Canfield") to serve as bond counsel to the Issuer for the Revenue Bonds. The fees of Miller Canfield shall be paid from the proceeds of the sale of the Revenue Bonds, or other money legally available therefor. The Issuer recognizes that Miller, Canfield has represented the Michigan Finance Authority, in the past and may be representing the Michigan Finance Authority presently, in connection with various unrelated matters and the Issuer requests Miller, Canfield to continue as bond counsel, notwithstanding the potential concurrent representation of any such potential participant regarding any unrelated matter.

7. The officers of the Issuer are authorized to apply to a rating agency for a credit assessment if necessary to comply with requirements to participate in the Michigan Clean Water Revolving Fund program.

8. The officers, administrators, agents and attorneys of the Issuer are authorized and directed to take all other actions necessary and convenient to facilitate preparation of the Revenue Bonds for sale. The Revenue Bonds will be sold only after the Joint Plant approves an ordinance authorizing issuance and sale of the Revenue Bonds.

9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Commission of the City of St. Joseph, County of Berrien, State of Michigan at a regular meeting held on July 14, 2025 and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Commissioners voted for adoption of said resolution:

\_\_\_\_\_ and that the following Commissioners voted against adoption of said resolution:

\_\_\_\_\_.

#### City Clerk

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Fernandez, Commissioner
<b>SECONDER:</b>	Michele Binkley, Mayor pro tem
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

15. 2026 Ford Explorer Hybrids

Director of Public Safety Steve Neubecker stated that in the 2025/2026 capital improvement budget, \$125,000 has been allocated for purchasing two 2026 Ford Explorer Hybrid vehicles. Neubecker explained that staff received State of Michigan (MiDEAL) pricing for two 2026 Ford Explorer hybrids-one squad car at \$55,037 and one detective vehicle at \$56,592-totaling \$125,000. He noted that the squad car being replaced, Car #10, will remain a 6th squad car, and the detective vehicle will be sold at auction through Biddergy. The detective vehicle being replaced is a 2017 Ford Explorer with nearly 150,000 miles. Neubecker stated that staff is recommending changing the color from white to metallic gray. He is requesting approval of the color change and plans to bring the design back for approval at a later date.

Commissioner Fernandez asked if the Commission has to decide on the color of the vehicles or if staff could be allowed to approve them. City Manager Emily Hackworth advised that City staff can approve these requests at the Commission's direction, moving forward.

June Bowman, a City resident, wanted to know when the City would request funding from the County for all the support provided by the City's Public Safety Department.

**MOTION:** To approve the purchase of two 2026 Ford Explorer Hybrid vehicles in the amount of \$125,000, to be paid from the 2025/2026 capital improvement budget, authorize the sale of the 2017 Ford Explorer to be sold through Biddergy, and approve the new color of metallic gray. The final design does not need to be approved by the City Commission.

**MOTION:** Motion, as part of the agenda, to approve the purchase of two 2026 Ford Explorer Hybrid vehicles in the amount of \$125,000, to be paid from the 2025/2026 capital improvement budget, authorize the sale of the 2027 Ford Explorer to be sold through Biddergy and approve the new color of metallic gray.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Sarola, Commissioner
<b>SECONDER:</b>	Michele Binkley, Mayor pro tem
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

16. Whirlpool Centennial Park Trees

Commissioner Sarola presented a request to remove three trees in the Whirlpool Centennial Park that have grown and are now obstructing the view of the lake. Sarola explained that the trees were initially planted to hide a smaller pump house, but stated he believes they were the wrong choice, as evergreen type of trees grow 2 to 3 feet per year. Sarola said that the lake is the best resource in the City and feels these trees should be removed and replaced with smaller ornamentals that do not get more than 15 or 20 feet tall.

Commissioner Fernandez asked if this was something that the Parks Board could review and provide a recommendation on, as they do with similar issues that have been identified.

Mayor Thomas agreed that she would prefer an expert opinion from the Sustainability Committee or the Parks Board before the trees are removed, and have them provide an analysis on the best replacement.

Commissioner Sarola made a motion to remove the three trees in Whirlpool Centennial Park located in front of the pump house and have the Parks Board replace them with a smaller tree suitable for that site, not exceeding 20-25 feet in height.

Commissioner Binkley suggested that they recommend having all the trees looked at. Sarola agreed but stated that he would like to leave his motion as it stands, and the broader issue of all the trees to be handled separately.

The motion failed for lack of a second.

Commissioners debated whether to recommend further evaluation by the Parks Board. . The consensus was to instruct staff to seek the Parks Board's recommendation on whether the trees should be removed and, if they are, what should replace them.

Carl Meyer, a City business owner, suggested relocating the trees instead of cutting them down.

Tim Johnson, a City resident, stated removing the trees would not improve the view of the lake from the bluff or Silver Beach Pizza, as there are other trees in line with the lake. He advised that he was against cutting down any trees and doesn't believe there is sufficient rationale for their removal.

Debbie Johnson, a City resident, disagreed with removing the trees and wants to know how many complaints there have been about the view being blocked.

Alexandria Trusov, a City resident, believes the Parks Board is better suited to decide whether or not to remove the trees and agrees with the decision to have them make a recommendation.

17. Commission Chambers A/V Enhancements

**MOTION:** Accept the quote provided by Moss Telecommunications of \$17,421.29 to update the A/V configuration in the City Commission Chambers.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Michael Fernandez, Commissioner
<b>SECONDER:</b>	Michele Binkley, Mayor pro tem
<b>AYES:</b>	Mayor pro tem Binkley, Mayor Thomas, Commissioner Sarola, Commissioner Fernandez
<b>ABSENT:</b>	Commissioner Ulrey

**City Comments**

18. City Manager Comments

City Manager Emily Hackworth thanked City staff for their work and efforts over the Krasl Art Fair weekend.

19. City Commission Comments

Commissioner Binkley complimented the new Kaleidoscope playground in Kiwanis Park and the Public Works staff for their efforts in getting it ready.

**Adjournment**

The meeting was closed at 7:44 PM



Regular Meeting

Monday, July 14, 2025

6:00 PM

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
City Clerk/ Recording Secretary

Minutes Acceptance: Minutes of Jul 14, 2025 6:00 PM (Consent Agenda)



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Kelly Ewalt,

**RE:** DDA TIF Citizen Council

**MEETING DATE:** July 28, 2025

As you may recall from last year, the DDA is looking to establish a Tax Increment Financing (TIF) district. The DDA TIF program captures the incremental tax growth and directs those funds to the DDA for reinvestment in the downtown area.

The DDA TIF would capture inflationary growth from three taxing authorities - the City, the County, and Lake Michigan College. With these resources, combined with other resources, the DDA will be in a position to make investments into the downtown. These investments can include infrastructure (parking lots/alleys), streetscape improvements, among many other needs and amenities mentioned in the 2020 Downtown Vision Master Plan. Money generated by the TIF can also offset funds that would otherwise come from the General Fund.

As part of this process, there is a requirement for a 9-member advisory committee, made up of residents of the Downtown District. This committee is intended to meet as needed to review plans, solicit public input, and make recommendations to the DDA for consideration.

Staff has reached out to residents in the District to gauge interest in the council and has received numerous affirmative replies. Due to the requirement of the Citizen Council for the TIF program, and the interest shown by residents, staff is asking the Commission to approve the formation of the DDA TIF Citizens Council.

Staff will work with the appointment committee to determine the process for selecting committee members and then will bring the potential members back to Commission for approval.

*Action Requested:* Move to approve the Resolution to Establish a Downtown Development Area Citizens Council as presented.

## **ATTACHMENTS:**

- DDA TIF Overview 20250728(PDF)
- DDA Resident Citizens Council Resolution (2)(PDF)

# DDA TIF Overview

07/28/2025



# What is the purpose of a DDA?

## **DOWNTOWN DEVELOPMENT AUTHORITY** **Act 197 of 1975**

AN ACT to provide for the establishment of a downtown development authority; to prescribe its powers and duties; to correct and prevent deterioration in business districts; to encourage historic preservation; to authorize the acquisition and disposal of interests in real and personal property; to authorize the creation and implementation of development plans in the districts; to promote the economic growth of the districts; to create a board; to prescribe its powers and duties; to authorize the levy and collection of taxes; to authorize the issuance of bonds and other evidences of indebtedness; to authorize the use of tax increment financing; to reimburse downtown development authorities for certain losses of tax increment revenues; and to prescribe the powers and duties of certain state officials.

# How are DDAs Funded?

- ☒ **Special Assessment:** DDAs can levy a two mill assessment within the district
- ☒ **Grants**
- ☒ **Donations**
- ☒ **Tax Increment Financing (TIF):** DDAs can establish a DDA TIF Plan to capture the incremental growth in tax revenues in the district for a set number of years, not to exceed 30.

Tax Increment Financing is a tool used by most DDAs. This tool enables DDAs to capture inflationary growth and increases in assessed value within the DDA district and reinvest the funds directly back into the district.

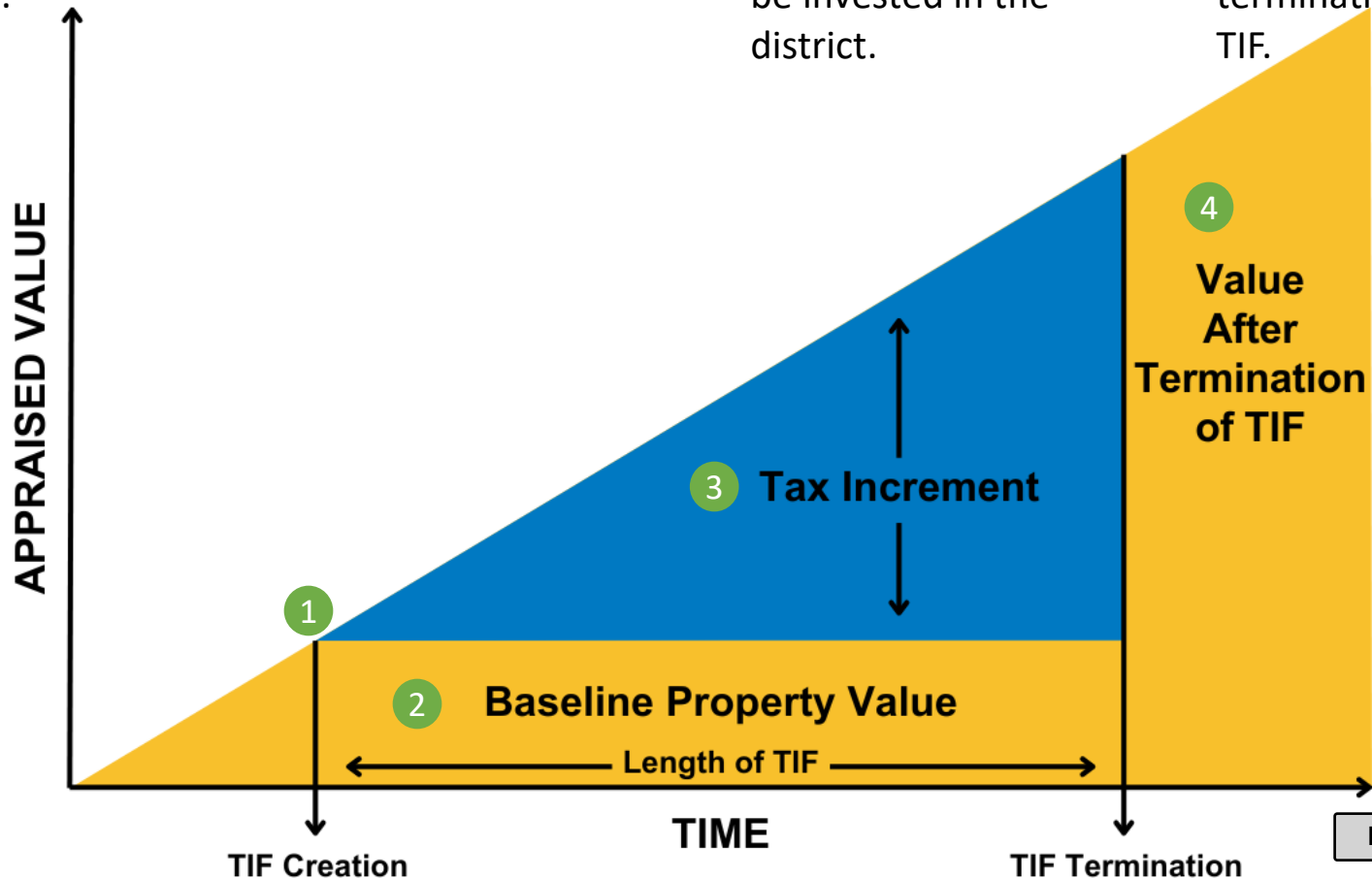
This revenue captures funding the City and the DDA would otherwise not have access to, provides funding for the DDA to do more for the downtown community, and increasing the City's ability to be competitive and progressive.



# How does Tax Increment Financing Work?

A TIF is **not** a new tax! A TIF only changes who captures tax revenues.

- 1 The **Base Value** of the TIF district is calculated at date of creation.
- 2 Taxing authorities continue to receive the **Base Value**.
- 3 **Incremental Growth** in taxes is captured by the TIF and must be invested in the district.
- 4 Taxing authorities receive the current tax value upon termination of the TIF.



# What Can TIF Revenues Fund?

TIF revenues must be reinvested within the DDA boundary, and must follow the priorities laid out in the DDA's **Development Plan**.

A Development Plan lays out district priorities and projects. The plan also includes other anticipated revenues and spending, including the **DDA Millage** and anticipated revenues from **downtown paid parking**.

The DDA's proposed Development Plan includes:

## DDA Operations and Maintenance

- Parking Lot, Alley and Infrastructure Maintenance and Staff
- Seasonal Décor, Plantings, Landscaping and Maintenance
- Operating Supplies

## Professional Services, Marketing and Grant Making

- Grant Programs
- Marketing
- Processional Services

## Streetscape, Sidewalk Amenities and Infrastructure Upgrades

- Streetscape improvements, public art and sidewalk amenities
- Streetscape Projects, including: Pleasant Street Plaza, Main Street, Broad Street and State Street
- Alley and Parking Lot Updates

## Administration

- DDA Staff
- Admin Expenses
- Annual Audit
- Transportation, Education, Professional Memberships and other Board Expenses

# What impact will this have?

The plan envisions the following:

- Redesign and reconstruction of downtown parking lots
- Updates and maintenance of downtown parking lots annually
- Updates to streetscapes for Pleasant Street Plaza, Broad Street and State Street
- Contributions to MDOT's Main Street redesign project, to tie the design into anticipated plans for downtown
- Investment in downtown businesses and buildings through additional grant programs
- Improved landscaping and maintenance throughout the downtown
- Investment in public art and other downtown amenities

# What is the Process for Establishing a DDA TIF?

- ☐ DDA reviews the TIF and Development Plan and recommends approval to City Commission
- ☐ Approve and create DDA TIF Citizen Council
- ☐ City Commission reviews request and votes to sets a public hearing.
- ☐ Assorted notices sent to taxing authorities, published locally, and posted throughout district not less than 20 days in advance of public hearing.
- ☐ Property owners in district mailed notice not less than 20 days in advance of public hearing.
- ☐ Public hearing conducted.
- ☐ City Commission votes on plan adoption not less than 60 days after public hearing.
- ☐ Notice of plan adoption published in newspaper.
- ☐ Plan filed with Michigan Secretary of State.

## RESOLUTION TO ESTABLISH A DOWNTOWN DEVELOPMENT AREA CITIZENS COUNCIL

WHEREAS, the City of St. Joseph has established a Downtown Development Authority (DDA) in accordance with Act 57 of the Public Acts of 2018, MCL 125.4101 et. seq., may be as amended, known as the Downtown Development Authority Act (the “Act”); and

WHEREAS, the City of St. Joseph has drafted a Development Plan and is considering a Tax Increment Financing (TIF) Plan for the DDA Development Area; and

WHEREAS, pursuant to Section 221 of the Act, if a proposed development area has more than 100 residents, the governing body of the municipality is required to establish a Development Area Citizens Council (the “Council”) prior to the adoption of a development or tax increment financing plan; and

WHEREAS, the City of St. Joseph DDA Development Area contains more than 100 residents, triggering the requirement to establish a Citizens Council to ensure adequate citizen representation and participation in the development process.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Establishment of Council: The City Commission of the City of St. Joseph hereby establishes the St. Joseph Downtown Development Area Citizens Council pursuant to Section 221 of the Act.

2. Purpose: The Citizens Council shall act in an advisory capacity to the City Commission and the DDA regarding the proposed Development Plan and/or TIF Plan. The Council shall review and provide recommendations to the DDA and the City Commission regarding such plans and perform such other duties as outlined in the Act.

3. Membership: The Citizens Council shall consist of not less than 9 and not more than 15 members. All members shall be residents of the downtown development area, appointed by the Mayor with the approval of the City Commission. Members shall serve without compensation.

4. Meetings: The Citizens Council shall meet as necessary to review the proposed plans, solicit public input, and prepare recommendations for consideration by the DDA and City Commission in the adoption of the development or tax increment financing plan, and carry out all other responsibilities of a development area citizens council set forth in the Act.

5. Term: Members shall serve terms as determined by the Mayor and City Commission, and the Council shall exist for such time as necessary to fulfill its responsibilities under the Act.

6. Effective Date: This Resolution shall take effect immediately upon adoption.



AYES:

NAYS:

ABSENT:

ABSTAIN:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of St. Joseph, Berrien County, Michigan at a regular meeting held on July 28, 2025.

---

Abby Bishop, Clerk



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Emily Hackworth, City Manager

**RE:** Land Combination Variance - 1402 and 1404 Lake Blvd - Robert and Amelia Nolan

**MEETING DATE:** July 28, 2025

## Request

Robert and Amelia Nolan are the owners of 1402 (76.7200.0007.01.0) and 1404 Lake Boulevard (76.7200.0007.02.0). They are proposing a land combination to combine the two parcels into one. Both properties are located in the R1-A Single-Family Residence District. The 1404 Lake Boulevard parcel is improved with a single-family dwelling and the 1402 property is vacant. The improved southern parcel is 63' wide and the northern vacant parcel is 67.72' wide, when combined the width is 130.72 feet.

The applicants purchased both properties in April 2020 from the same owner with the existing configuration and building improvements. Earlier this year, a contractor applied for a building permit to replace and repair the existing deck and to construct a small deck addition. During review of the building permit, it was found the proposed changes, which included the existing deck, did not comply with the maximum lot coverage allowed and no building permits could be found for the original construction of a portion of the existing deck. The applicants concluded combining the two parcels into one would be the best route to allow for the needed repairs and small deck addition to take place in compliance with the zoning ordinance.

Staff is unable to administratively approve the land combination as submitted because the width of the new parcel will exceed 120 feet as allowed in the R1-A Single-Family Residence District per Section 5.2, Table 5-1, footnote 8. The new parcel size will be 16,420 square feet; Table 5-1 of the zoning ordinance has no maximum lot areas.

Under the Code of Ordinances, Chapter 27 Subdivisions, Section A-25(a) Variances, "the city commission may, upon appeal, authorize a variance from the strict application of the provisions of this appendix where such strict application would result in practical difficulties or undue hardship to the applicant. Relief from the strict application of this appendix may be granted in cases where the result is not a substantial detriment to the public good and does not impair the intent and purpose of the appendix. In granting a variance, the city commission may attach conditions deemed reasonable to the purpose of this appendix. The relief granted shall, in no instance, be greater than necessary to relieve the practical difficulty or undue hardship to the applicant." Any

proposed conditions of approval should be included in the draft motion and in the written notice of approval, which will need to be recorded.

No additional requests are proposed. Any changes to the new parcel would need to comply with requirements of the Zoning Ordinance. The proposed land combination and variance does not provide any protection to the nonconforming buildings or uses on the property. Any alterations would need to comply with the zoning ordinance at time of building permit review.

As required under Chapter 27, Section A-24(b) notice to the adjacent property owners was given. This request does not require a public hearing, although an opportunity should be provided for public comment.

If the City Commission wishes to grant the land combination for 1402 and 1404 Lake Boulevard which requires a variance to increase lot width, it could consider a motion as follows.

*Action Requested:* Motion to approve a request from property owners Robert and Amelia Nolan for the properties known as 1402 and 1404 Lake Boulevard for a land combination adjustment that requires a variance from Section 5.2, Table 5-1, footnote 8 of the Zoning Ordinance to increase the maximum allowed lot width from 120 to 130.72 feet, per Chapter 27 Subdivisions, Section A-25 of the Code of Ordinances because strict application of the allowable low width dimension as described and depicted on the “Certificate of Survey” document prepared by Abonmarche with a date of July 21, 2025 would result in practical difficulties or undue hardship to property owners and the resulting parcels will not result in a substantial detriment to the public good nor impair the intent and purpose of the City’s Land Division regulations with the condition that the City's written notice of approval and Certificate of Survey document be recorded by the applicants at the Berrien County Register of Deeds.

#### **ATTACHMENTS:**

- Location Map - 1402 and 1404 Lake Boulevard (PDF)
- Zoning Map - 1402 and 1404 Lake Boulevard (PDF)
- Photographs - 1402 and 1404 Lake Boulevard (PDF)
- Application - Land Combination Variation - 1402 1404 Lake Blvd - Nolan (PDF)
- Land Combination - Nolan - 1402 1404 Lake Blvd - denied July 2025 (PDF)

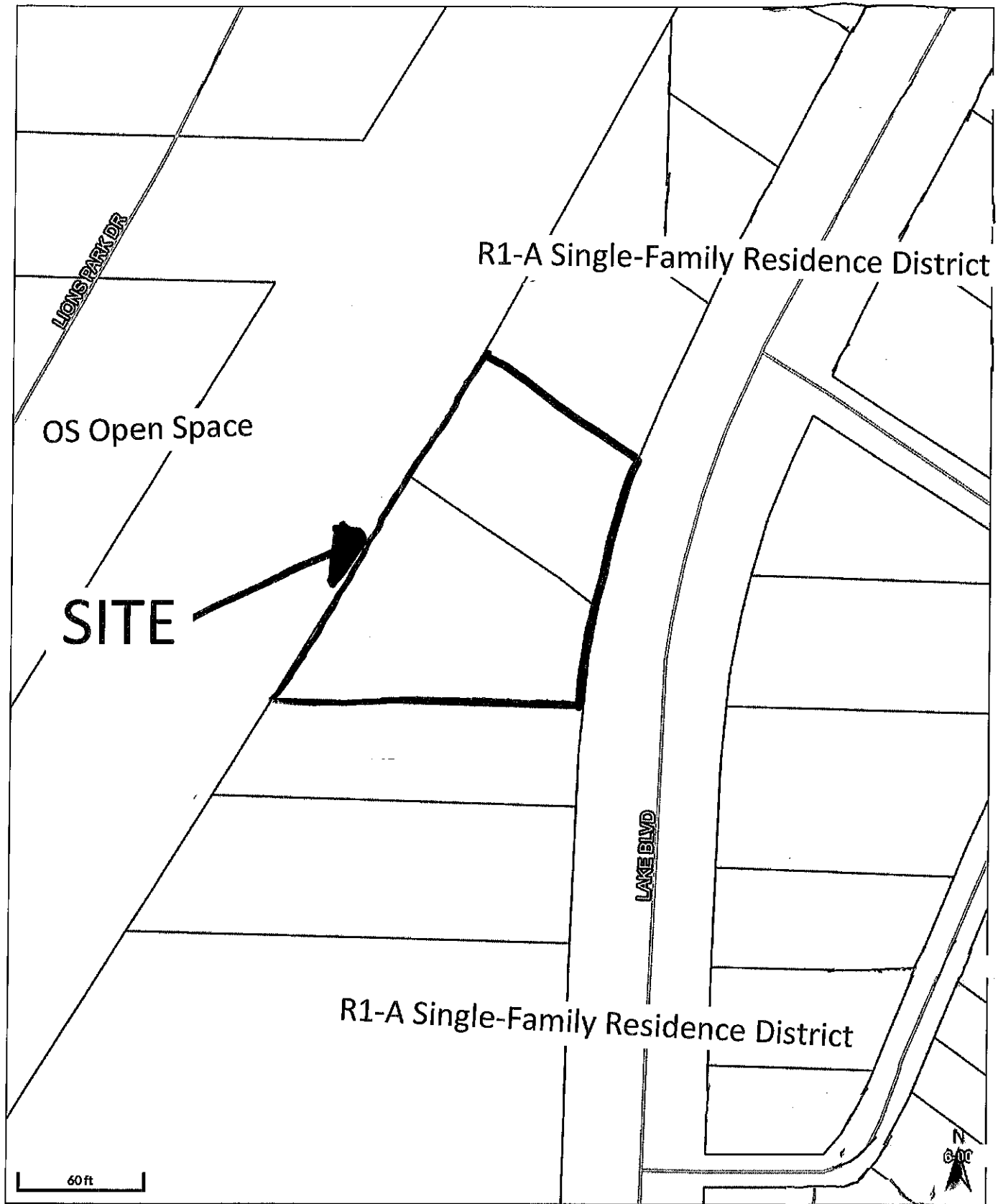


# Location Map - 1402 and 1404 Lake Blvd





## Zoning Map - 1402 and 1404 Lake Blvd







## 1402 and 1404 Lake Boulevard

View looking northwest from  
Lake Boulevard



View looking southwest from  
Lake Boulevard



View looking southwest from  
Lake Boulevard



**CITY OF ST. JOSEPH**  
**PLANNING & ZONING DEPARTMENT**  
 700 Broad Street  
 St. Joseph, MI 49085  
 Phone (269)983-1212  
 Fax (269) 985-0347  
 www.sjcity.com

## **BOUNDARY ADJUSTMENT, LOT CONSOLIDATION** **AND LAND DIVISION VARIANCE APPLICATION**

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

### **Property Information**

Property Address(es): 1404 and 1402 Lake Boulevard

Property Code Number(s) (Tax Number): 11-76-7200-0007-02-0 and 11-76-7200-0007-01-0

Briefly Explain Request: Two consolidate the two lots into one.

### **Applicant Information**

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

**Name of Applicant:** Robert and Amy Nolan

Relationship to Property Owner: self

Mailing Address: 1404 Lake Boulevard

City: St. Joseph State: MI Zip Code: 49085

Telephone Number: 253-905-5792 Emergency Number: 253-905-5937

E-mail Address: amelianolan@yahoo.com

**Name of Property Owner:** Robert and Amy Nolan

Mailing Address: 1404 Lake Boulevard

City: St. Joseph State: MI Zip Code: 49085

Telephone: 253-905-5792 E-mail Address: amelianolan@yahoo.com

Attorney: n/a

Mailing Address: n/a

City: n/a State: n/a Zip Code: n/a

Telephone: n/a E-mail Address: n/a

Land Surveyor and/or Engineer: Abonmarcho

Mailing Address: 95 W. MAIN ST

City: Benita Harbor State: MI. Zip Code: 49022

Telephone: 269-926-4504 E-mail Address: mfreeling@abonmarcho.com

### Type of Request

☐ Boundary Adjustment (transferring land between two adjacent parcels – no decrease or increase in number of parcels)

☒ Combination (combining two or more parcels to create one parcel)

☐ Land Division (dividing one parcel into two or more parcels).

Total number of existing parcels? 2

Total number of proposed parcels? 1

### Variance Information

List all variances necessary for the proposed request and include applicable code sections.

TD increase Lot width from 120' to  
for the R7-A District to combine the two  
parcels into one.

**In accordance with Section A-25. – Variances, the questions need to be answered.**

Explain how strict application of the regulations would result in practical difficulties or undue hardship.

We own the two parcels. Parcel to the north is difficult to develop due to the topography it is situated on and due to the 30' setback.

Explain how relief from the strict application would not result in a substantial detriment to the public good and does not impair the intent and purpose of Chapter 27 Subdivisions.

The requested increase in lot width is minimal due to the existing lot configurations. There is another parcel to the north that exceeds the 120' lot width.

Explain how the variance(s) being requested are the minimum necessary to relieve the practical difficulty or undue hardship.

To comply with maximum 120' width, property would've had to be sold or combined with property to the north.

**BOUNDARY ADJUSTMENT, LOT CONSOLIDATION AND LAND DIVISION VARIANCE  
APPLICATION  
CERTIFICATION**

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than twenty (20) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands this is only a parcel division which conveys certain rights under the applicable local land division ordinance and the State Land Division Act (formerly the subdivision control act P.A. 288 of 1967, as amended (particularly by PA. 591 of 1996), MCL 560.101 et.Seq.) and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restrictions or other property rights.
- G. The Applicant understands that if the division is approved, a land division does not occur until receipt of a registerable conveyance is supplied to the City of St. Joseph.
- H. The Applicant understands if zoning, local ordinances and State Acts change prior to land divisions being completed (registerable conveyances) the divisions must comply with the new requirements unless surveys representing the approval of the divisions are recorded with the Berrien County Land Division/GIS Department.
- I. The Applicant understands that if the application is approved it is valid for sixty (60) days from the date of issuance and if the proposed Boundary Adjustment, Lot Consolidation or Land Division are not completed during the sixty (60) day time frame, a new application and approval must be obtained.

(page 1 of 2)



# BOUNDARY ADJUSTMENT, LOT CONSOLIDATION AND LAND DIVISION VARIANCE APPLICATION

## CERTIFICATION, continued (page 2 of 2)

The Applicant certifies and acknowledges and agrees that:

- J. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the 11, day of July, 2025, I/We have read the above certification, understand it, and agree to abide by its conditions.

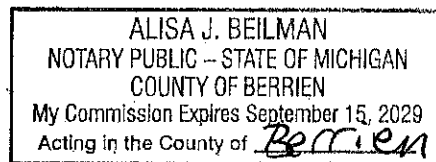
[Signature]  
Signature of Applicant or Authorized Agent

Amy Nolan  
Name of Applicant or Authorized Agent

### SUBSCRIBED AND SWORN

To before me this 11 day of  
July, 2025

Alisa J. Beilman  
Notary Public



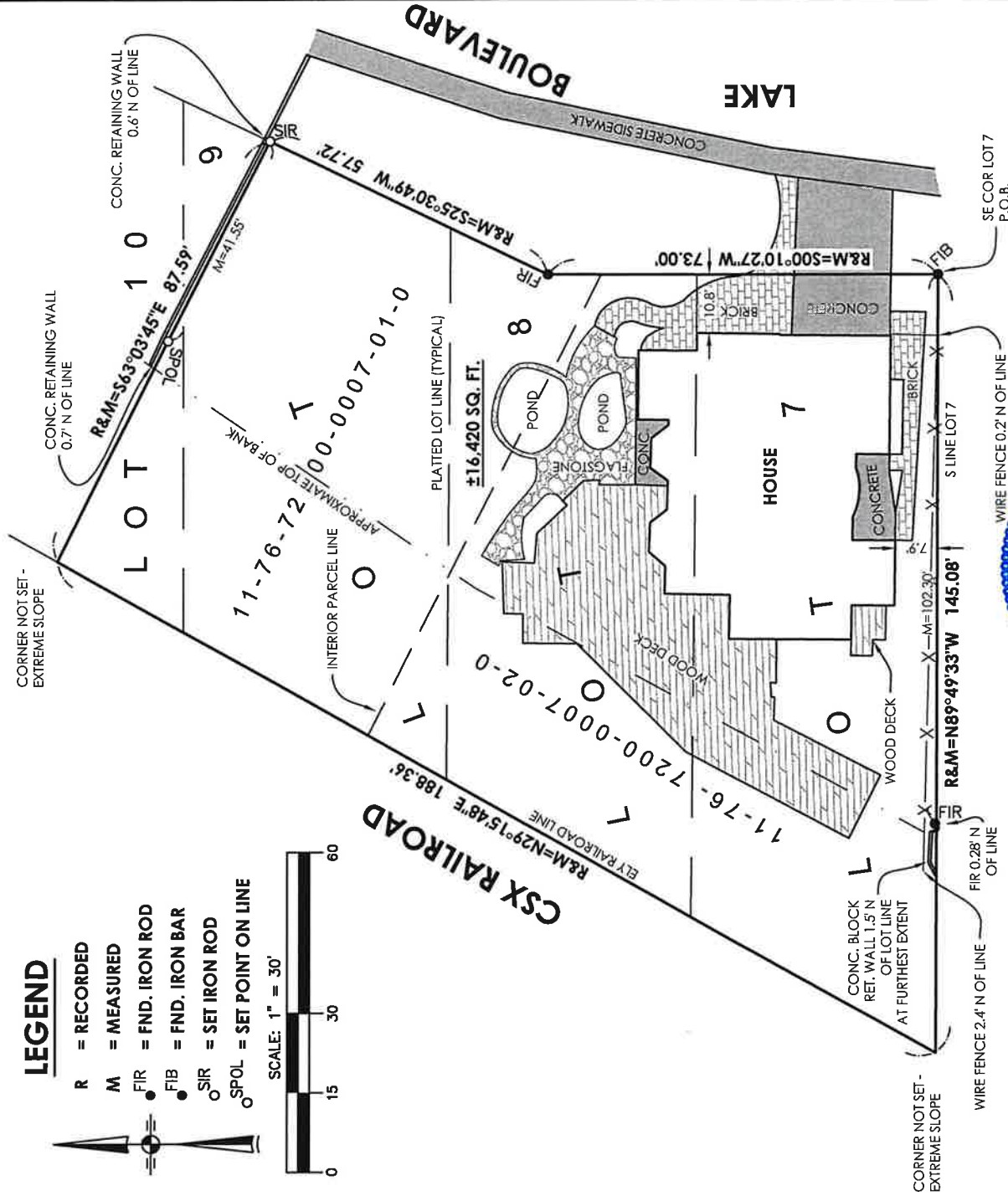
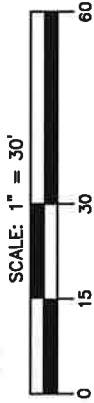
**OFFICIAL CITY USE:** Date Received: \_\_\_\_\_ Fee: \_\_\_\_\_  
Completed: Variance Application: \_\_\_\_\_

**CERTIFICATE OF SURVEY**

THE UNDERSIGNED, A LICENSED PROFESSIONAL SURVEYOR IN MICHIGAN, CERTIFIES THAT THIS DRAWING IS AN ACCURATE REPRESENTATION OF A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION FOR THE FOLLOWING DESCRIBED PARCEL OF LAND:  
SEE SHEET 2 FOR DESCRIPTIONS

**LEGEND**

R = RECORDED  
M = MEASURED  
FIR = FND. IRON ROD  
FIB = FND. IRON BAR  
SIR = SET IRON ROD  
SPOL = SET POINT ON LINE



7/21/2025

MICHAEL A. FREEHLING  
PROFESSIONAL SURVEYOR No. 4001040159

DATE OF CERTIFICATE

THIS SURVEY WAS BASED ON THE INCLUDED LEGAL DESCRIPTION AS IT APPEARS ON A DEED OR TITLE INSURANCE POLICY, AND SHOULD BE COMPARED WITH THE ABSTRACT OF TITLE OR TITLE INSURANCE POLICY FOR A CCURACY, EASEMENTS OR EXCEPTIONS. ANY WRITTEN OR UNWRITTEN RIGHTS OF ADJOINERS ARE UNKNOWN UNLESS SPECIFICALLY NOTED.

PREPARED FOR:	AMY NOLAN		
	DRAWN BY:	CJC	LOTS 7, 8, AND PARTS OF 9 & 10
	APPROVED BY:	MAF	AL SHEPARD'S SUBDIVISION
	DATE:	07/18/2025	CITY OF ST. JOSEPH
SCALE: 1" = 30'			SHEET 1 OF 2

# CERTIFICATE OF SURVEY

THE UNDERSIGNED, A LICENSED PROFESSIONAL SURVEYOR IN MICHIGAN, CERTIFIES THAT THIS DRAWING IS AN ACCURATE REPRESENTATION OF A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION FOR THE FOLLOWING DESCRIBED PARCEL OF LAND:

EXISTING PARCEL 11-76-7200-0007-02-0

THAT PART OF LOTS 7, 8 AND 9, AL SHEPARD'S SUBDIVISION OF UNIVERSITY LOTS 7 AND 10, CITY OF ST. JOSEPH, BERRIEN COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS, PAGE 85, BERRIEN COUNTY RECORDS, DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 OF SAID PLAT; THENCE NORTH 89°49'33" WEST, ALONG THE SOUTH LINE OF SAID LOT, 145.08 FEET TO THE EASTERLY LINE OF THE CSX RAILROAD; THENCE NORTH 29°15'48" EAST, ALONG SAID EASTERLY LINE, 121.68 FEET; THENCE SOUTH 63°03'45" EAST, 96.23 FEET TO THE WESTERLY RIGHT OF WAY LINE OF LAKE BOULEVARD; THENCE SOUTH 00°10'27" WEST, ALONG SAID WESTERLY LINE, 63.00 FEET TO THE POINT OF BEGINNING.

EXISTING PARCEL 11-76-7200-0007-01-0

THAT PART OF LOTS 8, 9 AND 10, AL SHEPARD'S SUBDIVISION OF UNIVERSITY LOTS 7 AND 10, CITY OF ST. JOSEPH, BERRIEN COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS, PAGE 85, BERRIEN COUNTY RECORDS, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF LOT 7 OF SAID PLAT; THENCE NORTH 00°10'27" EAST, ALONG THE WESTERLY LINE OF LAKE BOULEVARD, 63.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE NORTH 63°03'45" WEST, 96.23 FEET TO THE EASTERLY LINE OF THE CSX RAILROAD; THENCE NORTH 29°15'48" EAST, ALONG SAID EASTERLY LINE, 66.68 FEET; THENCE SOUTH 63°03'45" EAST, 87.59 FEET TO SAID WESTERLY LINE OF LAKE BOULEVARD; THENCE SOUTH 25°30'49" WEST, ALONG SAID WESTERLY LINE, 57.72 FEET; THENCE SOUTH 00°10'27" WEST, ALONG SAID LINE, 10.00 FEET TO THE POINT OF BEGINNING.

## COMBINED PARCEL

THAT PART OF LOTS 7, 8, 9, AND 10, AL SHEPARD'S SUBDIVISION OF UNIVERSITY LOTS 7 AND 10, CITY OF ST. JOSEPH, BERRIEN COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS, PAGE 85, BERRIEN COUNTY RECORDS, DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 OF SAID PLAT; THENCE NORTH 89°49'33" WEST, ON THE SOUTH LINE OF SAID LOT, 145.08 FEET TO THE EASTERLY LINE OF THE CSX RAILROAD; THENCE NORTH 29°15'48" EAST, ON SAID EASTERLY LINE, 188.36 FEET; THENCE SOUTH 63°03'45" EAST 87.59 FEET TO THE WESTERLY LINE OF LAKE BOULEVARD; THENCE SOUTH 25°30'49" WEST, ON SAID WESTERLY LINE 57.72 FEET; THENCE SOUTH 00°10'27" WEST, ON SAID WESTERLY LINE 73.00 FEET TO THE POINT OF BEGINNING.

SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD, OR OTHERWISE.

SUBJECT TO ANY FACTS THAT MAY BE DISCLOSED IN A FULL AND ACCURATE TITLE SEARCH.



*[Signature]*  
MICHAEL A. FREEHLING  
PROFESSIONAL SURVEYOR No. 4001040159

*7/24/2025*

DATE OF CERTIFICATE

THIS SURVEY WAS BASED ON THE INCLUDED LEGAL DESCRIPTION AS IT APPEARS ON A DEED OR TITLE INSURANCE POLICY, AND SHOULD BE COMPARED WITH THE ABSTRACT OF TITLE OR TITLE INSURANCE POLICY FOR A ACCURACY, EASEMENTS OR EXCEPTIONS. ANY WRITTEN OR UNWRITTEN RIGHTS OF ADJOINERS ARE UNKNOWN UNLESS SPECIFICALLY NOTED.

PREPARED FOR:  <b>AMY NOLAN</b>	DRAWN BY: CJC	LOTS 7, 8, AND PARTS OF 9 & 10
	APPROVED BY: MAF	AL SHEPARD'S SUBDIVISION
	DATE: 07/18/2025	CITY OF ST. JOSEPH
	SCALE: NONE	SHEET 2 OF 2





700 Broad Street • St. Joseph, Michigan 49085-1276 • [www.sjcity.com](http://www.sjcity.com)

## DEPARTMENTS

ASSESSOR  
269-983-1231

ATTORNEY  
269-983-5541

CLERK  
269-983-6325

COMMUNICATIONS  
& MARKETING  
269-983-0349

ENGINEER  
269-983-5541

FINANCE/TREASURER  
269-983-4731

HOWARD ICE ARENA  
269-985-8795

INSPECTIONS &  
CODE ENFORCEMENT  
269-983-1212

MANAGER  
269-983-5541

PERSONNEL  
269-983-0443

PLANNING & ZONING  
269-983-1212

### PUBLIC SAFETY:

EMERGENCY 9-1-1

DISPATCHER  
269-983-3060

POLICE  
ADMINISTRATION  
269-985-0300

FIRE  
ADMINISTRATION  
269-983-4641

### PUBLIC WORKS:

PARKS & CEMETERY  
STREETS & SANITATION  
269-983-6341

WATER/SEWER BILLING  
269-983-6324

WATER TREATMENT  
PLANT  
269-983-1240

WEST BASIN MARINA  
269-983-5432

July 11, 2025

Robert and Amelia Nola  
1404 Lake Blvd  
St. Joseph, MI 49085

Subject: Denial of Land Combination  
Tax Number:

76.7200.0007.02.0 – 1404 Lake Blvd - improved  
76.7200.0007.01.0 – 1402 Lake Blvd - vacant

Dear Mr. and Mrs. Nolan:

Thank you for your land combination application regarding the above properties. The property is owned by Robert and Amelia Nola. The request is to combine two parcels located in the R1-A Single-Family Residence District into one parcel

The R1-A District has the following regulations:

	<u>Zoning Code</u>	<u>Proposed Configuration</u>
Minimum Lot Width:	60 feet	
Maximum Lot Width:	120 feet	<b>130.72' – Front Lot Line</b>
Minimum Lot Area:	6,000 square feet	unknown
Minimum Front Yard:	30'	less than 30' – existing
Minimum Side Yards:	7'	unknown – existing (south)
Minimum Side Yard:	7'	unknown - vacant (north)
Maximum Lot Coverage:	35%	To be determined at permit time
Width to Depth Ratio:	1:4 (130.72:522.88)	130.72: 145.08

City staff is able to administratively approve the land combination as the parcel exceeds the maximum width of 120'.

The land combinations approved by the City does not provide any protection to the nonconforming buildings or uses. Any alterations would need to comply with the zoning ordinance at time of building permit review.


*As such, the Land Combination for 1402 and 1404 Lake Boulevard cannot be approved as proposed as the new parcel will have a lot width of 130.72' which exceeds the maximum width of 120' allowed in the R1-A Single-Family Residence District per Table 5-1 of the zoning ordinance based on the certificate of survey prepared by Abonmarche with a last revision date of March 5, 2014 which depicts the individual parcels.*

Based on discussions with you, it is my understanding that the a request for a land division variance/waiver from the City Commission under Chapter 27, Section A-25 of the Code of Ordinances, in particular to request a variance from Section 5.2 – Table 5-1 Schedule of District Regulations – note #8 – maximum lot width of one hundred twenty feet (120') for property in the R1-A Single-Family Residence District of the Zoning Ordinance will be submitted.

There is a \$250 nonrefundable application fee associated with a request to the City Commission. Attached is the Land Division Variance Application packet. Once received, the required public notice will be completed and it will be placed on the next available City Commission agenda

Attached is a copy of all action associated with the request for your records. Please feel free to contact me with any questions. Thank you for your assistance in this matter.

Sincerely,



Kristen Gundersen  
Community Development Director



# CERTIFICATE OF SURVEY

I, MATTHEW REINKING, A LICENSED PROFESSIONAL SURVEYOR, NUMBER 54057, IN MICHIGAN, CERTIFY THAT THIS DRAWING IS AN ACCURATE REPRESENTATION OF A BOUNDARY SURVEY PERFORMED UNDER MY DIRECTION FOR THE FOLLOWING DESCRIBED PARCEL OF LAND:

## PARCEL 1

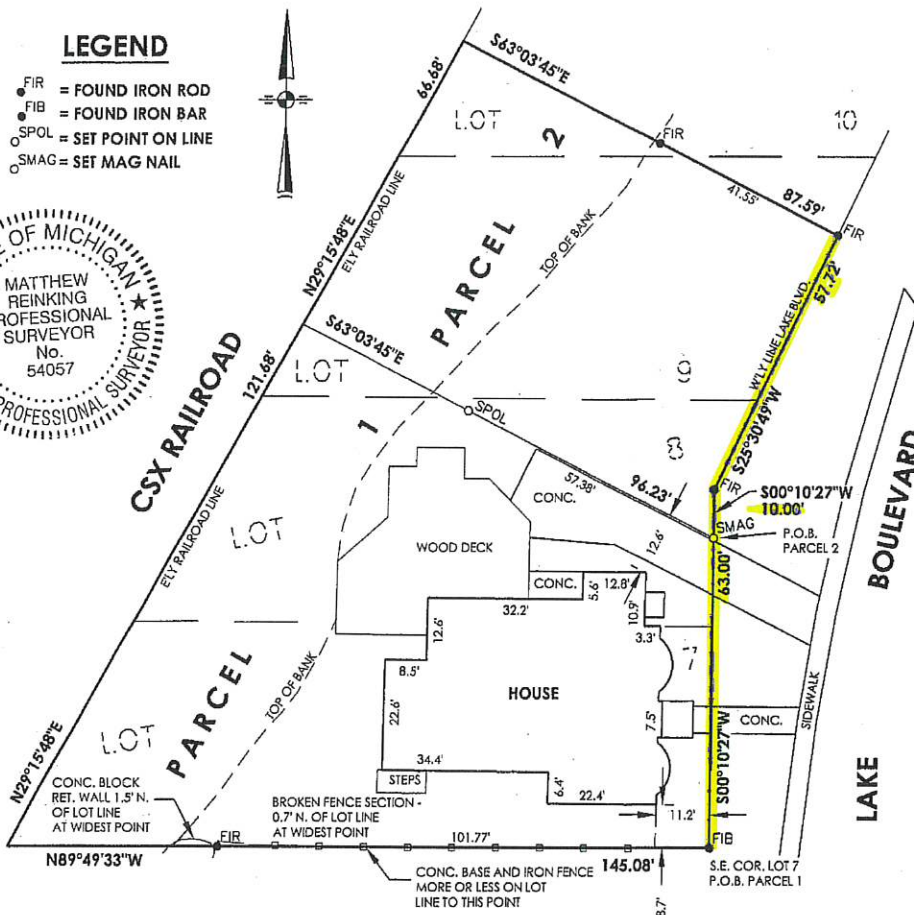
THAT PART OF LOTS 7, 8 AND 9, AL SHEPARD'S SUBDIVISION OF UNIVERSITY LOTS 7 AND 10, CITY OF ST. JOSEPH, BERRIEN COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS, PAGE 85, BERRIEN COUNTY RECORDS, DESCRIBED AS BEGINNING AT THE SOUTHEAST CORNER OF LOT 7 OF SAID PLAT; THENCE NORTH 89°49'33" WEST, ALONG THE SOUTH LINE OF SAID LOT, 145.08 FEET TO THE EASTERLY LINE OF THE CSX RAILROAD; THENCE NORTH 29°15'48" EAST, ALONG SAID EASTERLY LINE, 121.68 FEET; THENCE SOUTH 63°03'45" EAST, 96.23 FEET TO THE WESTERLY RIGHT OF WAY LINE OF LAKE BOULEVARD; THENCE SOUTH 00°10'27" WEST, ALONG SAID WESTERLY LINE, 63.00 FEET TO THE POINT OF BEGINNING.

## PARCEL 2

THAT PART OF LOTS 8, 9 AND 10, AL SHEPARD'S SUBDIVISION OF UNIVERSITY LOTS 7 AND 10, CITY OF ST. JOSEPH, BERRIEN COUNTY, MICHIGAN, ACCORDING TO THE RECORDED PLAT THEREOF, AS RECORDED IN LIBER 2 OF PLATS, PAGE 85, BERRIEN COUNTY RECORDS, DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF LOT 7 OF SAID PLAT; THENCE NORTH 00°10'27" EAST, ALONG THE WESTERLY LINE OF LAKE BOULEVARD, 63.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE NORTH 63°03'45" WEST, 96.23 FEET TO THE EASTERLY LINE OF THE CSX RAILROAD; THENCE NORTH 29°15'48" EAST, ALONG SAID EASTERLY LINE, 66.68 FEET; THENCE SOUTH 63°03'45" EAST, 87.59 FEET TO SAID WESTERLY LINE OF LAKE BOULEVARD; THENCE SOUTH 25°30'49" WEST, ALONG SAID WESTERLY LINE, 57.72 FEET; THENCE SOUTH 00°10'27" WEST, ALONG SAID LINE, 10.00 FEET TO THE POINT OF BEGINNING.

## LEGEND

- FIR = FOUND IRON ROD
- FIB = FOUND IRON BAR
- SPOL = SET POINT ON LINE
- SMAG = SET MAG NAIL



*Matthew Reinking*  
MATTHEW REINKING  
LICENSED PROFESSIONAL SURVEYOR No. 54057  
ABONMARCHÉ CONSULTANTS, INC.

MARCH 6, 2014  
DATE OF CERTIFICATE

THIS SURVEY WAS BASED ON THE INCLUDED LEGAL DESCRIPTION AS IT APPEARS ON A DEED OR TITLE INSURANCE POLICY PROVIDED TO US BY THE PERSON TO WHOM THE SURVEY IS CERTIFIED, AND SHOULD BE COMPARED WITH THE ABSTRACT OF TITLE OR TITLE INSURANCE POLICY FOR ACCURACY, EASEMENTS OR EXCEPTIONS. ANY WRITTEN OR UNWRITTEN RIGHTS OF ADJOINERS ARE UNKNOWN UNLESS SPECIFICALLY NOTED. THE SURVEYOR'S LIABILITY FOR ANY AND ALL CLAIMS, INCLUDING BUT NOT LIMITED TO THOSE ARISING OUT OF THE SURVEYOR'S PROFESSIONAL SERVICES, NEGLIGENCE, GROSS MISCONDUCT, WARRANTIES OR MISREPRESENTATIONS SHALL BE DEEMED LIMITED TO AN AMOUNT NO GREATER THAN THE SERVICE FEE.

PREPARED FOR:	DRAWN BY: MAF	LOTS 7-10
THOMAS JEFFERS	APPROVED BY: MGR	AL SHEPARD'S SUBDIVISION
ELIZABETH KNEFELKAMP	DATE: 3/5/2014	CITY OF ST. JOSEPH
CHICAGO TITLE INSURANCE COMPANY	SCALE: 1"=30'	SHEET 1 OF 1

JOB NO. 14-0102

ENCLOSURE 3D SURVEY FROM 14-0102. Aisha Real Estate DWG 14-0102.dwg, 8.5x14, 3/6/2014 10:01:13 AM, mreinking, 1:1



**CITY OF ST. JOSEPH  
PLANNING & ZONING DEPARTMENT**  
700 Broad Street  
St. Joseph, MI 49085  
Phone (269)983-1212  
Fax (269) 985-0347  
www.sjcity.com

## **BOUNDARY ADJUSTMENT, LOT CONSOLIDATION AND LAND DIVISION APPLICATION**

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. If additional space is needed, please use additional sheets of paper.

### **Property Information**

Property Address (es): 1404 Lake Blvd

Property Code Number(s) (Tax Number): 11-76-7200-0007-02-0 and 11-76-7200-0007-01-0

Briefly Explain Request: To consolidate our two properties (1404 and 1404 Lake Boulevard) into one property.

### **Applicant Information**

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: Robert and Amy Nolan

Relationship to Property Owner: self

Mailing Address: 1404 Lake Boulevard

City: St. Joseph State: MI Zip Code: 49085

Telephone Number: 253-905-5792 Emergency Number: 253-905-5937

E-mail Address: amelianolan@yahoo.com

Name of Property Owner: Robert and Amy Nolan

Mailing Address: 1404 Lake Boulevard

City: St. Joseph State: MI Zip Code: 49085

Telephone: 253-905-5792 E-mail Address: amelianolan@yahoo.com

Attorney: n/a

Mailing Address: n/a

City: n/a State: n/a Zip Code: n/a

Telephone: n/a E-mail Address: n/a

Land Surveyor and/or Engineer: Abonmarche

Mailing Address: 95 W. MAIN ST

City: Berlin Harbor State: MI Zip Code: 49022

Telephone: 269-926-4564 E-mail Address: mfreehling@abonmarche.com

### Type of Request

☐ Boundary Adjustment (transferring land between two adjacent parcels – no decrease or increase in number of parcels)

☒ XXX Combination (combining two or more parcels to create one parcel)

☐ Land Division (dividing one parcel into two or more parcels).

Total number of existing parcels? 2

Total number of proposed parcels? 1

### Site Information

General description or characteristics of the site: Residential on Bluff

Master Plan Designation: Residential

Existing Zoning and Land Use: R1-A Residential

Proposed Future Land Use: R1-A Residential

Existing land use and zoning of adjacent parcels:

North: r1-a

South: r1-a

East: r1-a

West: OS

Do any of the following situations exist on the parcel?

☐ Beach/Lake ☐ Floodplain ☐ River ☐ Wetlands

☒ Slopes greater than twenty-five percent (25%) (1:4 pitch of 14 degree angle) or steeper

Is the property known or suspected to have existing or abandoned wells, underground storage tanks or contaminated soils? Yes: \_\_\_\_\_ No: x \_\_\_\_\_

Is the property located in any of the following overlay districts found in the Zoning Ordinance?

Downtown Height Overlay District (Section 9.4)? Yes: \_\_\_\_\_ No: x \_\_\_\_\_

Lake Bluff Scenic View Protection Overlay District (Section 9.5)? Yes: \_\_\_\_\_ No: x \_\_\_\_\_

Floodplain Overlay District (Section 9.6)? Yes: \_\_\_\_\_ No: x \_\_\_\_\_

Edgewater Beach Overlay District (Section 9.7)? Yes: \_\_\_\_\_ No: x \_\_\_\_\_

Main Street Corridor Overlay District (Section 9.8)? Yes: \_\_\_\_\_ No: x \_\_\_\_\_

### **Site Access**

How is access gained to the parcels?

☒ Each parcel will have access on an existing public street.

\_\_\_\_\_ Each parcel will have access on a new public street.

\_\_\_\_\_ Each parcel will have access on an existing private street.

\_\_\_\_\_ Each parcel will have access on a new private street.

\_\_\_\_\_ Each parcel will have access to a public street via an existing access easement.

\_\_\_\_\_ Each parcel will have access to a public street via a new access easement.

### **Parent Parcel Information (required for Land Division Requests)**

Beginning on March 31, 1997, list all previous Land Divisions that have taken place on the "Parent Parcel" (include dates, tax numbers, and land area for each division that has occurred:

n/a

Number of existing Land Division allowed for the "Parent Parcel" prior to this application?

n/a

Number of Land Divisions being used by the "Parent Parcel" as part of this application?

n/a

Number of future Land Divisions that might be allowed for the "Parent Parcel" in the future?

n/a

Are any future Land Divisions associated with this "Parent Parcel" being transferred to another parcel (See Section 109(2) of the Statute and make sure deed includes both statements as required in Section 109(3) and 109(4) of the Statute)? Yes: \_\_\_\_\_ No: x \_\_\_\_\_

If yes: Tax Number receiving future Land Divisions: \_\_\_\_\_

### **Additional items to be submitted**

1. Proof of ownership;
2. Legal description and survey of all parcels involved;
3. Sealed, drawn to scale plat of survey which includes all dimensions completed by professional surveyor or engineer with the following:
  - a. Boundary as of March 31, 1997;
  - b. All previous divisions made after March 31, 1997 (indicate when made or none);
  - c. Date, north arrow, scale and name of person or firm responsible for the preparation of the Boundary Adjustment, Lot Consolidation or Land Division plat;
  - d. The proposed new boundaries and dimension of each parcel;
  - e. An accurate parcel map and legal description of each resulting parcel;
  - f. Dimensions and location of existing and proposed road right-of-way or easement rights-of-way (include easement language);
  - g. Dimensions and location of existing and proposed public utility easements (from public right-of-way to each parcel);
  - h. Dimensions and setbacks of all existing buildings (including accessory structures sheds, pools) and driveways;



## BOUNDARY ADJUSTMENT, LOT CONSOLIDATION AND LAND DIVISION APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than twenty (20) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands this is only a parcel division which conveys certain rights under the applicable local land division ordinance and the State Land Division Act (formerly the subdivision control act P.A. 288 of 1967, as amended (particularly by PA. 591 of 1996), MCL 560.101 et. Seq.) and does not include any representation or conveyance of rights in any other statute, building code, zoning ordinance, deed restrictions or other property rights.
- G. The Applicant understands that if the division is approved, a land division does not occur until receipt of a registerable conveyance is supplied to the City of St. Joseph.
- H. The Applicant understands if zoning, local ordinances and State Acts change prior to land divisions being completed (registerable conveyances) the divisions must comply with the new requirements unless surveys representing the approval of the divisions are recorded with the Berrien County Land Division/GIS Department.
- I. The Applicant understands that if the application is approved it is valid for sixty (60) days from the date of issuance and if the proposed Boundary Adjustment, Lot Consolidation or Land Division are not completed during the sixty (60) day time frame, a new application and approval must be obtained.

**DARY ADJUSTMENT. LOT CONSOLIDATION AND LAND DIVISION APPLICATION  
CERTIFICATION, continued (page 2 of 2)**

The Applicant certifies and acknowledges and agrees that:

- J. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the 11 day of July, 2025, I/We have read the above certification, understand it, and agree to abide by its conditions.

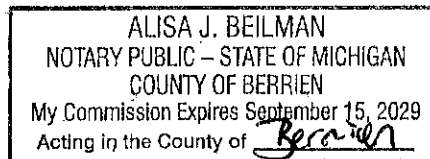
[Signature]  
Signature of Applicant or Authorized Agent

Amy Nolan  
Name of Applicant or Authorized Agent

**SUBSCRIBED AND SWORN**

To before me this 11 day of  
July, 2025

[Signature]  
Notary Public



**OFFICIAL CITY USE:** Date Received: \_\_\_\_\_ Fee: \_\_\_\_\_  
 Completed: Variance Application: \_\_\_\_\_ Site Plan Review Application: \_\_\_\_\_ Other: \_\_\_\_\_

CITY OF ST. JOSEPH  
 700 BROAD ST.  
 ST. JOSEPH, MI 49085  
 Phone : (269) 983-4731  
 www.sjcity.com

Received From:  
 NOLAN, ROBERT-AMELIA  
 1404 LAKE BLVD  
 SAINT JOSEPH MI 49085

Date: 07/11/2025 Time: 9:47:24 AM  
 Posting Date: 07/11/2025  
 Receipt: 1047599 \*\*\* REPRINT \*\*\*  
 Cashier: GB  
 Workstation: Drawer: 1

LAND COMBINATION \$300  
 CC APPEAL \$250  
 1404 LAKE BLVD

ITEM REFERENCE	AMOUNT
CDINV	
00032161	
101-000.000-492.000	\$550.00
TOTAL	\$550.00
CHECK 486	\$550.00
Total Tendered:	\$550.00
Change:	\$0.00



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Kristen Gundersen, Community Development Director

**RE:** 2929 Lakeshore Drive - Clark Logistics Group LVI - Map Amendment C Commercial Business to R-3 Multiple Family Residence District - First Reading

**MEETING DATE:** July 28, 2025

## **Background Information/Request.**

Clark Logistics Group IV, LLC is the applicant and property owner of the 1.57-acre (68,389 square foot) parcel known as 2929 Lakeshore Drive. They are requesting approval of a zoning map amendment (rezoning) from the C Commercial Business District to the R3 Multiple Family Residence District.

In June 2025, the applicant requested approval of a boundary adjustment with the lot lines depicted in the supplemental information included in their application and on the location and zoning maps. The boundary adjustment was administratively approved by staff and recorded by the applicant.

## **Planning Commission Recommendation.**

On July 9, 2025, the Planning Commission conducted a public hearing and heard a presentation by the applicant requesting approval of a map amendment for the property from C Commercial Business District to R-3 Multiple Family Residence District. Three property owners, who also submitted written comments, spoke against the request. Concerns heard included: increased pedestrian and vehicular traffic where there is poor visibility on Lakeshore Drive with high traffic volumes; poor maintenance of the existing property owned by the applicant; increased density of housing; concern that property values will decrease; additional noise and garbage and debris blows from adjacent properties and change in quality of life.

After closing the public hearing, Commissioners asked questions of the neighbors before the Planning Commission recommended approval of the request by a vote of 5-1 for the 1.57-acre parcel. The Planning Commission concluded the request is consistent with the 2016 Master Plan, the property immediately to the south is located in the R3 Multiple-Family Residence District and improved with apartments, there is a need for additional housing throughout the country and no building permits will be issued until the development complies with all adopted regulations. Attached is an excerpt from the agenda packet along with draft meeting minutes and written letters distributed at the meeting.

## **Site Information/Character of the Area.**

The parcel is approximately 1.57-acres or 68,389 square feet and is located in the C Commercial Business District. The property is partially improved with surface parking lot.

The 2016 Master Plan depicts the area on the east side of Lakeshore Drive north of Hilltop Road as Commercial, Residential, Parks and Open Space and Neighborhood Mixed Use. The Future Lands Use Map states "the map is not intended to be used to identify future land use on a parcel-by-parcel basis, but

rather to identify districts that may evolve within the City. All rezoning requests must be considered on a case-by-case basis and in accordance with the rezoning process.” The Master Plan states “the intent of the Neighborhood Mixed Use District is to provide a mix of residential and commercial uses. Developments may include a mix of housing types including multiple-family units, and a variety of retail service and office uses.” In addition, within Chapter 3: Goals, Objectives and Actions under “economic development” there is a goal and action items associated with housing within the city limits.

In 2006 the City Commission approved a special use permit allowing a planned unit development for a 4-story commercial building with retail uses on the ground floor and 24 dwelling units on floors 2 through 4 along with surface parking on a property located in the I-1 Light Industrial District. No construction took place within the required three-year construction start time as required per the approval.

The properties to the west are located in the OS Open Space District and is vacant. To the north and east is a single-parcel located in the C Commercial Business District which is owned by the applicant and improved with a large commercial building with a street address on Hilltop Road it includes a 50’ wide area that provides access to Lakeshore Drive located on the north side of the parcel in question. Immediately the south is a three-building apartment complex in the R3 Multiple Family Residence District.

**Staff Comments (based on request for map amendment only).**

City staff has reviewed the application packet and offers the following comments:

**Engineering Department:** Has reviewed the request and has no engineering related concerns associated with the proposed map amendment. Any future development of the parcel will need to comply with the applicable rules and regulations. The Michigan Department of Transportation (MDOT) is the permitting agency for any future driveways/access management off of Lakeshore Drive.

**Public Services Department:** Has reviewed the request and has no concerns.

**Public Works Department:** Has reviewed the request and has no concerns.

**Inspection Department:** Has reviewed the request and has no issues. Any future development of the property shall meet the 2021 Michigan Building Code.

**Community Development - Planning and Zoning:** The request is in keeping with the 2016 Master Plan - Future Land Use Map which shows this area as being a mixture of “Commercial, Residential, Parks and Open Space and Neighborhood Mixed Use.” The property immediately to the south is zoned R3 and improved with a multiple family three-building apartment complex.

**Ordinance Regulations.**

Article XXII Amendments provides the purpose, process and review criteria to be reviewed when a zoning map change or text amendment is proposed. The Planning Commission nor the City Commission can request conditions can be placed on zoning map amendment/rezoning requests.

Below is Section 22.3: Factors to Consider on Rezoning, states “In reviewing any application for an amendment, the Planning Commission shall evaluate all factors relevant to the application. The Planning Commission may solicit information from public agencies or from individuals or firms with relevant experience. The factors to be considered shall include, but are not limited to, the following:

- A. What conditions related to the application have changed since the Zoning Ordinance was adopted which justify the proposed amendment?
- B. What are the possible precedential effects which might result from the approval or denial of the application?
- C. What is the potential impact of the proposal on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future?



- D. Does the proposed amendment adversely affect environmental conditions, the character of, or the likely value of property?
- E. Does the proposed District change comply with the adopted City Comprehensive Plan? (If not, and if the proposed amendment is reasonable in light of all other relevant factors, then the Comprehensive Plan should be amended before the proposed zoning amendment is approved.)
- F. If a specific property is involved, can the property in question be put to a reasonable economic Use in the zoning District in which it is presently located?
- G. Is another procedure, such as a Variance, Special Use, Planned Unit Development, or hardship Planned Unit Development a more appropriate alternative than the proposed amendment?"

The City Commission is not required to conduct a public hearing on requests for map or text amendments. A first and second reading of an adopting ordinance is required. If the Commission approves the first reading at the meeting, the second and final reading will take place during the August 11 meeting and would become effective ten (10) days later.

**Requested Action:**

If the City Commission concurs with the Planning Commission's recommendation, the following motion would be appropriate:

To approve the first reading of an Ordinance to approve a zoning map amendment (rezoning) request by Clark Logistics Group IV, LLC for the property known as 2929 Lakeshore Drive from the C Commercial Business District to R3 Multiple-Family Residence District based on the information included in the July 9, 2025 Planning Commission as the request meets the required standards under Section 22.3 of the zoning ordinance.

**ATTACHMENTS:**

- Draft Excerpt 07092025 Planning Commission Meeting Minutes - 2929 Lakeshore Drive (PDF)
- Excerpt - July 9 2025 PC Packet - 2929 Lakeshore Drive (PDF)
- Written Comments Distributed at 07092025 PC Meeting - 2929 Lakeshore Drive (PDF)

**2929 LAKESHORE DRIVE - CLARK LOGISTICS GROUP LVI - MAP  
AMENDMENT C COMMERCIAL BUSINESS TO R-3 MULTIPLE FAMILY  
RESIDENCE DISTRICT - FIRST READING**

**CITY OF ST. JOSEPH  
BERRIEN COUNTY, MICHIGAN**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
THE CITY OF ST. JOSEPH, MICHIGAN**

The CITY OF ST. JOSEPH ORDAINS that Chapter 33, Appendix A, “Zoning Ordinance,” of the City of St. Joseph Code of Ordinances, is hereby amended as follows:

Article IV, Section 4.2.2 “Zoning Map of the City of St. Joseph” is amended in accordance with Art. IV, Sections 4.2.2.B and C, to rezone from C Commercial Office District to R3 Multiple Family Residence District the property having a common address of 2929 Lakeshore Drive, St. Joseph, MI, Tax ID Number 11-76-0034-0081-07-1 except for the northerly 50’, and the westerly 20’ wide by 303’ long section of the adjacent parcel having a common address of 211 Hilltop Rd., St. Joseph, MI, Tax ID Number 11-76-0034-0081-09-7.

All other parts of the Zoning Ordinance not in conflict with this ordinance shall remain in full force and effect. This ordinance shall take effect 10 days after its final passage.

Minutes of the St. Joseph Planning Commission Meeting held Commission Chambers, 700 Broad Street, St Joseph, MI 49085 on July 9, 2025.

## Call to Order

DRAFT

The meeting was called to order at 4:30 PM by Chair Patsy Hartzell

Attendee Name	Title	Status	Arrived
Patsy Hartzell	Chair	Present	
Kathy Burczak	Commissioner	Present	
Sean Ebbert	Commissioner	Present	
Aaron Miller	Commissioner	Absent	
Becky Rice	Commissioner	Absent	
Anthony Uhrick	Commissioner	Present	
Dustin Tefs	Commissioner	Absent	
Pam Porter	Commissioner	Present	
Michael Plichta	Commissioner	Present	
Kristen Gundersen	Community Development Director	Present	
Laurie Schmidt	City Attorney	Present	
Trudy Wilder	Building Inspector	Present	

**Zoom Webinar ID 831 7515 6929 at [www.zoom.us](http://www.zoom.us) This meeting will be held in person.**

**Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.**

## Announcement - 520 State/515 Market Streets and Resignation of Dustin Tefs

Chair Hartzell stated that the public hearing scheduled for today regarding a request at 520 State Street/515 Market Street will not be heard as there will be no quorum. There are six members present and two of them will be recusing themselves from the discussion leaving four members present and five is required for a quorum. City staff has stated the request will be republished and notice provided of the new date on Thursday, August 7, 2025.

Chair Hartzell announced that Dustin Tefs has resigned from the Planning Commission effective immediately.

## Approval of June 5, 2025 Meeting Minutes

- Regular Minutes of Thursday, June 05, 2025

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sean Ebbert, Commissioner
<b>SECONDER:</b>	Anthony Uhrick, Commissioner
<b>AYES:</b>	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Uhrick, Commissioner Porter, Commissioner Plichta
<b>ABSENT:</b>	Commissioner Miller, Commissioner Rice, Commissioner Tefs

## New Business

- 608 Pleasant Street - JRP Connect LLC (Ben's Soft Pretzels) - Sign Modification to allow additional wall/awning sign

Chair Hartzell stated the first request is for a sign modification at 608 Pleasant Street to allow a third wall/awning sign on the tenant space.

Patrick Weckel, one of the managing partners of JRP Connect LLC who will be operating a Ben's Soft Pretzels location at 608 Pleasant Street. They are planning on installing an awning running

the length of the tenant space facing Pleasant Street. The business name and logo will face Pleasant Street with two logos proposed on the ends of the awning facing Main and State Streets. The logo is approximately 3.24 square feet in size. The total of all of the signage is below the maximum square footage allowed.

Mr. Uhrick questioned if the three windows on the building are part of the tenant space.

Mr. Weckel stated the awning will be located above the three windows that are associated with the tenant space.

Chair Hartzell stated the logo's will be located on each end of the awning facing the two north/south streets.

Mr. Ebbert stated he believes the request is consistent with the requirements for a sign modification because the business is located on a side street and the logos should help people to see the business from either Main or State Streets.

Ms. Burczak stated the size and scale of the logo is appropriate for the ends of the awning facing the north/south streets.

Chair Hartzell stated the signage on the ends will help to call attention to the business.

Chair Hartzell stated this request does not require a public hearing and no other audience members asked to speak on this request.

Ms. Burczak moved approve a request JRP Connect LLC (Ben's Soft Pretzels) located at 608 Pleasant Street for a Sign Modification from Section 25-13 Table 25-1 25-1 Wall Signs in the D Downtown District from 2 to 3 wall signs as allowed under Section 25-33(2)b.3 to increase by no more than one sign the maximum number of signs or sign types otherwise allowed based on the drawings included in the July 9, 2025 Planning Commission packet as the requests meet the factors as found in Section 25-33(1)b and 25-33(2)c of the Sign Ordinance as stated in the findings.

Ms. Porter seconded the motion.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Kathy Burczak, Commissioner
<b>SECONDER:</b>	Pam Porter, Commissioner
<b>AYES:</b>	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Uhrick, Commissioner Porter, Commissioner Plichta
<b>ABSENT:</b>	Commissioner Miller, Commissioner Rice, Commissioner Tefs

3. **Public Hearing - 2929 Lakeshore Drive - Clark Logistics Group LVI, LLC - Map Amendment C Commercial Business District to R-3 Multiple Family Residence District**

Chair Hartzell opened the public hearing for 2929 Lakeshore Drive, a map amendment from C Commercial Business to the R3 Multiple Family Residence District at 4:40 pm.

**DRAFT**

Tim Monahan, representative for Clark Logistics Group IV LLC stated the company has over one million square feet of industrial and commercial space in the area. They acquired the property at 211 Hilltop which includes this parcel known as 2929 Lakeshore Drive and have been working with Cornerstone Alliance regarding adding additional housing units to the area. This property previously had a planned unit development that was not constructed and the approvals have lapsed.

Mr. Uhrick questioned the recent boundary adjustment.

Mr. Monahan stated the driveway along the north side of the property and south of the residentially zoned properties was previously part of 2929, however, to maintain access to the street to the north side of the building, the boundary adjustment moved the land to the larger parcel known as 211 Hilltop. In addition, there was a north/south area from 211 Hilltop that was added to the 2929 parcel to create a straight lot line and maintain square footage.

Meera White, property owner to the north stated she has safety concerns about the proposed change of use. There is poor visibility, high traffic volumes and low visibility in this area of Lakeshore Drive because of the road curving and the bridge for the train. An increase in residential density will lead to increase in accidents. Other concerns include a decrease in property values and privacy, increase in noise, and the existing property owned by the applicant is not well maintained.

Ms. White stated that if approved, the applicant should be required to provide a 10' privacy fence, however, she requests the proposed rezoning be denied as there are many unresolved risks.

Jennifer Fields, property owner to the north stated she submitted written comments and photographs of the area. Three dwellings use a shared driveway which can be difficult to exit out onto Lakeshore Drive due to traffic. Ms. Fields stated that Clark Logistics is not a residential developer and that in the past she has had issues with people trespassing on her property from Lakeshore Drive and the railroad tracks to the east.

Mike Harmon, property owner to the north stated it is difficult to exit the properties because people do not follow the posted 35-mile speed limit along with being on the curve. Noise is heard from the apartment complexes in the area and garbage does overflow and blow around. This portion of Lakeshore Drive does not have any sidewalks and it appears that guests from the Holiday Inn to the south walk to the Sand Bar to the north. If approved he believes the site lines will be difficult to see and he agrees with the comments his neighbors stated.

DRAFT

Greg King, Economic Development Director for Cornerstone Alliance stated they work with 300 employers of which 40% are within a 10-mile radius of this site. When visiting to learn how to help them expand, one of the largest concerns heard is housing. It is hard to attract new large development when there is no available housing. Reports have been completed that housing is an issue. It is estimated that 50 dwelling units creates 2.75 million in spending dollars. Mr. King stated the request is consistent with the 2016 Master Plan along with 2024 study which states 525 rental units are needed which were approved by this commission.

Mr. Ebbert stated the Planning Commission took no formal action on the Cornerstone Alliance housing study.

Chair Hartzell closed the public hearing at 4:53 pm after no other audience members asked to speak on this request.

Mr. Uhrick stated he understands the concerns expressed by the neighbors and asked for additional information on how the parking lot is more desirable than a housing project and how the railroad is an issue for the request.



Ms. White stated they are concerned about increase in vehicular and pedestrian foot traffic especially when there are no sidewalks, there is a lack of privacy with the railroad to the east of our properties and there are issues with trash especially when it blows around.

Mr. Uhrick questioned Ms. White if a parking lot is more acceptable.

Ms. White stated the parking lot is not used very much.

Ms. Burczak stated that the zoning ordinance requires additional building setbacks based on the height of a multiple family building.

Ms. Gundersen clarified that the additional building setback is when abutting properties are in the R1 Districts or properties improved with dwellings. The property at 2929 does not abut an R1 District or residential use other than the multiple-family buildings to the south.

Ms. Burczak stated developing the property with a commercial use could be more impactful than the proposed multiple family options.

Mr. Uhrick questioned how many dwellings could be constructed on the property.

Ms. Gundersen stated the zoning ordinance does not have dwelling units per acre maximum. The applicant may have additional information.

Mr. Monahan stated the number of dwelling units has not been determined. The number of units is usually dictated by size of dwelling, on-site parking and building setbacks along with bedroom mix.

Ms. Burczak questioned the blue lines found on packet page 27.

DRAFT

Mr. Monahan stated the existing driveway and curb cut to the north of the property was part of the boundary adjustment and provides vehicular access to the north side of the building at 211 Hilltop Road.

Ms. Burczak asked why the boundary adjustment was not along the south lot line.

Mr. Monahan stated the need for vehicular access along the north side of the building.

Mr. Ebbert stated the request is consistent with the 2106 Master Plan and multiple family zoning is less invasive than commercial zoning.

Ms. Burczak stated she could support the request if the northerly 50 feet was also rezoned to R3.

Ms. Gundersen stated the legal notice did not include the northerly 50 feet as it was part of a boundary adjustment.

Chair Hartzell stated she hears a lot about the housing shortage and need to provide more housing options.

Mr. Ebbert moved to recommend approval of the proposed zoning map amendment (rezoning) request by Clark Logistics Group IV, LLC for the property known as 2929 Lakeshore Drive from the C Commercial Business District to R3 Multiple-Family Residence District based on the

information included in the July 9, 2025 Planning Commission as the request meets the required standards under Section 22.3 of the zoning ordinance.

Mr. Uhrick seconded.

DRAFT

Ms. Gundersen stated this item will be on the July 28<sup>th</sup> City Commission agenda.

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Sean Ebbert, Commissioner
<b>SECONDER:</b>	Anthony Uhrick, Commissioner
<b>AYES:</b>	Chair Hartzell, Commissioner Ebbert, Commissioner Uhrick, Commissioner Porter, Commissioner Plichta
<b>NAYS:</b>	Commissioner Burczak
<b>ABSENT:</b>	Commissioner Miller, Commissioner Rice, Commissioner Tefs

4. Public Hearing - 1234 Napier Avenue - Lakeland Hospitals at Niles and St. Joseph Inc - Planned Unit Development - third amendment - Allow irregularly shaped 2-story building addition being less than 3,000 square feet between Laboratory and Emergency Department Areas on south side of building

Chair Hartzell opened the public hearing for 1234 Napier Avenue, third amendment to the planned unit development at 5:12 pm.

Phil Cooper, representing the applicant commonly known as Corewell Health stated they are requesting to amend the 2016 Planned Unit Development to allow a niche area to be built out on the southside of the hospital building that is located in the R1-A Single-Family Residence District.

Mr. Cooper stated the crevasse build-out area will be approximately 102' from the south lot line and will consist of a two-story addition with each floor being less than 1,500 square feet in size. The small building expansion would allow behavioral services to occupy one floor with patients having private rooms. The area adjacent to the proposed expansion is from 1980 and allows for chair occupancy and there is need for private rooms.

Ms. Burczak questioned why the gap area needs to be filled in.

Mr. Cooper stated currently behavioral services is on two floors, this will help to make the unit function better with staff having visibility down the hallway. The existing hallways are very narrow which can make it difficult to move patients.

Chair Hartzell stated the Planning Commission had received two letters from Ms. Ludwig and from Mr. LaFerle both expressing concern.

Chair Hartzell closed the public hearing at 5:18pm after no other audience members asked to speak on this request.

Mr. Ebbert stated that Ms. Ludwig is expressing concern regarding the helistop which is existing on the property and not being modified, he is aware from his residence the approach for helicopters did change a little. The second letter expresses concern about the expansion of the building being closer to the south lot line, the building addition is located with a niche area and will not encroach closer to the south lot line that the existing buildings in this area.



St. Joseph Planning Commission  
Commission Chambers  
700 Broad Street, St Joseph, MI 49085

**AGENDA**  
**July 9, 2025**  
**4:30 PM**

**Call to Order**

**Zoom Webinar ID 831 7515 6929 at [www.zoom.us](http://www.zoom.us) This meeting will be held in person. Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.**

**Approval of June 5, 2025 Meeting Minutes**

1. Regular Minutes of Thursday, June 05, 2025

**New Business**

2. 608 Pleasant Street - JRP Connect LLC (Ben's Soft Pretzels) - Sign Modification to allow additional wall/awning sign
3. Public Hearing - 2929 Lakeshore Drive - Clark Logistics Group LVI, LLC - Map Amendment C Commercial Business District to R-3 Multiple Family Residence District
4. Public Hearing - 1234 Napier Avenue - Lakeland Hospitals at Niles and St. Joseph Inc - Planned Unit Development - third amendment - Allow irregularly shaped 2-story building addition being less than 3,000 square feet between Laboratory and Emergency Department Areas on south side of building
5. Public Hearing - 520 State and 515 Market Streets - Market & State LLC - Special Use for 8 Short-term Rental Units in the R3 Multiple Family Residence District when adjacent to a Residential District or Use

**Old Business**

**Public Comments**

**Commissioner Comments**

**Adjournment**



# Agenda Item

**TO:** Planning Commission

**FROM:** Kristen Gundersen, Community Development Director

**RE:** Public Hearing - 2929 Lakeshore Drive - Clark Logistics Group LVI, LLC - Map Amendment C Commercial Business District to R-3 Multiple Family Residence District

**MEETING DATE:** July 9, 2025

## **Background Information/Request.**

Clark Logistics Group IV, LLC is the applicant and property owner of the 1.57-acre (68,389 square foot) parcel known as 2929 Lakeshore Drive. They are requesting approval of a zoning map amendment (rezoning) from the C Commercial Business District to the R3 Multiple Family Residence District.

During June 2025, the applicant requested approval of a boundary adjustment with the lot lines depicted in the supplemental information included in their application and on the location and zoning maps. The boundary adjustment was administratively approved by staff and recorded by the applicant.

## **Site Information/Character of the Area.**

The parcel is approximately 1.57-acres or 68,389 square feet and are located in the C Commercial Business District. The property is partially improved with surface parking lot.

The 2016 Master Plan depicts the area on the east side of Lakeshore Drive north of Hilltop Road as Commercial, Residential, Parks and Open Space and Neighborhood Mixed Use. The Future Lands Use Map states “the map is not intended to be used to identify future land use on a parcel-by-parcel basis, but rather to identify districts that may evolve within the City. All rezoning requests must be considered on a case-by-case basis and in accordance with the rezoning process.” The Master Plan states “the intent of the Neighborhood Mixed Use District is to provide a mix of residential and commercial uses. Developments may include a mix of housing types including multiple-family units, and a variety of retail service and office uses.” In addition, within Chapter 3: Goals, Objectives and Actions under “economic development” there is a goal and action items associated with housing within the city limits.

In 2006 the City Commission approved a special use permit allowing a planned unit development for a 4-story commercial building with retail uses on the ground floor and 24 dwelling units on floors 2 through 4 along with surface parking on a property located in the I-1 Light Industrial District. No construction took place within the required three-year construction start time as required per the approval.

The properties to the west are located in the OS Open Space District and is vacant. To the north and east is a single-parcel located in the C Commercial Business District which is owned by the applicant and improved with a large commercial building with a street address on Hilltop Road it includes a 50’ wide area that provides access to Lakeshore Drive located on the north side of the parcel in question.

Immediately the south is a three-building apartment complex in the R3 Multiple Family Residence District.

In 2024 Cornerstone Alliance completed the 2024 Benton Harbor-St. Joseph Housing Market Analysis which stated an additional 525 rental occupied units and 375 owner occupied units were need between 2024 and 2028 in St. Joseph.

Staff Comments (based on request for map amendment only).

City staff has reviewed the application packet and offers the following comments:

**Engineering Department:** Has reviewed the request and has no engineering related concerns associated with the proposed map amendment. Any future development of the parcel will need to comply with the applicable rules and regulations. The Michigan Department of Transportation (MDOT) are the permitting agency for any future driveways/access management off of Lakeshore Drive.

**Public Services Department:** Has reviewed the request and has no concerns regarding the request.

**Public Works Department:** Has reviewed the request and has no concerns.

**Inspection Department:** Has reviewed the request and has no issues. Any future development of the property shall meet the 2021 Michigan Building Code.

**Community Development - Planning and Zoning:** The request is in keeping with the 2016 Master Plan - Future Land Use Map which shows this area as being a mixture of “Commercial, Residential, Parks and Open Space and Neighborhood Mixed Use.” The property immediately to the south is zoned R3 and improved with a multiple family three-building apartment complex.

Site Requirements.

Article V of the Zoning Ordinance provides the Schedule of District Regulations. Table 5-1 - Schedule of District Regulations states the lot requirements along with the setbacks for the principal structure. Below is information regarding Table 5-1 Schedule of District Regulations and the R3 Multiple Family Residence District:

	<u>D District</u>	<u>Proposed/Existing</u>
Min. Lot Size:	N/A	apx. 1.57-acres or 68,389 sf
Min. Lot Width:	N/A	apx. 236'
Min. Lot Depth:	N/A	ranges between 158' and 264'
Max. Building Height:	60'	To be determined
Min. Front Setback:	25'	To be determined
Min. Side Setback:	10	To be determined
Min. Rear Setback:	25'	To be determined
Max. Lot Coverage	50%	To be determined
Min. Floor Living Area	400 sf	To be determined
Required Parking (Table 18-1)	1.25 spaces/dwelling unit	To be determined

City staff is able to review and approve site plans that meet the requirements of the Zoning Ordinance. No additional action is required by the Planning Commission if the rezoning/map amendment is approved.

Ordinance Regulations.

Article XXII Amendments provides the purpose, process and review criteria to be reviewed when a zoning map change or text amendment is proposed. The Planning Commission nor the City Commission can request conditions can be placed on zoning map amendment/rezoning requests.

Below is Section 22.3: Factors to Consider on Rezoning, states “In reviewing any application for an amendment, the Planning Commission shall evaluate all factors relevant to the application. The Planning



Commission may solicit information from public agencies or from individuals or firms with relevant experience. The factors to be considered shall include, but are not limited to, the following:

- A. What conditions related to the application have changed since the Zoning Ordinance was adopted which justify the proposed amendment?
- B. What are the possible precedential effects which might result from the approval or denial of the application?
- C. What is the potential impact of the proposal on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future?
- D. Does the proposed amendment adversely affect environmental conditions, the character of, or the likely value of property?
- E. Does the proposed District change comply with the adopted City Comprehensive Plan? (If not, and if the proposed amendment is reasonable in light of all other relevant factors, then the Comprehensive Plan should be amended before the proposed zoning amendment is approved.)
- F. If a specific property is involved, can the property in question be put to a reasonable economic Use in the zoning District in which it is presently located?
- G. Is another procedure, such as a Variance, Special Use, Planned Unit Development, or hardship Planned Unit Development a more appropriate alternative than the proposed amendment?"

**Action.**

Conduct a public hearing. The public hearing notice appeared in the Herald Palladium on June 21, 2025 and the 300' notices were sent to property owners and tenants on June 20, 2025. No written comment that had been received as of Tuesday, July 1, 2025.

Consider the request as presented and review the criteria found in Section 22.3: Factors to Consider on Rezoning (the 7 criteria are listed above). The Planning Commission has the following options:

- Recommend approval of the Zoning Map Amendment (rezoning) request at 2929 Lakeshore Drive as submitted.

*"...move to recommend approval of the proposed zoning map amendment (rezoning) request by Clark Logistics Group IV, LLC for the property known as 2929 Lakeshore Drive from the C Commercial Business District to R3 Multiple-Family Residence District based on the information included in the July 9, 2025 Planning Commission as the request meets the required standards under Section 22.3 of the zoning ordinance."*

- Recommend denial of the Zoning Map Amendment (rezoning) request.

*"...move to recommend denial of the proposed zoning map amendment (rezoning) request by Clark Logistics Group IV, LLC for the property known as 2929 Lakeshore Drive from the C Commercial Business District to R3 Multiple-Family Residence District based on the information included in the July 9, 2025 Planning Commission as the request does not meet the required standards under Section 22.3 of the zoning ordinance for the following reasons ..."*

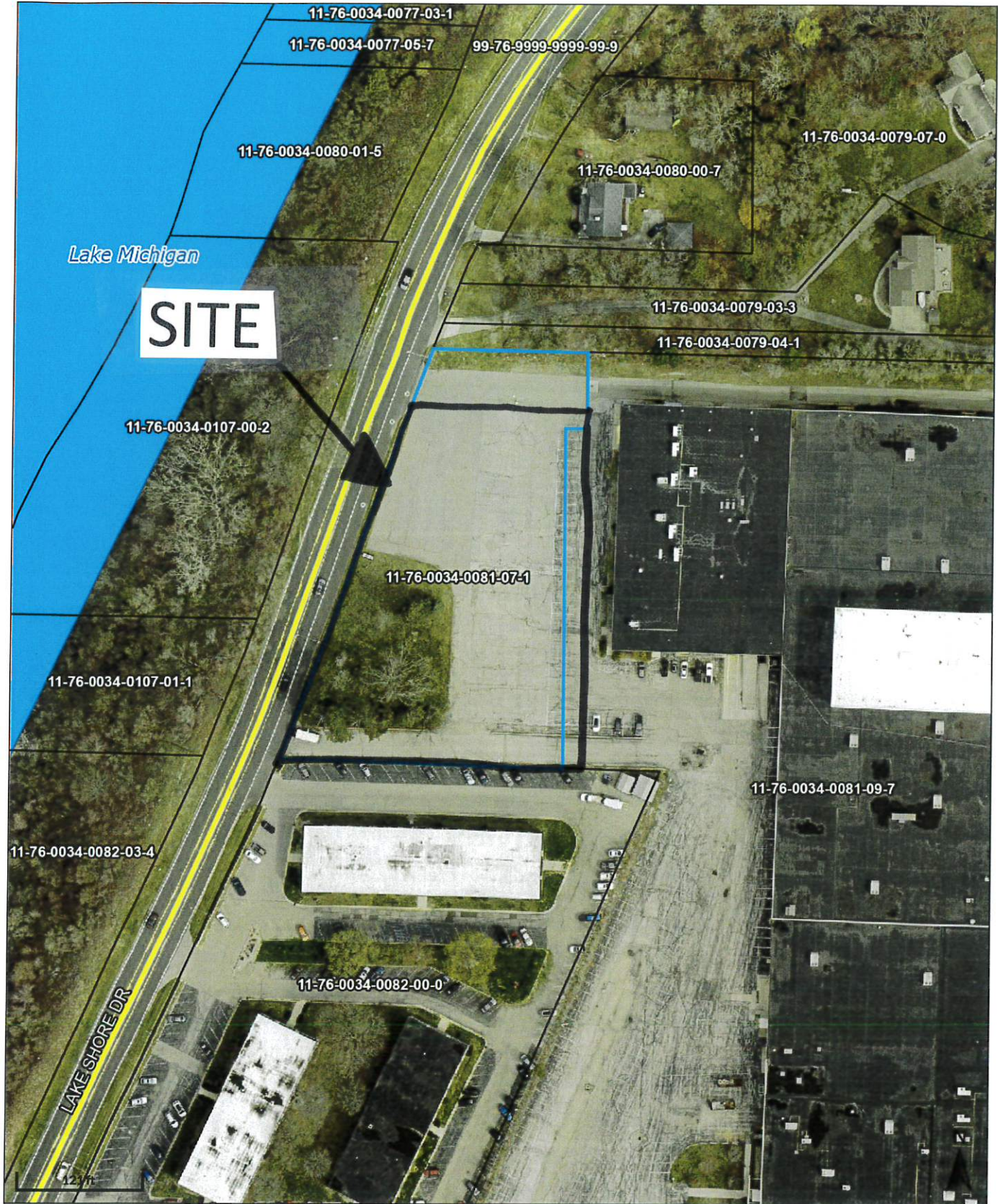
- Continue the discussion to the next meeting to obtain additional information.  
*"...to postpone further discussion until August 7, 2025 to obtain additional information."*

**ATTACHMENTS:**

- Location Map -2929 Lakeshore Drive (PDF)
- Zoning Map -2929 Lakeshore Drive (PDF)
- Photographs - 2929 Lakeshore Drive (PDF)
- Future Land Use Map - 2016 Master Plan (PDF)
- Application - 2929 Lakeshore Drive with supplemental information (PDF)

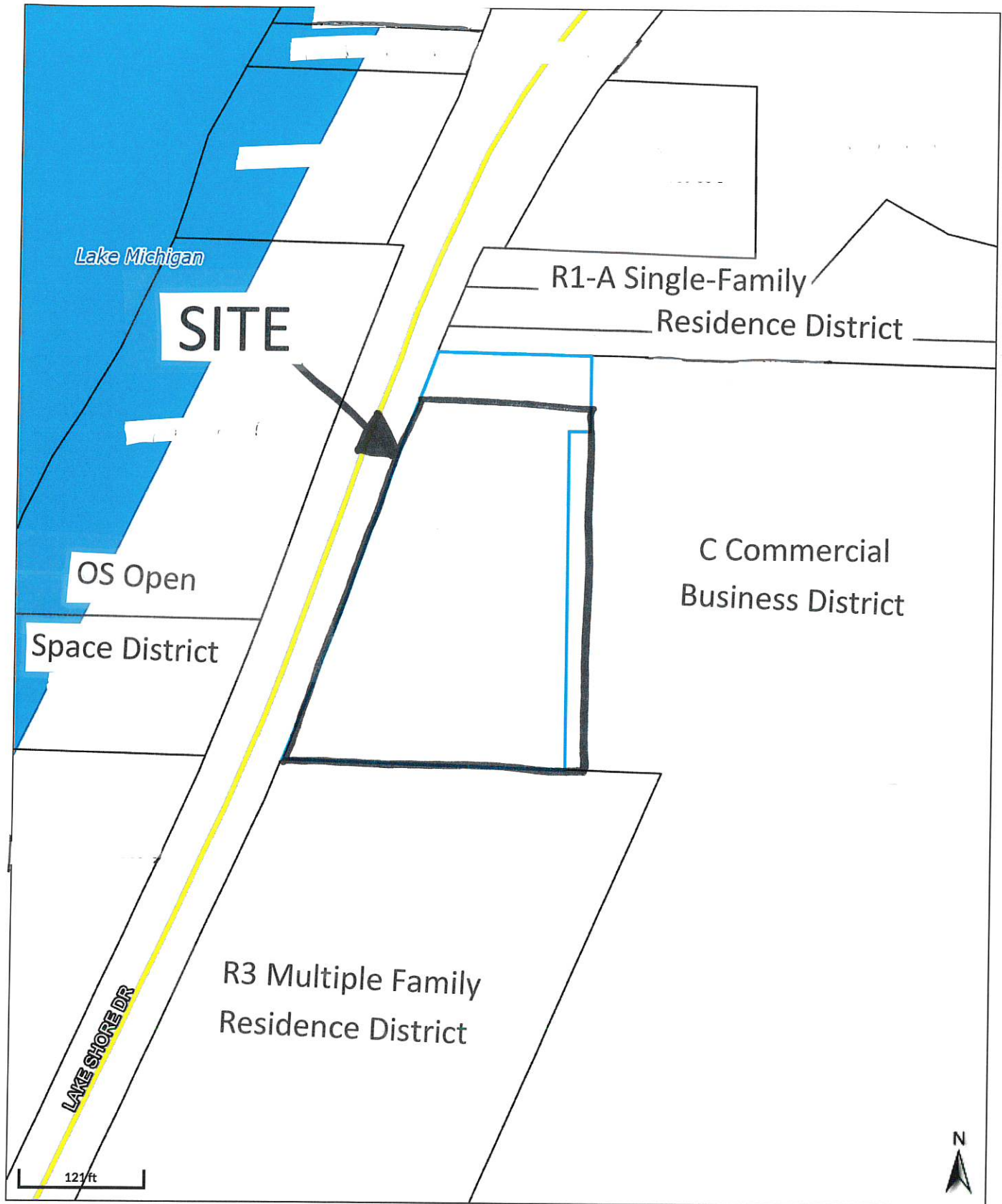


# Location Map - 2929 Lakeshore Drive





## Zoning Map - 2929 Lakeshore Drive





## 2929 Lakeshore Drive

View looking southeast from Lakeshore Drive.

View looking east from Lakeshore Drive.

View looking east from Lakeshore Drive.

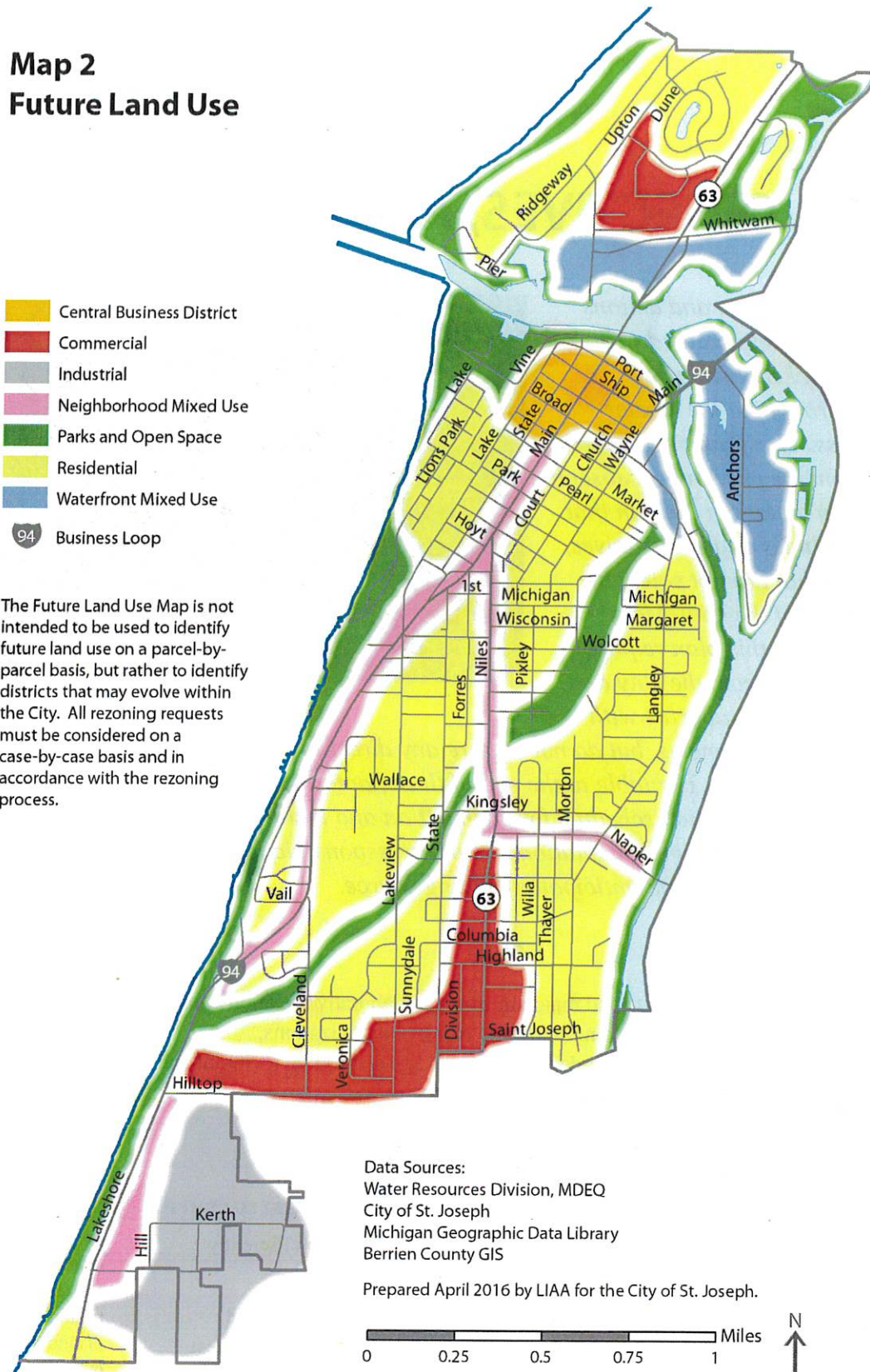
View looking northeast from Lakeshore Drive.



## Map 2 Future Land Use

- Central Business District
- Commercial
- Industrial
- Neighborhood Mixed Use
- Parks and Open Space
- Residential
- Waterfront Mixed Use
- 94 Business Loop

The Future Land Use Map is not intended to be used to identify future land use on a parcel-by-parcel basis, but rather to identify districts that may evolve within the City. All rezoning requests must be considered on a case-by-case basis and in accordance with the rezoning process.





CITY OF ST. JOSEPH  
 PLANNING & ZONING DEPARTMENT  
 700 Broad Street  
 St. Joseph, MI 49085  
 Phone (269)983-1212  
 Fax (269) 985-0347  
 www.sjcity.com

## **MAP AMENDMENT (REZONING) APPLICATION**

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. All required materials must be received by the City and determined to be complete no less than 24 calendar days prior to the next Planning Commission meeting. If additional space is needed, please use additional sheets of paper.

### **Property Information**

Property Address: Lake Shore Dr Saint Joseph, MI 49085 2929

Project Name: Map Amendment Rezone Application

Property Code Number (Tax Number): 11-76-0034-0081-07-1

Briefly Explain Request: Rezone from C (Commercial Business District) to R3 (Multiple Family Residence District)

Applicable Section of Zoning Code for Request: Section 22.3

Previous Approvals Granted to Property: Previously Lakeview Condominiums APX 20/0

### **Applicant Information**

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: Tim Monahan - Clark Logistics Group LVI LLC

Relationship to Property Owner: Owner - Director of Development

Mailing Address: 3700 E. Milham Avenue - Suite A

City: Portage State: Mi Zip Code: 49002

Telephone Number: 269-279-7405 Emergency Number: \_\_\_\_\_

E-mail Address: tim@clarklogic.com

**Name of Property Owner:** Clark Logistics Group LVI LLC

Mailing Address: 3700 E. Milham Avenue - Suite A

City: Portage State: MI Zip Code: 49002

Telephone Number: 269-279-7405 Emergency Number: \_\_\_\_\_

E-mail Address: tim@clarklogic.com

**Attorney:** \_\_\_\_\_

Relationship to Property Owner: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

**Engineer and/or Architect:** AR Engineering

Relationship to Property Owner: Contractor

Mailing Address: 5725 Venture Park Dr A

City: Kalamazoo State: MI Zip Code: 49009

Telephone Number: (269) 250-5991 E-mail Address: thom@arengineeringllc.com

**Site Information**

General description or characteristics of the site: Empty parcel with parking lot

Master Plan Designation: Residential

Existing Zoning and Land Use: C Commercial Business District

Proposed Zoning and Land Use: R3 Apartments

Existing square footage of property: 69260.4

Proposed square footage of property: 69260.4

Existing square footage of all buildings on the property: 0

Proposed square footage of all buildings on the property: \_\_\_\_\_

Is the property located in any of the following overlay districts?

Downtown Height Overlay District (Section 9.4)?	Yes: _____	No: <u>No</u>
Lake Bluff Scenic View Protection Overlay District (Section 9.5)?	Yes: _____	No: <u>No</u>
Floodplain Overlay District (Section 9.6)?	Yes: _____	No: <u>No</u>
Edgewater Beach Overlay District (Section 9.7)?	Yes: _____	No: <u>No</u>
Main Street Corridor Overlay District (Section 9.8)?	Yes: _____	No: <u>No</u>

Existing land use and zoning of adjacent parcels:

North: R1-A 30'

South: R3 (Multiple Family Residence District)

East: C (Commercial Business District)

West: OS (Open Space)

### **Special Use Permit General Standards**

If needed use additional sheets of paper to respond to Standards.

**SECTION 22.3 FACTORS TO CONSIDER ON REZONINGS.** In reviewing any application for an amendment, the Planning Commission shall evaluate all factors relevant to the application. The Planning Commission may solicit information from public agencies or from individuals or firms with relevant experience. The factors to be considered shall include, but are not limited to, the following:

- A. What conditions related to the application have changed since the Zoning Ordinance was adopted which justify the proposed amendment?

The Master Plan shows intent for Residential. The Property to the south is also R3.

- B. What are the possible precedential effects which might result from the approval or denial of the application?

The Property to the South is already R3.

- C. What is the potential impact of the proposal on the ability of the City and other governmental agencies to provide adequate public services and facilities, and/or programs that might reasonably be required in the future?

Existing public services and facilities would support this proposal and the impact would not cause deficiencies.

- D. Does the proposed amendment adversely affect environmental conditions, the character of, or the likely value of property?

We believe the proposed amendment would have a positive impact on the community and improve the housing options.

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- E. Does the proposed District change comply with the adopted City Comprehensive Plan? (If not, and if the proposed amendment is reasonable in light of all other relevant factors, then the Comprehensive Plan should be amended before the proposed zoning amendment is approved.)

Yes

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- F. If a specific property is involved, can the property in question be put to a reasonable economic Use in the zoning District in which it is presently located?

Yes

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- G. Is another procedure, such as a Variance, Special Use, Planned Unit Development, or hardship Planned Unit Development a more appropriate alternative than the proposed amendment?

No

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## MAP AMENDMENT (REZONING) APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application which may include, but is not limited to, a traffic study if required by the Planning Commission or City Commission;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten (10) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

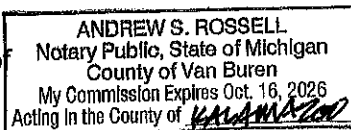
On the 3, day of June, 2025, I/We have read the above certification, understand it, and agree to abide by its conditions.

  
Signature of Applicant or Authorized Agent

Timothy S. Monahan  
Name of Applicant or Authorized Agent

### SUBSCRIBED AND SWORN

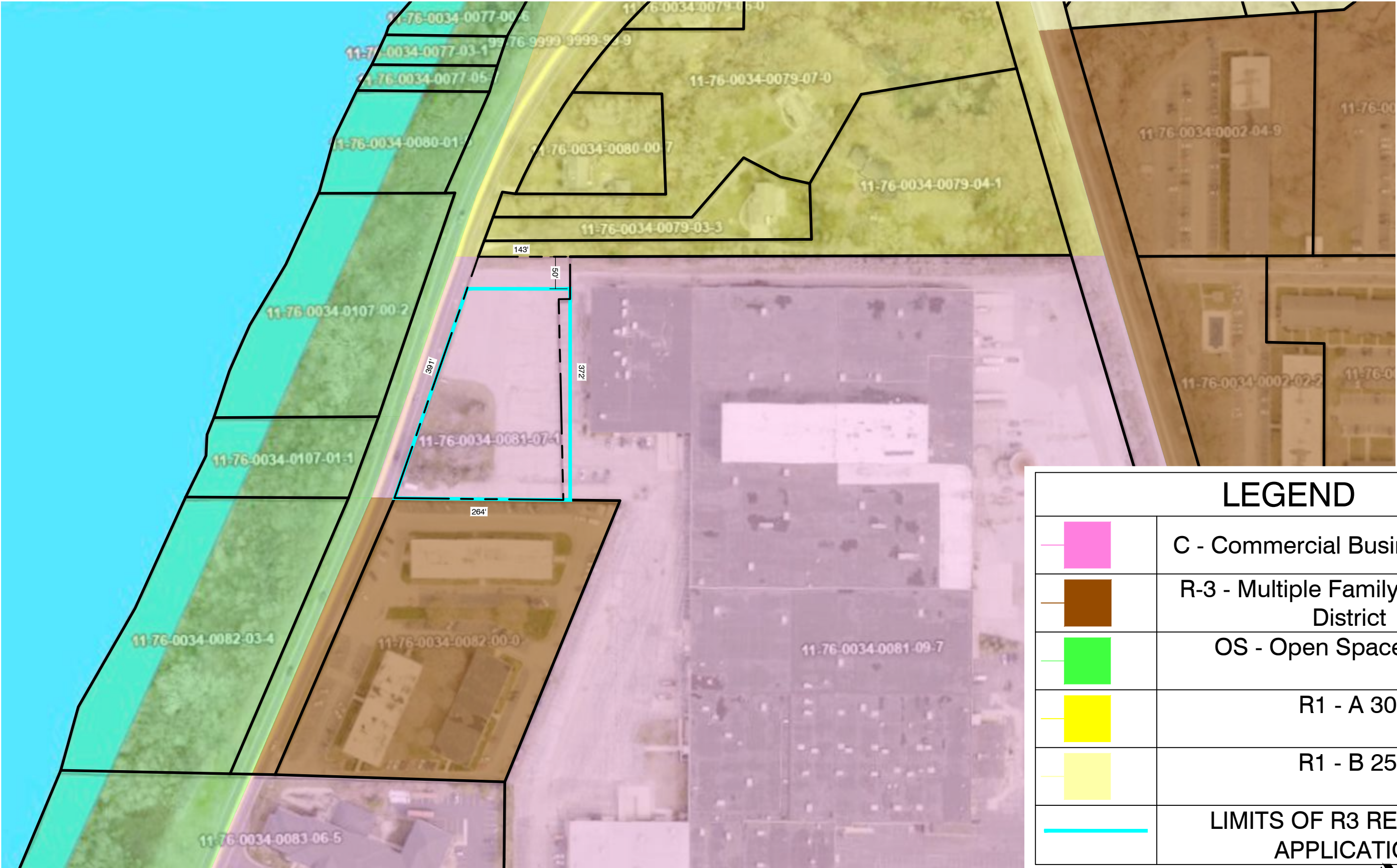
To before me this 3 day of  
JUNE, 2025



  
ANDREW S. ROSSELL  
Notary Public

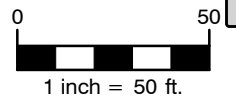
### OFFICIAL CITY USE:

Date Received: \_\_\_\_\_ Fee: \_\_\_\_\_  
Completed: \_\_\_\_\_ Special Use Application: \_\_\_\_\_ Site Plan Review Application: \_\_\_\_\_ Other: \_\_\_\_\_



LEGEND	
	C - Commercial Business District
	R-3 - Multiple Family Residence District
	OS - Open Space District
	R1 - A 30'
	R1 - B 25'
	LIMITS OF R3 REZONING APPLICATION

# PC EXHIBIT



13.b

PARCEL BASED ON BOUNDAR  
ADJUSTMENT APPROVED + RECORE  
JUNE 202

OS - OPEN SPACE

LAKESHORE DR

11-76-0034-0079-03-3  
R1-A SINGLE FAMILY RESIDENCE  
DISTRICT

11-76-0034-0079-04-1  
R1-A SINGLE FAMILY RESIDENCE DISTRICT

C - COMMERCIAL  
BUSINESS DISTRICT  
11-76-0034-0081-09-7

11-76-0034-0081-07-1  
68,389 SFT (1.57 AC)

11-76-0034-0082-00-0  
R3 - MULTI-FAMILY  
RESIDENCE DISTRICT



**Christian & Meera White**

2835 Lakeshore Drive  
 Saint Joseph, MI 49085  
 meera.gursahaney@gmail.com

**Jennifer Fields**

2829 Lakeshore Drive  
 Saint Joseph, MI 49085  
 jefields88@hotmail.com

**July 8, 2025**

**City of Saint Joseph Planning Commission**

City Hall  
 700 Broad Street  
 Saint Joseph, MI 49085

**RE: Opposition to Rezoning Request for Expansion of Lakecrest Shoreline Apartments**

Dear Members of the Planning Commission,

We are writing as concerned homeowners at 2835 and 2829 Lakeshore Drive, adjacent to the proposed rezoning area involving the request submitted by Clark Logistics Group LVI LLC. This request seeks to rezone and expand the Lakecrest Shoreline Apartments at 2929 Lakeshore Drive—bringing large-scale multifamily units closer to our residential properties.

We **strongly and respectfully oppose** this rezoning request and urge you to deny it based on the significant and cumulative concerns outlined below.

**1. Traffic Safety Concerns on Lakeshore Drive**

Lakeshore Drive is already one of the two primary arteries in and out of St. Joseph, and the addition of significantly more vehicles entering and exiting a new development will further strain this heavily used corridor. Increased traffic making left and right turns into and out of the proposed complex poses a serious safety concern for all who use Lakeshore Drive. Accessing the roadway from 2829 and 2835 Lakeshore Drive is already difficult. The curve in the road, as designed by MDOT to cross the train tracks, limits visibility, particularly for vehicles attempting to see southbound traffic. Introducing more turning movements at this location, combined with the existing poor line of sight, will only increase the risk of traffic collisions. Maintaining the property's current commercial zoning would help mitigate these risks and avoid compounding an already dangerous traffic situation.

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## 2. No Sidewalks to Support Increased Foot Traffic

Our area lacks sidewalks, and the roads are not designed to safely accommodate a significant increase in pedestrian activity. An expanded complex will naturally result in more foot traffic, creating safety hazards for residents, particularly children, seniors, and anyone walking or biking along the roadways.

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## 3. Lack of Privacy and Proper Barriers

There is currently no high fencing or natural buffer between our homes and the apartment complex. Bringing additional multi-story units even closer would worsen the intrusion into our private yards, windows, and daily lives. We would be left with no protection from the sightlines, activity, and noise associated with high-density living, severely diminishing our sense of personal privacy and comfort.

---

## 4. Increased Trash, Noise, and General Disruption

With more residents comes more noise, trash overflow, and disruption. Adding more units without clear and enforceable mitigation plans will only exacerbate these issues.

Residents of the current Lakecrest Shoreline complex have publicly voiced serious and repeated concerns about maintenance and cleanliness, which has led to a review score of 2.2 out of 5 stars on Google. Some examples from recent reviews include:

- *“They will not do anything about noise complaints or secondhand smoke (cigarettes or otherwise) so do not bother asking. They do not take care of the landscaping outside. The parking lot is falling apart. The outside doors are propped open often so people can just walk right in.”*
- *“I’ve had mold in the air conditioner, they almost told me I had to wait to get fixed and mold in my bathroom they haven’t fixed yet. As well as if your window breaks it’s going to take about a year to fix.”*
- *“Everything is always half-fixed or ignored.”*
- *“The trash that’s left in the grass gets mowed over in the summer creating lots of tiny garbage pieces everywhere, and they also do not make sure people are cleaning up after their dogs, so walks are constantly unenjoyable and you will always have to watch out for poop piles.”*
- *“The place is generally just falling apart..there is garbage everywhere, all the time.”*



- *“I would not recommend this to anyone unless you are desperate to have a roof over your head. If you must apply, ask LOTS of questions and I would highly recommend going with another person or recording your conversations with these people..”*

These reviews make it clear that even the existing complex is struggling with basic upkeep and resident services. Adding more units without enforceable quality standards would only worsen conditions for both apartment residents and neighboring homeowners.

We regularly see litter and garbage from the complex blowing into our yards. This has already become a persistent issue—one that would escalate with increased population density.

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## 5. Decreased Property Values

The proximity of high-density housing to small, single-family homes—especially without sufficient separation—can and often does negatively impact property values. This proposed rezoning threatens to undermine the investment we have made in our homes and reduce the overall appeal of our area to future homeowners.

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## 6. Incompatible Land Use and Dangerous Precedent

Our homes were not built with the expectation of bordering a large apartment complex. This rezoning would significantly alter the character of the area and could set a precedent for further incompatible development, gradually eroding the qualities that make this part of Saint Joseph livable for families and homeowners.

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## 7. Strain on Public Infrastructure and Services

Expanding the apartment complex increases demand on city infrastructure—trash collection, sewage systems, emergency services, and roads—all without clear plans for upgrades. The resulting strain could affect the quality and reliability of services for all residents in the area.

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## 8. If Approved, the Following Conditions Must Be Mandated

While we strongly oppose the rezoning request, should the Commission choose to approve it, we respectfully ask that the following **binding and enforceable conditions** be imposed:

### A. Privacy & Buffering

- A **10-foot privacy fence** installed between the apartment complex and adjacent residential homes.

### B. Cleanliness and Maintenance Standards

- A **full-time, on-site groundskeeper** dedicated solely to litter control, pet waste removal, and maintenance of shared outdoor areas.
- Mandatory **weekly inspections** of common areas and garbage disposal zones, with reports submitted to the city.
- **Clear and enforced rules prohibiting residents from allowing pets to defecate on neighboring properties**, including **fines**. Management must include this rule in all leases and take active steps to educate residents and prevent violations.

### C. Waste Management Requirements

- **Enclosed dumpsters** with fencing and lids to contain odor and trash overflow.

### D. Foot Traffic Improvements and Roadway Mitigation

- The developer should be required to contribute to or construct a **pedestrian sidewalk** along Lakeshore Drive that connects the complex to downtown Saint Joseph. This is critical for safe, walkable access to the city and will reduce conflicts between vehicles and pedestrians. The current lack of sidewalk infrastructure poses a hazard, especially with increased foot traffic expected from a larger complex.
- Developer-funded **traffic study and improvements** to Lakeshore Drive (e.g., turn lanes, visibility enhancements, or signage).

### E. Noise Pollution Controls

- **Quiet hours** clearly defined in lease agreements and enforced by management, especially during evenings and weekends.

### F. Legal Enforcement

- All conditions above must be included in the site plan and development agreement as **legally binding and enforceable** by the City of Saint Joseph.

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In summary, we urge the Planning Commission to prioritize the wellbeing, safety, and property rights of existing residents. This rezoning request is not compatible with our small residential area and poses too many unresolved concerns regarding privacy, infrastructure, safety, and long-term impact. We respectfully request that the rezoning be denied.

If approved, it must include strong, enforceable protections for current residents who will bear the immediate impact.

We appreciate your time and your service to our community.

Sincerely,

**Christian & Meera White** (2835 Lakeshore Drive)

**Jennifer Fields** (2829 Lakeshore Drive)

**Kristen Gundersen**

---

**From:** Mike Harmon <mikeharmon1961@gmail.com>  
**Sent:** Tuesday, July 8, 2025 11:17 AM  
**To:** Kristen Gundersen  
**Subject:** [EXTERNAL] 2929 Lakeshore rezoning request  
**Attachments:** Letter to STJ in response to Rezoning Request.pdf

Good Morning Ms. Gundersen:

Thank you for spending some time with me yesterday going through the rezoning request at 2929 Lakeshore Dr.

I was able to speak with my neighbors yesterday as well. They told me they sent you a letter outlining their objections to the change in zoning. I have read the letter and my wife and I agree with their positions. I will bring a copy of this letter to the July 9th meeting for the record and am attaching it as well.

The people/corporation that want to build the apartments appear to not maintain the current property that they operate. In addition, I can see additional zoning requests in the future which will only further our objections.

I am very concerned about the warehouse building itself. Once the apartment building is built, what is going to happen to the rest of the property? Nothing good can happen to that building without easy access to the building. I see this as a domino effect that will perpetuate more traffic, more noise and more inconvenience for my wife and me.

We purchased this property for the serenity it offers. My neighbors and I are full time long term residents of St Joseph who value our community values and principles. Therefore, we ask that this zoning change be denied.

Please confirm receipt of this email,

Respectfully,

Mike & Linda Harmon  
 2831 Lakeshore Dr.  
 St Joseph, MI 49085

P.S.- You mentioned that you asked the people requesting this zoning change reach out to us. I asked my neighbors and they told me that no one attempted to contact them. Neither have my wife and I been contacted. This is a red flag for us as well.

**Kristen Gundersen**

---

**From:** Jennifer Fields <jefields88@hotmail.com>  
**Sent:** Tuesday, July 8, 2025 3:00 PM  
**To:** Kristen Gundersen; meera.gurshaney@gmail.com  
**Subject:** [EXTERNAL] Photos for rezoning hearing of 2929 lakeshore drive

Ms. Gundersen, after reviewing the photos included in the rezoning application, I would like to submit the following photos as it gives a better representation of how close the property for rezoning is to our property. I have also included photos of the road curvature and lines of sight. There are two photos the show examples of recent trash on the properties. While this is one example of trash, it does not fully depict the trash that accumulates, particularly in the woods, it is very noticeable in the fall and winter when there is no longer green foliage.

Jennifer Fields  
2829 Lakeshore Drive  
St. Joseph, MI 49085

Pictures included in email which did not print properly. Staff copied pictures into word document and they are attached





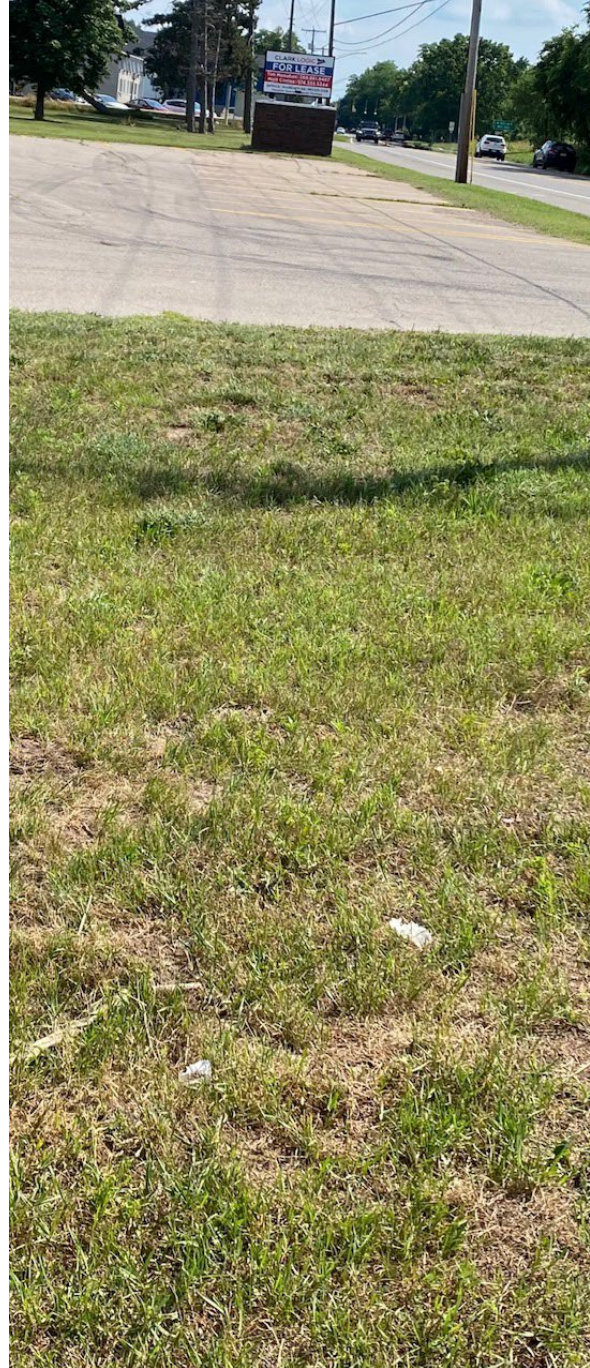
















# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Kristen Gundersen, Community Development Director

**RE:** Public Hearing - 1234 Napier Avenue – Lakeland Hospitals at Niles and St. Joseph Inc (commonly known as Corewell Health - Lakeland) – Planned Unit Development – third amendment – Allow irregularly shaped 2-story building addition being less than 3,000 square feet between Laboratory and Emergency Department Areas on south side of building.

**MEETING DATE:** July 28, 2025

## **Public Hearing**

Lakeland Hospitals at Niles and St. Joseph Inc., commonly known as Corewell Health - Lakeland Hospitals St. Joseph Hospital has filed a request for a third amendment to the 2016 Planned Unit Development which allowed for a building expansion and site improvements. The property is located at the southeast corner of Napier and Langley Avenues and known as 1234 Napier Avenue.

The public hearing notice appeared in the Herald Palladium newspaper on July 11, 2025 and the 300' notices were sent to property owners and tenants on July 11, 2025.

## **Public Hearing Procedure:**

1. Open Public Hearing
2. Staff Introduction of Application
3. Applicant Presentation
4. City Commission questions
5. Public Comments
6. Public Comments - Speaker to state name and address for the record and comments should be directed to Mayor
7. Applicant Response
8. Close Public Hearing

Upon the conclusion of the public comments, the Mayor will entertain a motion to **Close the Public Hearing** and then continue on to the next agenda item: 1234 Napier Avenue - Lakeland Hospitals at Niles and St. Joseph Inc - Planned Unit Development - third amendment.

## **Introduction**

The applicant is requesting to modify the approved amended PUD to allow a two-story addition with a building foot-print of approximately 1,500 square feet on each floor located on the south side of the building between the laboratory and emergency department areas. The proposed addition will fill-in an irregularly shaped area where the laboratory portion of the building was attached to an older portion of the building and on the opposite side of the emergency department area.

The applicant has stated the proposed addition will improve the area for inpatient behavioral services by creating one corridor for patient rooms located on the second floor while creating space on the ground floor for future clinical space. The applicant has stated the number of hospital beds is not changing as part of the request. No new or modified waivers are needed.

### **Planning Commission Recommendation**

On July 9, 2025, the Planning Commission conducted a public hearing, heard a presentation from the applicant and no audience members spoke, two written letters were received. After deliberating, the Commission (6-0) voted to recommend approval of the proposed third amendment to the 2016 Planned Unit Development for the property located at 1234 Napier Avenue, as presented with no new or modified waivers being requested. Attached are the draft meeting minutes.

### **Site Information/Character of the Area**

The 24.13-acre site is located in the R1-A Single-Family Residence District and improved with an approximate 663,000 square foot, multiple-story hospital, parking garage, surface parking lots and helipad. When the 2016 approved project is completed the building will be approximately 907,500 square feet in size.

The 2016 Master Plan Future Land Use Map designates the site as Neighborhood Mixed Use and Residential. There is no designation for institutional type uses.

The property to the north, south and west is zoned R1-A Single Family Residence District and improved with single-family detached homes. Property to the east is zoned OS Open Space District and is located along the St. Joseph River.

### **History**

Based on past information, a hospital has been located on portions of the property for over 80-years. Multiple remodeling projects, building additions and demolitions and property acquisition have occurred over those years.

In 2016 the zoning ordinance was amended to require large medical service establishments to be process as a planned unit development. This eliminated the need for a special use by the Planning Commission and variances from the Zoning Board of Appeals and created a more streamlined process for development.

September 26, 2016, the City Commission approved a Planned Unit Development with 26 waivers which allowed the building expansion.

January 9, 2017, the City Commission approved the first Amendment to the Planned Unit Development that allowed a new surface parking lot and expansion of the parking garage with an additional floor of parking and a roof. Several waivers were either new or modified.

July 21, 2017, First Minor Site Plan Adjustment was approved by staff that allowed reconfiguration of parking adjacent to the helistop along with expanding the width of the sidewalk from the building to the helistop. No change to total number of parking spaces.

March 19, 2018, Second Minor Site Plan Adjustment was approved by staff allowing installation of new antenna on existing skid mount support structures on the penthouse of the building.

November 26, 2018, Second Major Amendment to Planned Unit Development approved by City Commission to allow expansion of the electrical yard area, relocation and expansion of an accessory storage

garage, removal of eleven surface parking spaces while adding four new spaces, relocation of trash compactor and electrical service equipment all located on the east side of the existing building.

October 12, 2021, Third Minor Site Plan Adjustment was approved by staff allowing: reconfiguration of the main building entrance near Napier Street; creation of an exterior refuse area on the east side of the building; and installation of three gates to limit access to the southwest surface parking area along with minor changes to the parking lot to provide emergency access

March 4, 2024, Fourth Minor Site Plan Adjustment was approved by staff for installation of one metal roof top screen located on the main entrance of the 3-story building facing Napier Avenue being approximately 129' feet long and curved to screen the existing duct work on the roof of the building. The metal screen is curved to help screen the equipment on the roof from different views along Napier Avenue. This improvement has not been started.

### **Site Requirements.**

Article V of the Zoning Ordinance provides the Schedule of District Regulations. Table 5-1 - Schedule of District Regulations states the lot requirements along with the setbacks for the principal structure. Below is information regarding Table 5-1 Schedule of District Regulations and the R1-A Single-Family Residence District:

	<u>R1-A District/PUD</u>	<u>Proposed/Existing</u>
Min. Lot Size:	6,000 sf/10-acres	apx. 24.13-acres or 1,051,102 sf
Min. Lot Width:	66'	existing
Min. Lot Depth:	N/A	existing
Max. Building Height:	35'	with parapet wall less than 35'
Min. Front Setback:	30'/scale <sup>1</sup>	existing no change
Min. Side Setback:	7'/scale <sup>1</sup>	existing no change
Min. Rear Setback:	30'/scale <sup>1</sup>	102.03' - proposed building expansion
Max. Lot Coverage	35% (367,885 sf)	29.87% (313,965 sf) - proposed
Min. Floor Living Area	1,000 sf	911,582 sf (based on 2,884 sf addition)
Required Parking (Table 18-1)	See below <sup>2</sup>	No changes proposed

<sup>1</sup>Section 13.3.3.A.9.a establishes setbacks based on height and number of stories. The proposed two-story addition requires a 100' setback from the front, side and rear yards. The proposed addition is 102.03 from the south/rear lot line.

<sup>2</sup>Currently, Section 18.2.7.C Parking Standards Table (18-1) states "Hospitals, sanitariums are required to provide one (1) space for each three (3) patient beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each three (3) employees. Past approvals required 970 parking spaces as stated on the exhibit provided by the applicant and 1,299 spaces plus 48 ADA spaces have been provided.

The pending text amendment requires one space for each 800 square feet of building area or a total of 1,140 parking spaces.

### **Staff Comments.**

Engineer Department: Has reviewed the request and has no concerns, however, the project will need to be reviewed to determine stormwater engineering requirements.

Inspection Department: Has reviewed the request and has no concerns with the request.

Public Works Department: Has reviewed the request and has no concerns.

Public Safety Department: Has reviewed the request and has no concerns.

Community Development - Planning and Zoning: The zoning administrator cannot approve the request as a Minor Site Plan Adjustment because the request is not compliant with Section 12.8.D.1 which states changes to building design that do not increase the overall area or height of the structure or the number of dwelling units, if part of the original approval.” The proposed change increases the overall area of the structure.

### **Ordinance Regulations.**

Article XIII Planned Unit Development Regulations (amended to require Medical Service Establishments, Large to be processed as Planned Unit Developments became effective September 22, 2016) provides the purpose, process and review criteria to be reviewed when a special use or conditional use is being proposed. Below are the standards used for reviewing the request.

## **SECTION 13.2 OBJECTIVES**

For a proposed PUD located in a District other than the W Water Recreation District, the Applicant shall demonstrate that approval of the PUD would result in a recognizable and substantial benefit to the community that could not be achieved under the normal regulations of the District, in one or more of the following areas:

- A. *To provide more desirable living, shopping and working environments by preserving as much of the natural character of the property as possible, including but not limited to, open space, stands of trees, brooks, ponds, river and lake Shorelines, floodplains, hills, and similar natural assets.*
- B. *To encourage the provision of open space and the development of recreational and other common facilities in a generally central location within reasonable distance of all living units. Developments having water frontage should be so designed to preserve public vistas where possible.*
- C. *The long-term protection and/or preservation of natural resources and natural features and/or historical and/or architectural features of a significant quantity and/or quality in need of protection or preservation on a local, state and/or national basis.*
- D. *Reducing to a significant extent the Nonconformity of a Nonconforming Use, Building or Structure, i.e., modification of a Nonconforming Use or Structure so that, to a significant extent, it is rendered more conforming, or less offensive, to the zoning District in which it is situated.*
- E. *The provision of additional amenities which would not otherwise be provided in a conventional development, including but not limited to more usable open space.*
- F. *To promote the efficient Use of land to facilitate a more economic arrangement of Buildings, circulation systems, land uses, and utilities.*
- G. *To combine and coordinate architectural styles, Building forms, and Building relationships within the PUD.*

## **SECTION 13.3 GENERAL**

### **13.3.1 Minimum Requirements:**

- A. *PUDs are permitted in all Districts.*
- B. *A PUD must be primarily composed of Authorized Uses and Uses designated in Section 4.6.3, Section 4.6.6, or Section 4.6.5 as “PUD” for the District in which the proposed PUD would be located. Any other Uses included in a PUD must be clearly incidental to and in support of these Authorized Uses and “PUD” Uses.*
- C. *The dimensions of Lots, Structures, height, Yard, Setback and Lot Coverage requirements, as established in the District, may be modified by an approved PUD permit.*
- D. *A PUD including a residential Use and located in a residential District may not exceed the number of Dwelling Units otherwise allowed for that Parcel in that District, considering all District regulations such as Setbacks, minimum Dwelling Unit sizes, and required access to Streets, by more than twenty percent (20%). A PUD including a residential Use and located in a District other than a residential*

*District may not exceed the number of Dwelling Units permitted for that Parcel, if that parcel were located in an R3 District, considering all R3 District regulations such as Setbacks, minimum Dwelling Unit sizes, and required access to Streets, by more than twenty percent (20%).*

- E. In the case of a mixed-use PUD which includes a Permitted Use in the zoning District, a Building devoted primarily to such a Use must be built before or concurrently with any Building devoted primarily to any other Use. If there is no Building devoted primarily to a Permitted Use, a Building including a Permitted Use must be built before or concurrently with any Building that does not include such a Use.*
- F. For a PUD located in a District other than the W Water Recreation District, not less than twenty percent (20%) of the area of a PUD must be undeveloped open space. Required yards, landscaping, rights-of-way and other similar features otherwise required in the Zoning District do not count toward this open space requirement. This open space must consist of areas that are:
 
  - 1. Contiguous and uninterrupted by Structures, Driveways and other features.*
  - 2. Significant in size when considered in relation to the PUD area.*
  - 3. Used only for landscaping, lawn, playfield, natural area or other similar uses.**
- G. A PUD must be designed as a single development and shall be at least fifty percent (50%) completed within two (2) years, unless otherwise stated in the approved PUD permit.*

### **13.3.3 Eligibility Requirements**

#### **“13.3.3 Additional Requirements for Medical Service Establishments, Large and Social Institutions.**

The following items are also required as part of a PUD request for Medical Service Establishments, Large and Social Institutions:

- 1. In the case of an existing establishment, the principal use shall be established and lawfully operating on the property.
- 2. In the case of a lawfully existing Special Use Permit or Conditional Use Permit, the applicant shall provide documentation of any approved uses, variances granted by the Zoning Board of Appeals, and any required conditions associated with the approved Use or Variance. All previously approved uses, conditions and variances shall be addressed in the PUD review process. Those that will continue shall be incorporated in the PUD Permit and all other previously approved Special Use Permits, Variances, and associated conditions shall become void.
- 3. Any new establishment shall be located on a Major Thoroughfare, as defined in Article II Definitions.
- 4. All parcels shall be under the control or authority of a single corporation or organizational Owner which is authorized to administer the PUD. Noncontiguous Parcels may be considered where other benefits to the public are sufficiently great to warrant such consideration in the opinion of the City Commission as provided in MCL 15.584b.
- 5. The Zoning Administrator may require an applicant to submit a future overall master development plan which depicts future phased development although such plan may also be required as part of a future amendment to the PUD. This plan will help to understand how the organization is planning for future development and should depict current and future uses, structures, and similar improvements.
- 6. Description of existing operation and proposed operation including the purpose of the organization, typical hours of operation, and number of members or users of the facility.
- 7. Description of all existing and proposed interior and exterior accessory uses along with building square footage associated with such use (i.e., office space, school, day care, camps, retail, meeting space, playground, parking, rental of space to other users for special events).



8. Description of any temporary uses or special events that may take place on the property from time to time.
9. Minimum Principal Use Regulations as follows:

- a. Medical Service Establishments, Large

Minimum Lot Area	10 acres
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Minimum Lot Width	
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Minimum Front, Side, Rear Yard Setback	40 feet for 1 story structures
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	100 feet for 2 story structures
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For buildings 3 or more stories, the setback shall increase 20 feet for each additional story.

Maximum Lot Coverage	35%
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- b. All structures including accessory structures shall comply with minimum yard setbacks.
- c. Detailed building elevations shall be submitted at time of review and shall provide sufficient information such as building height, dimensions and construction materials.
- d. The requirements of Article XII Site Plan Requirements shall be met.
- e. Compliance with requirements of Article XIX Screening, Landscaping and Lighting Chapter or the following, whichever is greater.
  - a. The perimeter of the site, excluding buildings and drive-aisles shall have a landscape area no less than 5 feet in width adjacent to the lot line.
  - b. All surface parking areas shall be a minimum of 10 feet from the lot line.
  - c. All parking shall be screened from surrounding residential areas by a wall, fence or suitable plant materials.
  - d. All refuse containers shall be screened on all four sides and located on a hard surface. Minimum height of fence is 6' and shall be located adjacent to the building when possible or in a non-conspicuous location.
- f. Compliance with requirements of Article XVIII - Off-Street Parking and Loading.
  - a. All passenger drop-off and vehicular turn-around facilities shall be provided on the site and shall be designed to minimize interference with pedestrians, bicyclists and motor vehicles.
  - b. The main vehicular entrance shall be located on the designated Major Thoroughfare and the site shall be designed so all delivery vehicles utilize this entrance, where applicable.
  - c. All principal and accessory uses shall be reviewed to determine the total required number of parking spaces to be provided (i.e., church with private school and day care facility). As part of the PUD the overall total number of required spaces may be decreased based on shared parking usages.
  - d. Passenger drop-off and pick-up may be located in required yards."

**13.6.1 General Standards:** *The Planning Commission and the City Commission, in their respective hearings, shall review the particular circumstances of the PUD application under consideration in terms of the following standards and shall recommend approval, or approve, respectively, a PUD only upon a specific finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:*

- A. *The PUD shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.*
- B. *The PUD shall be designed in a manner to ensure healthful living conditions and adequate light, air, and accessibility for fire and police protection for the inhabitants and users of the development as well as adjacent City residents.*
- C. *The PUD shall be consistent with the intent of the Comprehensive Plan.*
- D. *The PUD shall not change the essential character of the surrounding area.*
- E. *The PUD shall not be detrimental to the health, safety or welfare of Persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other features of the planned use.*

- F. The PUD shall not place demands on public services and facilities in excess of current capacity, unless planned Improvements have already been scheduled for completion.*
- G. The PUD shall be designed to preserve public vistas and existing important natural, historical, and architectural features of significance within the development.*
- H. The PUD shall be designed so that its pedestrian, non-motorized and automobile circulation systems are safely and conveniently integrated with those of abutting property and any linear trail or Park systems.*
- I. The PUD shall provide that vehicular and pedestrian traffic within the site shall be safe and convenient and that parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent Streets. Safe and adequate access for emergency vehicles and adequate space for turning around shall be provided.*
- J. The PUD shall not result in any greater stormwater runoff to adjacent property after development, than before.*
- K. The design of the PUD shall exhibit a reasonable harmonious relationship between the location of Buildings on the site relative to Buildings on lands in the surrounding area; and there shall be a reasonable architectural and functional compatibility between all Structures on the site and Structures within the surrounding area. It is not intended that contrasts in architectural design and Use of façade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing Building designs and façade materials so as to create an adverse effect on the stability and value of the surrounding area.*
- L. The design of the PUD shall ensure that outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a Nuisance to the subject property or neighboring properties.*
- M. The PUD shall be designed such that phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, Public Utility services, drainage or erosion control.*
- N. The Applicant shall be in substantial compliance with any previously issued Zoning Permits and shall not otherwise be disqualified from receiving a permit under Section 23.3.3 of this Ordinance.*

**13.6.2 Conditions:** The Planning Commission may recommend, and the City Commission may impose, conditions with the approval of a PUD which are necessary to ensure compliance with the standards for approval stated in this Section and any other applicable standards contained in this Ordinance. Such conditions shall be considered an integral part of the PUD approval.

#### **ATTACHMENTS:**

- Draft Excerpt 07092025 Planning Commission Meeting Minutes - 1234 Napier Ave (PDF)
- Excerpt - July 9 2025 PC Packet - 1234 Napier Ave (PDF)
- Written Comment - LaFerle - 07092025 PC meeting handout (PDF)
- Written Comment Recieved - LaFerle - 07162025 - 1234 Napier Ave application (PDF)

Minutes of the St. Joseph Planning Commission Meeting held Commission Chambers, 700 Broad Street, St Joseph, MI 49085 on July 9, 2025.

## Call to Order

## DRAFT

The meeting was called to order at 4:30 PM by Chair Patsy Hartzell

Attendee Name	Title	Status	Arrived
Patsy Hartzell	Chair	Present	
Kathy Burczak	Commissioner	Present	
Sean Ebbert	Commissioner	Present	
Aaron Miller	Commissioner	Absent	
Becky Rice	Commissioner	Absent	
Anthony Uhrick	Commissioner	Present	
Dustin Tefs	Commissioner	Absent	
Pam Porter	Commissioner	Present	
Michael Plichta	Commissioner	Present	
Kristen Gundersen	Community Development Director	Present	
Laurie Schmidt	City Attorney	Present	
Trudy Wilder	Building Inspector	Present	

**Zoom Webinar ID 831 7515 6929 at [www.zoom.us](http://www.zoom.us) This meeting will be held in person.**

**Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.**

## Announcement - 520 State/515 Market Streets and Resignation of Dustin Tefs

Chair Hartzell stated that the public hearing scheduled for today regarding a request at 520 State Street/515 Market Street will not be heard as there will be no quorum. There are six members present and two of them will be recusing themselves from the discussion leaving four members present and five is required for a quorum. City staff has stated the request will be republished and notice provided of the new date on Thursday, August 7, 2025.

Chair Hartzell announced that Dustin Tefs has resigned from the Planning Commission effective immediately.

## Approval of June 5, 2025 Meeting Minutes

- Regular Minutes of Thursday, June 05, 2025

<b>RESULT:</b>	<b>ACCEPTED [UNANIMOUS]</b>
<b>MOVER:</b>	Sean Ebbert, Commissioner
<b>SECONDER:</b>	Anthony Uhrick, Commissioner
<b>AYES:</b>	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Uhrick, Commissioner Porter, Commissioner Plichta
<b>ABSENT:</b>	Commissioner Miller, Commissioner Rice, Commissioner Tefs

## New Business

- 608 Pleasant Street - JRP Connect LLC (Ben's Soft Pretzels) - Sign Modification to allow additional wall/awning sign

Chair Hartzell stated the first request is for a sign modification at 608 Pleasant Street to allow a third wall/awning sign on the tenant space.

Patrick Weckel, one of the managing partners of JRP Connect LLC who will be operating a Ben's Soft Pretzels location at 608 Pleasant Street. They are planning on installing an awning running

information included in the July 9, 2025 Planning Commission as the request meets the required standards under Section 22.3 of the zoning ordinance.

Mr. Uhrick seconded.

DRAFT

Ms. Gundersen stated this item will be on the July 28<sup>th</sup> City Commission agenda.

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Sean Ebbert, Commissioner
<b>SECONDER:</b>	Anthony Uhrick, Commissioner
<b>AYES:</b>	Chair Hartzell, Commissioner Ebbert, Commissioner Uhrick, Commissioner Porter, Commissioner Plichta
<b>NAYS:</b>	Commissioner Burczak
<b>ABSENT:</b>	Commissioner Miller, Commissioner Rice, Commissioner Tefs

4. Public Hearing - 1234 Napier Avenue - Lakeland Hospitals at Niles and St. Joseph Inc - Planned Unit Development - third amendment - Allow irregularly shaped 2-story building addition being less than 3,000 square feet between Laboratory and Emergency Department Areas on south side of building

Chair Hartzell opened the public hearing for 1234 Napier Avenue, third amendment to the planned unit development at 5:12 pm.

Phil Cooper, representing the applicant commonly known as Corewell Health stated they are requesting to amend the 2016 Planned Unit Development to allow a niche area to be built out on the southside of the hospital building that is located in the R1-A Single-Family Residence District.

Mr. Cooper stated the crevasse build-out area will be approximately 102' from the south lot line and will consist of a two-story addition with each floor being less than 1,500 square feet in size. The small building expansion would allow behavioral services to occupy one floor with patients having private rooms. The area adjacent to the proposed expansion is from 1980 and allows for chair occupancy and there is need for private rooms.

Ms. Burczak questioned why the gap area needs to be filled in.

Mr. Cooper stated currently behavioral services is on two floors, this will help to make the unit function better with staff having visibility down the hallway. The existing hallways are very narrow which can make it difficult to move patients.

Chair Hartzell stated the Planning Commission had received two letters from Ms. Ludwig and from Mr. LaFerle both expressing concern.

Chair Hartzell closed the public hearing at 5:18pm after no other audience members asked to speak on this request.

Mr. Ebbert stated that Ms. Ludwig is expressing concern regarding the helistop which is existing on the property and not being modified, he is aware from his residence the approach for helicopters did change a little. The second letter expresses concern about the expansion of the building being closer to the south lot line, the building addition is located with a niche area and will not encroach closer to the south lot line than the existing buildings in this area.



Ms. Burczak stated concern about on-going construction and it is difficult for the neighbors. The proposed addition fills in an existing gap and will not be closer to the south lot line and addresses a safety concern for patients and staff.

Chair Hartzell stated the request is not associated with the helistop and the building expansion will not be closer to the south lot line and will maintain the existing plane of the building.

Mr. Uhrick moved to recommend approval of the proposed third amendment to the Planned Unit Development for the property located at 1234 Napier Avenue commonly known as Corewell Health - Lakeland Hospitals St. Joseph Hospital as presented to allow an irregularly shaped two-story addition on the south side of the building with each floor being less than 1,500 square feet as the request meets the required standards under Sections 13.2, 13.3.1, 13.3.3 and 13.6 of the Zoning Ordinance based on the applications found in the July 9, 2025 Planning Commission Packet which includes four sheets depicting proposed site modifications with no new or modified waivers being requested.

DRAFT

Mr. Plichta seconded the motion.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Anthony Uhrick, Commissioner
<b>SECONDER:</b>	Michael Plichta, Commissioner
<b>AYES:</b>	Chair Hartzell, Commissioner Burczak, Commissioner Ebbert, Commissioner Uhrick, Commissioner Porter, Commissioner Plichta
<b>ABSENT:</b>	Commissioner Miller, Commissioner Rice, Commissioner Tefs

5. Public Hearing - 520 State and 515 Market Streets - Market & State LLC - Special Use for 8 Short-term Rental Units in the R3 Multiple Family Residence District when adjacent to a Residential District or Use

Chair Hartzell stated that at the beginning of the meeting it was announced that there would not be a quorum of the Planning Commission to hold the public hearing.

Mr. Ebbert stated he will be recusing because he sits on the Zoning Board of Appeals where he voted on a request associated with a variance for required parking. The two requests are related and I cannot vote on the same request twice.

Mr. Uhrick stated he will be recusing because of his personal involvement with the property as his mother was a tenant in the building and was evicted and litigation followed.

<b>RESULT:</b>	<b>POSTPONED [4 TO 0]</b>
<b>MOVER:</b>	Kathy Burczak, Commissioner
<b>AYES:</b>	Chair Hartzell, Commissioner Burczak, Commissioner Porter, Commissioner Plichta
<b>ABSENT:</b>	Commissioner Miller, Commissioner Rice, Commissioner Tefs
<b>RECUSED:</b>	Commissioner Ebbert, Commissioner Uhrick

## Old Business

None.

## Public Comments

None.

## Commissioner Comments

None.



St. Joseph Planning Commission  
Commission Chambers  
700 Broad Street, St Joseph, MI 49085

**AGENDA**  
**July 9, 2025**  
**4:30 PM**

**Call to Order**

**Zoom Webinar ID 831 7515 6929 at [www.zoom.us](http://www.zoom.us) This meeting will be held in person. Comments will not be received via Zoom. Persons wishing to speak should be present in person. The public can view the meeting at the website above on computer or mobile device, or by calling 312.626.6799 or 877.853.5247 toll free. Telecommunications relay services to assist individuals with disabilities are available by call 711, provide Zoom Webinar ID to the relay operator. There is no charge.**

**Approval of June 5, 2025 Meeting Minutes**

1. Regular Minutes of Thursday, June 05, 2025

**New Business**

2. 608 Pleasant Street - JRP Connect LLC (Ben's Soft Pretzels) - Sign Modification to allow additional wall/awning sign
3. Public Hearing - 2929 Lakeshore Drive - Clark Logistics Group LVI, LLC - Map Amendment C Commercial Business District to R-e Multiple Family Residence District
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**Old Business**

**Public Comments**

**Commissioner Comments**

**Adjournment**



# Agenda Item

**TO:** Planning Commission

**FROM:** Kristen Gundersen, Community Development Director

**RE:** Public Hearing - 1234 Napier Avenue - Lakeland Hospitals at Niles and St. Joseph Inc - Planned Unit Development - third amendment - Allow irregularly shaped 2-story building addition being less than 3,000 square feet between Laboratory and Emergency Department Areas on south side of building

**MEETING DATE:** July 9, 2025

## Introduction

Lakeland Hospitals at Niles and St. Joseph Inc. and commonly known as Corewell Health - Lakeland Hospitals St. Joseph Hospital has filed a request for a third amendment to the 2016 Planned Unit Development which allowed for a building expansion and site improvements. The property is located at the southeast corner of Napier and Langley Avenues and known as 1234 Napier Avenue.

The applicant is requesting to modify the approved amended PUD to allow a two-story addition with a building foot-print of approximately 1,500 square feet on each floor located on the south side of the building between the laboratory and emergency department areas. The proposed addition will fill-in an irregularly shaped area where the laboratory portion of the building was attached to an older portion of the building and on the opposite side of the emergency department area.

The applicant has stated the proposed addition will be improve the area for inpatient behavioral services by creating one corridor for patient rooms located on the second floor while creating space on the ground floor for future clinical space. The applicant has stated the number hospital beds is not changing as part of the request. No new or modified waivers are needed.

## Site Information/Character of the Area

The 24.13-acre site is located in the R1-A Single-Family Residence District and improved with an approximate 908,698 square foot, multiple-story hospital, parking garage, surface parking lots and helipad.

The 2016 Master Plan Future Land Use Map designates the site as Neighborhood Mixed Use and Residential. There is no designation for institutional type uses in the plan.

The property to the north, south and west is zoned R1-A Single Family Residence District and improved with single-family detached homes. Property to the east is zoned OS Open Space District and is located along the St. Joseph River.

## History

Based on past information, a hospital has been located on portions of the property for over 80-years. Multiple remodeling projects, building additions and demolitions and property acquisition have occurred over those years.

In 2016 the zoning ordinance was amended to require large medical service establishments to be process as a planned unit development. This eliminated the need for a special use by the Planning Commission and variances from the Zoning Board of Appeals and created a more streamlined process for development.

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Min. Lot Width:	66'	existing
Min. Lot Depth:	N/A	existing
Max. Building Height:	35'	with parapet wall less than 35'
Min. Front Setback:	30'/scale <sup>1</sup>	existing no change

Min. Side Setback:	7'/scale <sup>1</sup>	existing no change
Min. Rear Setback:	30'/scale <sup>1</sup>	102.03' - proposed building expansion
Max. Lot Coverage	35% (367,885 sf)	29.87% (313,965 sf) - proposed
Min. Floor Living Area	1,000 sf	911,582 sf (based on 2,884 sf addition)
Required Parking(Table 18-1)	See below <sup>2</sup>	No changes proposed

<sup>1</sup>Section 13.3.3.A.9.a establishes setbacks based on height and number of stories. The proposed two-story addition requires a 100' setback from the front, side and rear yards. The proposed addition is 102.03 from the south/rear lot line.

<sup>2</sup>Currently, Section 18.2.7.C Parking Standards Table (18-1) states "Hospitals, sanitariums are required to provide one (1) space for each three (3) patient beds, plus one (1) space for each staff or visiting doctor, plus one (1) space for each three (3) employees. Past approvals required 970 parking spaces as stated on the exhibit provided by the applicant and 1,299 spaces plus 48 ADA spaces have been provided.

The pending text amendment requires one space for each 800 square feet of building area or a total of 1,140 parking spaces.

### **Staff Comments.**

Engineer Department: Has reviewed the request and has no concerns, however, the project will need to be reviewed to determine stormwater engineering requirements.

Inspection Department: Has reviewed the request and has no concerns with the request.

Public Works Department: Has reviewed the request and has no concerns.

Public Safety Department: Has reviewed the request and has no concerns.

Community Development - Planning and Zoning: The zoning administrator cannot approve the request as a Minor Site Plan Adjustment because the request is not compliant with Section 12.8.D.1 which states "changes to building design that do not increase the overall area or height of the structure or the number of dwelling units, if part of the original approval." The proposed change increases the overall area of the structure.

### **Ordinance Regulations.**

Article XIII Planned Unit Development Regulations (amended to require Medical Service Establishments, Large to be processed as Planned Unit Developments became effective September 22, 2016) provides the purpose, process and review criteria to be reviewed when a special use or conditional use is being proposed. Below are the standards used for reviewing the request.

## **SECTION 13.2 OBJECTIVES**

For a proposed PUD located in a District other than the W Water Recreation District, the Applicant shall demonstrate that approval of the PUD would result in a recognizable and substantial benefit to the community that could not be achieved under the normal regulations of the District, in one or more of the following areas:

- A. *To provide more desirable living, shopping and working environments by preserving as much of the natural character of the property as possible, including but not limited to, open space, stands of trees, brooks, ponds, river and lake Shorelines, floodplains, hills, and similar natural assets.*
- B. *To encourage the provision of open space and the development of recreational and other common facilities in a generally central location within reasonable distance of all living units. Developments having water frontage should be so designed to preserve public vistas where possible.*
- C. *The long-term protection and/or preservation of natural resources and natural features and/or historical and/or architectural features of a significant quantity and/or quality in need of protection or preservation on a local, state and/or national basis.*



- D. *Reducing to a significant extent the Nonconformity of a Nonconforming Use, Building or Structure, i.e., modification of a Nonconforming Use or Structure so that, to a significant extent, it is rendered more conforming, or less offensive, to the zoning District in which it is situated.*
- E. *The provision of additional amenities which would not otherwise be provided in a conventional development, including but not limited to more usable open space.*
- F. *To promote the efficient Use of land to facilitate a more economic arrangement of Buildings, circulation systems, land uses, and utilities.*
- G. *To combine and coordinate architectural styles, Building forms, and Building relationships within the PUD.*

## SECTION 13.3 GENERAL

### 13.3.1 Minimum Requirements:

- A. *PUDs are permitted in all Districts.*
- B. *A PUD must be primarily composed of Authorized Uses and Uses designated in Section 4.6.3, Section 4.6.6, or Section 4.6.5 as "PUD" for the District in which the proposed PUD would be located. Any other Uses included in a PUD must be clearly incidental to and in support of these Authorized Uses and "PUD" Uses.*
- C. *The dimensions of Lots, Structures, height, Yard, Setback and Lot Coverage requirements, as established in the District, may be modified by an approved PUD permit.*
- D. *A PUD including a residential Use and located in a residential District may not exceed the number of Dwelling Units otherwise allowed for that Parcel in that District, considering all District regulations such as Setbacks, minimum Dwelling Unit sizes, and required access to Streets, by more than twenty percent (20%). A PUD including a residential Use and located in a District other than a residential District may not exceed the number of Dwelling Units permitted for that Parcel, if that parcel were located in an R3 District, considering all R3 District regulations such as Setbacks, minimum Dwelling Unit sizes, and required access to Streets, by more than twenty percent (20%).*
- E. *In the case of a mixed-use PUD which includes a Permitted Use in the zoning District, a Building devoted primarily to such a Use must be built before or concurrently with any Building devoted primarily to any other Use. If there is no Building devoted primarily to a Permitted Use, a Building including a Permitted Use must be built before or concurrently with any Building that does not include such a Use.*
- F. *For a PUD located in a District other than the W Water Recreation District, not less than twenty percent (20%) of the area of a PUD must be undeveloped open space. Required yards, landscaping, rights-of-way and other similar features otherwise required in the Zoning District do not count toward this open space requirement. This open space must consist of areas that are:*
  - 1. *Contiguous and uninterrupted by Structures, Driveways and other features.*
  - 2. *Significant in size when considered in relation to the PUD area.*
  - 3. *Used only for landscaping, lawn, playfield, natural area or other similar uses.*
- G. *A PUD must be designed as a single development and shall be at least fifty percent (50%) completed within two (2) years, unless otherwise stated in the approved PUD permit.*

### 13.3.3 Eligibility Requirements

**"13.3.3 Additional Requirements for Medical Service Establishments, Large and Social Institutions.** The following items are also required as part of a PUD request for Medical Service Establishments, Large and Social Institutions:

- 1. In the case of an existing establishment, the principal use shall be established and lawfully operating on the property.

2. In the case of a lawfully existing Special Use Permit or Conditional Use Permit, the applicant shall provide documentation of any approved uses, variances granted by the Zoning Board of Appeals, and any required conditions associated with the approved Use or Variance. All previously approved uses, conditions and variances shall be addressed in the PUD review process. Those that will continue shall be incorporated in the PUD Permit and all other previously approved Special Use Permits, Variances, and associated conditions shall become void.
3. Any new establishment shall be located on a Major Thoroughfare, as defined in Article II Definitions.
4. All parcels shall be under the control or authority of a single corporation or organizational Owner which is authorized to administer the PUD. Noncontiguous Parcels may be considered where other benefits to the public are sufficiently great to warrant such consideration in the opinion of the City Commission as provided in MCL 15.584b.
5. The Zoning Administrator may require an applicant to submit a future overall master development plan which depicts future phased development although such plan may also be required as part of a future amendment to the PUD. This plan will help to understand how the organization is planning for future development and should depict current and future uses, structures, and similar improvements.
6. Description of existing operation and proposed operation including the purpose of the organization, typical hours of operation, and number of members or users of the facility.
7. Description of all existing and proposed interior and exterior accessory uses along with building square footage associated with such use (i.e., office space, school, day care, camps, retail, meeting space, playground, parking, rental of space to other users for special events).
8. Description of any temporary uses or special events that may take place on the property from time to time.
9. Minimum Principal Use Regulations as follows:

a. Medical Service Establishments, Large

Minimum Lot Area	10 acres
Minimum Lot Width	
Minimum Front, Side, Rear Yard Setback	40 feet for 1 story structures
	100 feet for 2 story structures
	For buildings 3 or more stories, the setback shall increase 20 feet for each additional story.
Maximum Lot Coverage	35%

- b. All structures including accessory structures shall comply with minimum yard setbacks.
- c. Detailed building elevations shall be submitted at time of review and shall provide sufficient information such as building height, dimensions and construction materials.
- d. The requirements of Article XII Site Plan Requirements shall be met.
- e. Compliance with requirements of Article XIX Screening, Landscaping and Lighting Chapter or the following, whichever is greater.
  - a. The perimeter of the site, excluding buildings and drive-aisles shall have a landscape area no less than 5 feet in width adjacent to the lot line.
  - b. All surface parking areas shall be a minimum of 10 feet from the lot line.
  - c. All parking shall be screened from surrounding residential areas by a wall, fence or suitable plant materials.
  - d. All refuse containers shall be screened on all four sides and located on a hard surface. Minimum height of fence is 6' and shall be located adjacent to the building when possible or in a non-conspicuous location.
- f. Compliance with requirements of Article XVIII - Off-Street Parking and Loading.
  - a. All passenger drop-off and vehicular turn-around facilities shall be provided on the site and shall be designed to minimize interference with pedestrians, bicyclists and motor vehicles.
  - b. The main vehicular entrance shall be located on the designated Major Thoroughfare and the site shall be designed so all delivery vehicles utilize this entrance, where applicable.
  - c. All principal and accessory uses shall be reviewed to determine the total required number of parking spaces to be provided (i.e., church with private school and day care facility). As part of the PUD the overall total number of required spaces may be decreased based on shared parking usages.
  - d. Passenger drop-off and pick-up may be located in required yards."

**13.6.1 General Standards:** *The Planning Commission and the City Commission, in their respective hearings, shall review the particular circumstances of the PUD application under consideration in terms of the following standards and shall recommend approval, or approve, respectively, a PUD only upon a specific finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:*

- A. *The PUD shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.*
- B. *The PUD shall be designed in a manner to ensure healthful living conditions and adequate light, air, and accessibility for fire and police protection for the inhabitants and users of the development as well as adjacent City residents.*
- C. *The PUD shall be consistent with the intent of the Comprehensive Plan.*
- D. *The PUD shall not change the essential character of the surrounding area.*
- E. *The PUD shall not be detrimental to the health, safety or welfare of Persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other features of the planned use.*

- F. The PUD shall not place demands on public services and facilities in excess of current capacity, unless planned Improvements have already been scheduled for completion.*
- G. The PUD shall be designed to preserve public vistas and existing important natural, historical, and architectural features of significance within the development.*
- H. The PUD shall be designed so that its pedestrian, non-motorized and automobile circulation systems are safely and conveniently integrated with those of abutting property and any linear trail or Park systems.*
- I. The PUD shall provide that vehicular and pedestrian traffic within the site shall be safe and convenient and that parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent Streets. Safe and adequate access for emergency vehicles and adequate space for turning around shall be provided.*
- J. The PUD shall not result in any greater stormwater runoff to adjacent property after development, than before.*
- K. The design of the PUD shall exhibit a reasonable harmonious relationship between the location of Buildings on the site relative to Buildings on lands in the surrounding area; and there shall be a reasonable architectural and functional compatibility between all Structures on the site and Structures within the surrounding area. It is not intended that contrasts in architectural design and Use of façade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing Building designs and façade materials so as to create an adverse effect on the stability and value of the surrounding area.*
- L. The design of the PUD shall ensure that outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a Nuisance to the subject property or neighboring properties.*
- M. The PUD shall be designed such that phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, Public Utility services, drainage or erosion control.*
- N. The Applicant shall be in substantial compliance with any previously issued Zoning Permits and shall not otherwise be disqualified from receiving a permit under Section 23.3.3 of this Ordinance.*

**13.6.2 Conditions:** The Planning Commission may recommend, and the City Commission may impose, conditions with the approval of a PUD which are necessary to ensure compliance with the standards for approval stated in this Section and any other applicable standards contained in this Ordinance. Such conditions shall be considered an integral part of the PUD approval.

**13.6.3 Waiver of Planned Unit Development Standards:** The City Commission, following the recommendation of the Planning Commission, may waive any of the standards for a PUD contained in this Article or other relevant standard in this Ordinance where all of the following findings are documented along with the rationale for the decision:

- A. No substantial public purpose will be achieved by requiring conformance with the standards sought by the Applicant to be waived.
- B. The spirit and intent of the PUD provisions will still be achieved and no significant increase in density or intensity of use, or of mass of Buildings or Structures, or of traffic will be generated beyond the amount that would be permitted without this waiver.
- C. No Nuisance will be created.

The applicant is not proposing any new waivers as part of the request nor do they need to modify any existing waivers.

**Action.**

Conduct a public hearing. The public hearing notice appeared in the Herald Palladium on June 21, 2025 and the 300' notices were sent to property owners and tenants on June 20, 2025. No written comments had been received as of Monday, June 30, 2025.

Consider the request as presented and review the criteria found in Sections 13.3.1- Minimum Requirements and 13.3.3 - Eligibility Requirements, and 13.6.1 -General Standards (a PUD may be approved only upon a specific finding of compliance with each standard). The language for the 3 review sections is listed above. Consider whether any standards for a PUD may be waived under Section 13.6.3 - Waiver of Planned Unit Development Standard.

- a. No modification or new waivers are necessary for this request.

The Planning Commission has the following options:

Recommend approval of a Third Amendment to the Planned Unit Development at 1234 Napier Avenue as submitted.

“...move to recommend approval of the proposed third amendment to the Planned Unit Development for the property located at 1234 Napier Avenue commonly known as Corewell Health - Lakeland Hospitals St. Joseph Hospital as presented to allow an irregularly shaped two-story addition on the south side of the building with each floor being less than 1,500 square feet as the request meets the required standards under Sections 13.2, 13.3.1, 13.3.3 and 13.6 of the Zoning Ordinance based on the applications found in the July 9, 2025 Planning Commission Packet which includes four sheets depicting proposed site modifications with no new or modified waivers being requested.

Recommend denial of a Second Amendment to the Planned Unit Development at 1234 Napier Avenue as submitted.

“...move to recommend denial of the proposed third amendment to the Planned Unit Development for the property located at 1234 Napier Avenue commonly known as Corewell Health - Lakeland Hospitals St. Joseph Hospital as presented to allow an irregularly shaped two-story addition on the south side of the building with each floor being less than 1,500 square feet as the request does not meet the required standards under Sections 13.2, 13.3.1, 13.3.3 and 13.6 of the Zoning Ordinance based on the applications found in the July 9, 2025 Planning Commission Packet which includes four sheets depicting proposed site modifications with no new or modified waivers for the following reasons... (state specific standards and items)”.

- Continue the discussion to the next meeting to obtain additional information.

“...to postpone further discussion until the August 7, 2025 Planning Commission meeting to allow the Applicant time to address the following concerns ..... (state specific items to be addressed)”

#### **ATTACHMENTS:**

- Location Map - 1234 Napier Avenue (PDF)
- Zoning Map - 1234 Napier Avenue (PDF)
- Photographs - 1234 Napier Ave (PDF)



Action Item (ID # 10892)

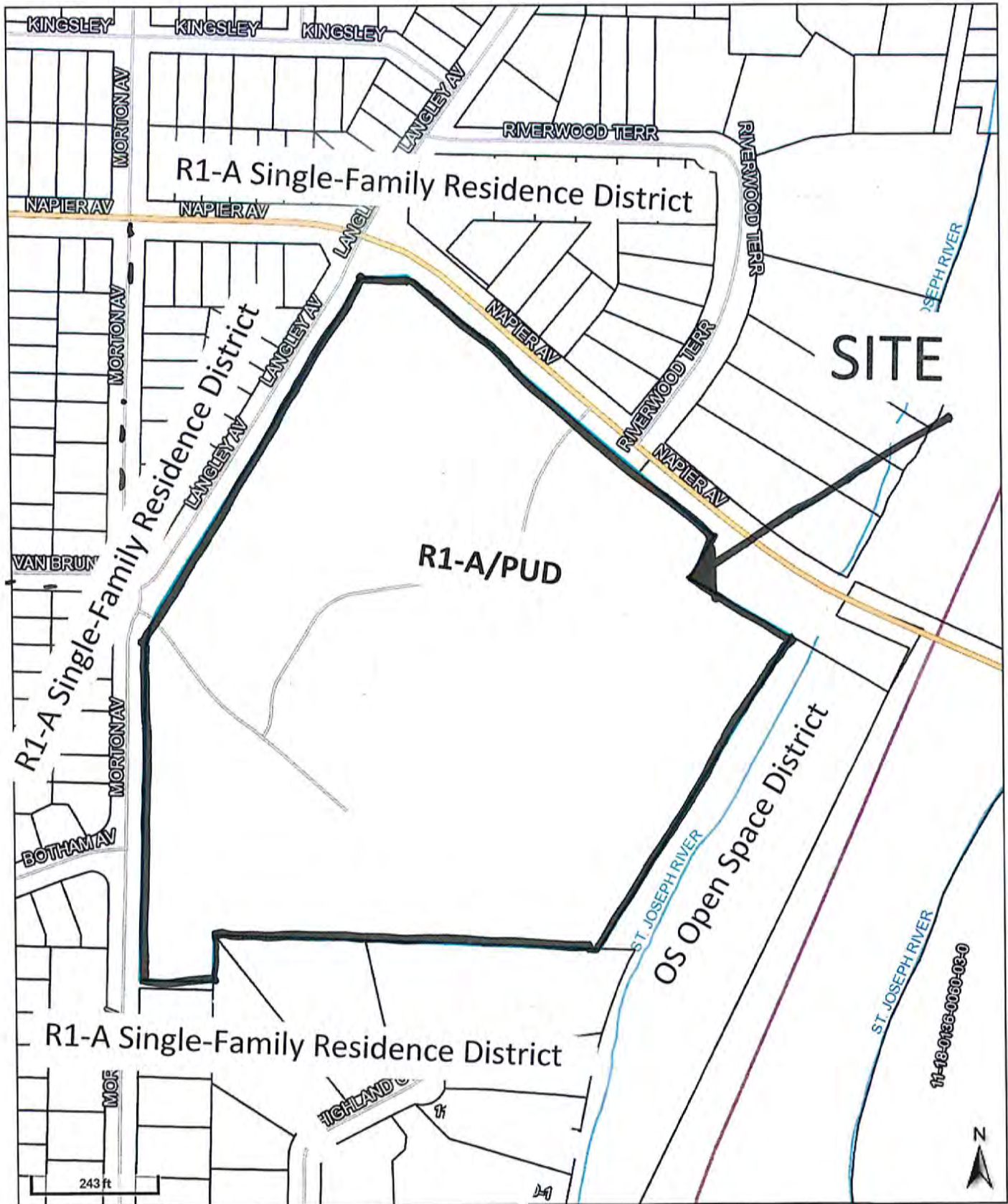
Meeting of July 9, 2025

- Application - 1234 Napier Avenue with supplemental information (PDF)
- Written Comment - Ludwig (PDF)





# Zoning Map - 1234 Napier Avenue





## 1234 Napier Ave

View looking south from Napier Avenue.



View looking south from Napier Avenue.



View looking east from Morton Avenue – drive to emergency room.



CITY OF ST. JOSEPH  
 PLANNING & ZONING DEPARTMENT  
 700 Broad Street  
 St. Joseph, MI 49085  
 Phone (269)983-1212  
 Fax (269) 985-0347  
 www.sjcity.com

## **PLANNED UNIT DEVELOPMENT APPLICATION**

Please print legibly. All portions must be completed. Do not leave any section blank, use N/A. Incomplete forms will be returned. All required materials must be received by the City and determined to be complete no less than 24 calendar days prior to the next Planning Commission meeting. If additional space is needed, please use additional sheets of paper.

### **Property Information**

Property Address: 1233 Napier Ave, St. Joseph MI. 49085

Project Name: Behavioral Health Renovation and Addition

Property Code Number (Tax Number): 11-76-

Briefly Explain Request: Add a small addition to connect the C-Tower west wing and C-Tower old MRI to renovate and modernize the current Behavioral Health unit.

Applicable Section of Zoning Code for Request: PUD 2016

Previous Approvals Granted to Property: Amend#1 in 2016, Amend#2 in 2018, Amend #3 in 2021, Amend #4 2024

### **Applicant Information**

In case of trust, provide the name, address and telephone numbers of all trustees and beneficiaries of the trust. An LLC or corporation must provide a copy of Articles of Incorporation. In case the applicant is not the property owner, written permission from the property owner is required.

Name of Applicant: Philip Cooper

Relationship to Property Owner: Director, Planning Design & Construction - South

Mailing Address: 1234 Napier Ave

City: St. Joseph State: MI Zip Code: 49085

Telephone Number: 269-983-8822 Emergency Number: 269-985-4654

E-mail Address: Philip.Cooper@corewellhealth.org



**Name of Property Owner:** Lakeland Hospital at Niles & St. Joseph

Mailing Address: 1234 Navier Ave

City: St. Joseph State: MI Zip Code: 49085

Telephone Number: 269-983-8822 Emergency Number: 269-985-4654

E-mail Address: philip.cooper@corewellhealth.org

**Attorney:** Thomas Huyck

Mailing Address: 1234 Napier Ave

City: St. Joseph State: MI Zip Code: 49085

Telephone Number: 269-983-8109 E-mail Address: thomas.huyck@corewellhealth.org

**Engineer and/or Architect:** Steven B. Dickerson

Mailing Address: 15 Ioina SW Suite 330

City: Grand Rapids State: MI Zip Code: 49503

Telephone Number: 269-251-5955 E-mail Address: SDickerson@dhae.com

### Site Information

General description or characteristics of the site: Lakeland Hospital St. Joseph Campus

Master Plan Designation: \_\_\_\_\_

Existing Zoning and Land Use: R1-A Hospital

Proposed Land Use: PUD Hospital

Existing square footage of property: 1,051,102

Proposed square footage of property: 1,051,102

Existing square footage of all buildings on the property: 908,698

Proposed square footage of all buildings on the property: 911,582

Is the property located in any of the following overlay districts?

Downtown Height Overlay District (Section 9.4)?	Yes: _____	No: <u>X</u>
Lake Bluff Scenic View Protection Overlay District (Section 9.5)?	Yes: _____	No: <u>x</u>
Floodplain Overlay District (Section 9.6)?	Yes: _____	No: <u>x</u>
Edgewater Beach Overlay District (Section 9.7)?	Yes: _____	No: <u>x</u>
Main Street Overlay District (Section 9.8)?	Yes: _____	No: <u>x</u>

Existing land use and zoning of adjacent parcels:

North: R-1

South: R-1

East: R-1

West: R-1

**Review objectives, requirements and standards that must be met in order for a Planned Unit Development to be approved.** The following questions/statements must be answered.

**Planned Unit Development Objectives**

Section 13.2: Objectives states: For a proposed PUD located in a District other than the W Water Recreation District, the Applicant shall demonstrate that approval of the PUD would result in a recognizable and substantial benefit to the community that could not be achieved under the normal regulations of the District, in one or more of the following areas:

- A. To provide more desirable living, shopping and working environments by preserving as much of the natural character of the property as possible, including but not limited to, open space, stands of trees, brooks, ponds, river and lake Shorelines, floodplains, hills, and similar natural assets.

The project will not affect the current natural environment

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- B. To encourage the provision of open space and the development of recreational and other common facilities in a generally central location within reasonable distance of all living units. Developments having water frontage should be so designed to preserve public vistas where possible.

The new addition will have windows allowing views to the river.

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- C. The long-term protection and/or preservation of natural resources and natural features and/or historical and/or architectural features of a significant quantity and/or quality in need of protection or preservation on a local, state and/or national basis.

n/a

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- D. Reducing to a significant extent the Nonconformity of a Nonconforming Use, Building or Structure, i.e., modification of a Nonconforming Use or Structure so that, to a significant extent, it is rendered more conforming, or less offensive, to the zoning District in which it is situated.

The addition will match the existing building to enhance the view from adjacent houses.

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- E. The provision of additional amenities which would not otherwise be provided in a conventional development, including but not limited to more usable open space.

The addition will provide additional space for the Behavioral Unit which will benefit the local community of St. Joseph, Benton Harbor and the southwest Michigan community.

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- F. To promote the efficient Use of land to facilitate a more economic arrangement of Buildings, circulation systems, land uses, and utilities.

N/A

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- G. To combine and coordinate architectural styles, Building forms, and Building relationships within the PUD.

The project will align with existing architectural language of the hospital, approved in the last PUD amendments.

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## Planned Unit Development General Minimum Requirements

### SECTION 13.3 GENERAL 13.3.1 Minimum Requirements:

- A. PUDs are permitted in all Districts.

What Zoning District is the property located in: PUD Hospital

- B. A PUD must be primarily composed of Authorized Uses and Uses designated in Section 4.6.3, Section 4.6.6, or Section 4.6.5 as "PUD" for the District in which the proposed PUD would be located. Any other Uses included in a PUD must be clearly incidental to and in support of these Authorized Uses and "PUD" Uses.

State how the proposed use is permitted in the existing Zoning District: Within PUD Hospital

- C. The dimensions of Lots, Structures, height, Yard, Setback and Lot Coverage requirements, as established in the District, may be modified by an approved PUD permit.

Is this information stated on the Site Plan? Yes: \_\_\_\_\_ No: x

Is this information included in the Site Plan Application? Yes: \_\_\_\_\_ No: x

- D. A PUD including a residential Use and located in a residential District may not exceed the number of Dwelling Units otherwise allowed for that Parcel in that District, considering all District regulations such as Setbacks, minimum Dwelling Unit sizes, and required access to Streets, by more than twenty percent (20%). A PUD including a residential Use and located in a District other than a residential District may not exceed the number of Dwelling Units permitted for that Parcel, if that parcel were located in an R3 District, considering all R3 District regulations such as Setbacks, minimum Dwelling Unit sizes, and required access to Streets, by more than twenty percent (20%).

Calculate the number of allowed residential units: n/a

- E. In the case of a mixed-use PUD which includes a Permitted Use in the zoning District, a Building devoted primarily to such a Use must be built before or concurrently with any Building devoted primarily to any other Use. If there is no Building devoted primarily to a Permitted Use, a Building including a Permitted Use must be built before or concurrently with any Building that does not include such a Use.

Do you understand and agree to this statement? Yes: x No: \_\_\_\_\_

- F. For a PUD located in a District other than the W Water Recreation District, not less than twenty percent (20%) of the area of a PUD must be undeveloped open space. Required yards, landscaping, rights-of-way and other similar features otherwise required in the Zoning District do not count toward this open space requirement. This open space must consist of areas that are:

1. Contiguous and uninterrupted by Structures, Driveways and other features.
2. Significant in size when considered in relation to the PUD area.
3. Used only for landscaping, lawn, playfield, natural area or other similar uses.

Calculate the amount of open space required: n/a

- G. A PUD must be designed as a single development and shall be at least fifty percent (50%) completed within two (2) years, unless otherwise stated in the approved PUD permit.

Do you understand and agree to this statement? Yes: ☒ No: ☐

Proposed completion date of project: December 2027

### **Planned Unit Development Eligibility Requirements**

#### **13.3.2 Eligibility Requirements:**

- A. W Water Recreation District. No PUD located in the W Water Recreation District shall be approved unless the Applicant demonstrates, through written submittal, that the land Use and development meets the eligibility requirements and the standards set forth in this Ordinance, and in addition that the PUD shall remain under the control or authority of a single individual, corporate or organizational Owner who is authorized to administer the PUD. Noncontiguous Parcels may be considered where other benefits to the public are sufficiently great to warrant such consideration in the opinion of the City Commission as provided in MCL 15.584b.

N/A

- B. Other Districts. No PUD located in a District other than the W Water Recreation District shall be approved unless the Applicant demonstrates, through written submittal that the land Use and development substantially advances objectives described in Section 13.2, and meets the eligibility requirements and the standards set forth in this Ordinance, and in addition that:

1. The PUD shall result in a recognizable and substantial benefit to the ultimate users of the project and to the City of St. Joseph. Such benefit must otherwise be unfeasible or unlikely to be achieved by development under a single zoning District taking into consideration the reasonably foreseeable detriments of the proposed development and use(s).

The project will maintain the existing PDU.

2. The PUD shall remain under the control or authority of a single individual, corporate or organizational Owner who is authorized to administer the PUD. Noncontiguous Parcels may be considered where other benefits to the public are sufficiently great to warrant such consideration in the opinion of the City Commission as provided in MCL 15.584b.

The control will remain under Corewell Health St



Medical Service Establishments, Large, Social Institutions and Bed and Breakfast Establishments (in the W Water Recreation District) are required to respond to Section 13.3.3 Special Standards for Specific Uses in writing as an attachment to this application.

- A. Additional Requirements for Medical Service Establishments, Large and Social Institutions.
- B. Additional Requirements for Bed and Breakfast Establishments

### **Planned Unit Development General Standards**

**13.6.1 General Standards:** The Planning Commission and the City Commission, in their respective hearings, shall review the particular circumstances of the PUD application under consideration in terms of the following standards and shall recommend approval, or approve, respectively, a PUD only upon a specific finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:

- A. The PUD shall be designed, constructed, operated and maintained in a manner harmonious with the character of adjacent property and the surrounding area.

Yes, the project will maintain the same character as adjacent buildings.

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- B. The PUD shall be designed in a manner to ensure healthful living conditions and adequate light, air, and accessibility for fire and police protection for the inhabitants and users of the development as well as adjacent City residents.

The project will add additional light to the structure to provide better patient experience and better views from adjacent houses.

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- C. The PUD shall be consistent with the intent of the Comprehensive Plan.

Yes.

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- D. The PUD shall not change the essential character of the surrounding area.

The project follows the character of the R-1 Hospital

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- E. The PUD shall not be detrimental to the health, safety or welfare of Persons or property through the excessive production of traffic, noise, smoke, fumes, ground vibration, water runoff, odors, light, glare or other features of the planned use.

This is not going to change the current environment of the area.

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- F. The PUD shall not place demands on public services and facilities in excess of current capacity, unless planned Improvements have already been scheduled for completion.

The project will be utilizing the existing services and facilities.

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- G. The PUD shall be designed to preserve public vistas and existing important natural, historical, and architectural features of significance within the development.

The project took into consideration the above features.

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- H. The PUD shall be designed so that its pedestrian, non-motorized and automobile circulation systems are safely and conveniently integrated with those of abutting property and any linear trail or Park systems.

No change to the existing pedestrian and automobile circulation

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- I. The PUD shall provide that vehicular and pedestrian traffic within the site shall be safe and convenient and that parking layout will not adversely affect the flow of traffic within the site or to and from the adjacent Streets. Safe and adequate access for emergency vehicles and adequate space for turning around shall be provided.

No change to the existing safety within the site

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- J. The PUD shall not result in any greater stormwater runoff to adjacent property after development, than before.

The project is maintaining the same

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- K. The design of the PUD shall exhibit a reasonable harmonious relationship between the location of Buildings on the site relative to Buildings on lands in the surrounding area; and there shall be a reasonable architectural and functional compatibility between all Structures on the site and Structures within the surrounding area. It is not intended that contrasts in architectural design and Use of façade materials is to be discouraged, but care shall be taken so that any such contrasts will not be so out of character with existing Building designs and façade materials so as to create an adverse effect on the stability and value of the surrounding area.

The project will maintain harmony with its surrounding.

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- L. The design of the PUD shall ensure that outdoor storage of garbage and refuse is contained, screened from view, and located so as not to be a Nuisance to the subject property or neighboring properties.

We'll be using existing

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- M. The PUD shall be designed such that phases of development are in a logical sequence, so that any one phase will not depend upon a subsequent phase for adequate access, Public Utility services, drainage or erosion control.

Yes.

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- N. The Applicant shall be in substantial compliance with any previously issued Zoning Permits and shall not otherwise be disqualified from receiving a permit under Section 23.3.3 of this Ordinance.

No pending items.

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### **Planned Unit Development Waivers**

**13.6.3 Waiver of Planned Unit Development Standards:** The City Commission, following the recommendation of the Planning Commission, may waive any of the standards for a PUD contained in this Article or other relevant standard in this Ordinance where all of the following findings are documented along with the rationale for the decision:

- A. No substantial public purpose will be achieved by requiring conformance with the standards sought by the Applicant to be waived.

N/A

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- B. The spirit and intent of the PUD provisions will still be achieved and no significant increase in density or intensity of use, or of mass of Buildings or Structures, or of traffic will be generated beyond the amount that would be permitted without this waiver.

N/A

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- C. No Nuisance will be created.

N/A

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- D. List of Waivers requested. (Example Table 5-1 W District lot coverage 50% to 52%)

N/A

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## PLANNED UNIT DEVELOPMENT (PUD) APPLICATION CERTIFICATION

The Applicant certifies and acknowledges and agrees that:

- A. The statements contained in this application are true and correct to the best of the Applicant's knowledge and belief. The owner of the subject property, if different from the applicant, states that they consent to the filing of the application and that all information contained is true and correct to the best of their knowledge;
- B. The Applicant understands that an incomplete or nonconforming application will not be considered. In addition, the Applicant understands that the City may require additional information prior to the consideration of this application which may include, but is not limited to, a traffic study if required by the Planning Commission or City Commission;
- C. The Applicant shall make the property that is subject of this application available for inspection by the City at reasonable times;
- D. If any information provided in this application changes or becomes incomplete or inapplicable for any reason following submission of this application, the Applicant shall submit a supplemental application or other acceptable written statement containing the new or corrected information as soon as practicable but not less than ten (10) days following the change, and that failure to do so shall be grounds for denial of the application;
- E. The Applicant understands that if the application is approved with conditions, those conditions will need to be met as part of any permit issued; and
- F. The Applicant understands that they are responsible for all application fees. Fees are non-refundable and there is no guarantee the application will be approved or permits issued. There should be no outstanding monies owed to the City (i.e., water bill or taxes).

On the 10th day of June, 2025, I/We have read the above certification, understand it, and agree to abide by its conditions.

Philip Cooper

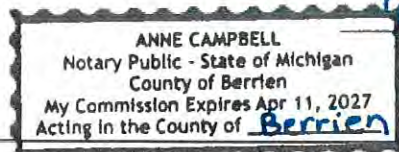
Signature of Applicant or Authorized Agent

Philip Cooper

Name of Applicant or Authorized Agent

### SUBSCRIBED AND SWORN

To before me this 10<sup>th</sup> day of  
June, 2025



*Anne Campbell*  
Notary Public

### OFFICIAL CITY USE:

Completed: PUD Application: \_\_\_\_\_ Date Received: \_\_\_\_\_ Fee: \_\_\_\_\_  
Site Plan Review Application: \_\_\_\_\_ Other: \_\_\_\_\_



# **PLANNED UNIT DEVELOPMENT (PUD) APPLICATION OWNER'S CONSENT FORM**

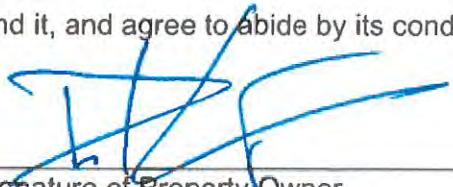
I/We, the Owner(s) of the property listed below, hereby grant permission for the Applicant, Philip Cooper

(Company name and contact person) to seek PUD Amendment

(state request that can be made) as required by the City of St. Joseph, Michigan for the property commonly known as 1234 Napier Ave (street address)

and having the Property Code Number (Tax Number) of 11-76-0026-0171-02-8

On the 10th, day of June, 2025, I/We have read the above certification, understand it, and agree to abide by its conditions.

  
\_\_\_\_\_  
Signature of Property Owner

PHIL COOPER  
\_\_\_\_\_  
Name of Property Owner

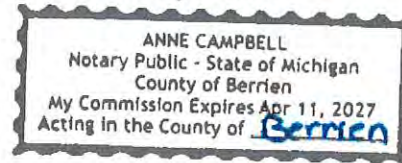
\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Name of Property Owner

## **SUBSCRIBED AND SWORN**

To before me this 10<sup>th</sup> day of  
June, 2025

Anne Campbell  
\_\_\_\_\_  
Notary Public





LAYOUT AND MATERIALS LEGEND

--- LIMIT OF WORK (OFFSET FOR CLARITY)

--- BUILDING OVERHANG

HEAVY DUTY ASPHALT PAVEMENT

MEDIUM DUTY ASPHALT PAVEMENT

ASPHALT OVERLAY - 2" DEPTH

HEAVY DUTY CONCRETE PAVEMENT

LIGHT DUTY CONCRETE PAVEMENT

EXPANSION JOINT

CONTROL JOINT

CONCRETE PAVERS

COLORLED LIGHT DUTY CONCRETE PAVEMENT

GRAVEL

PARKING LOT DESCRIPTION	PART OF OVERALL PROJECT SCOPE?	AMEND. #1 SPACES	AMEND. #1 ADA SPACES	AMEND. #2 SPACES	AMEND. #2 ADA SPACES
CX.1, 2ND FLOOR PARKING	YES	99	4	115	0
CX.1, 1ST FLOOR PARKING	YES	27	6	35	2
CX.2, 2ND FLOOR PARKING	YES	90	0	90	0
CX.3, ENTRY LOT	YES	0	12	0	6*
CX.4, SERVICE AREA	YES	23	0	18	0
NORTH PARKING	NO	341	0	341	0
PARKING GARAGE	YES	736	16	700	40
TOTAL: NO CHANGE		1380	33	1299	48
REQUIRED PER ORDINANCE		970	24	970	24

\*AREA C1.3 ENTRY LOT IS UNDER DESIGN AND SHALL INCLUDE 6 ADA SPACES IN FINAL CONDITION.  
NET STANDARD PARKING SPACE IMPACT: - 17 SPACES  
NET ADA PARKING SPACE IMPACT: + 10 SPACES

NOTES

- ALL GRADES AND DIMENSIONS SHOWN ARE PRELIMINARY, SUBJECT TO CHANGE THROUGH SUBSEQUENT DESIGN PHASES.
- SETBACK REQUIREMENTS ARE BASED ON A ZONING CLASSIFICATION OF R1-A AS PER THE CITY OF ST. JOSEPH SCHEDULE OF DISTRICT REGULATIONS: 30' MINIMUM FRONT SETBACK, 7' MINIMUM SIDE SETBACK, AND 30' MINIMUM REAR SETBACK.
- REQUIRED TOTAL PARKING SPACES ARE BASED ON THE REQUIREMENTS OF THE CITY OF ST. JOSEPH ZONING ORDINANCE: ONE SPACE FOR EACH THREE PATIENT BEDS, PLUS ONE SPACE FOR EACH STAFF OR VISITING DOCTOR, PLUS ONE SPACE FOR EACH THREE EMPLOYEES. PROPOSED OPERATIONAL TOTALS FOR THESE AND CORRESPONDING REQUIRED PARKING AS FOLLOWS:

DESCRIPTION	COUNT	PARKING REQUIRED
BEDS (CON) NO CHANGE	241	81 1/3
BEDS (ER)	38	13 2/3
DOCTORS (BASED ON CAMPUS)	141	141
DOCTORS (WITH PRIVILEGES)	165	165
STAFF	1712	570 2/3
TOTAL		970
- APPROVALS ARE ANTICIPATED TO BE REQUIRED FROM THE FOLLOWING AGENCIES: CITY OF ST. JOSEPH, FEDERAL AVIATION ADMINISTRATION, MICHIGAN DEPARTMENT OF TRANSPORTATION, MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY.

PROPOSED LOT COVERAGE SUMMARY

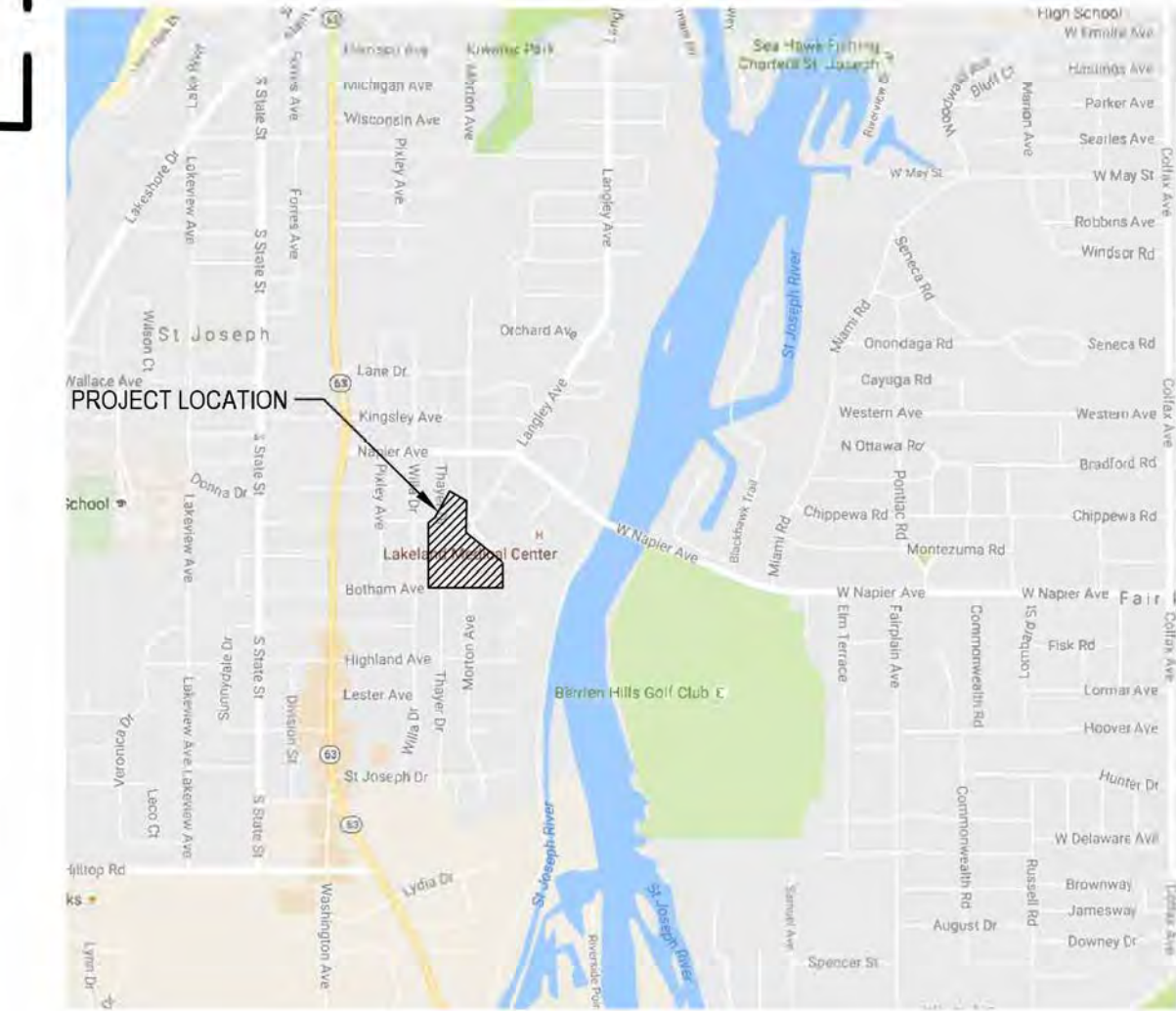
TOTAL LOT AREA:	24.13 ACRES
INSTITUTIONAL BUILDING AREA:	5.88 ACRES (24.4% OF TOTAL)
PARKING GARAGE AREA:	1.27 ACRES (5.3% OF TOTAL)
PROPOSED BUILDING AREA:	0.033 ACRES (0.001% OF TOTAL)
TOTAL BUILDING AREA:	7.21 ACRES (29.87% OF TOTAL)

IMPERVIOUS AREA CALCULATIONS

PROPOSED BUILDING AREA:	7.15 ACRES (29.6% OF TOTAL)
PROPOSED SITE PAVEMENT AREA:	9.03 ACRES (37.4% OF TOTAL)
PROPOSED GREEN SPACE AREA:	7.95 ACRES (33.0% OF TOTAL)
PROPOSED IMPERVIOUS COVERAGE:	16.18 ACRES (67.0% OF TOTAL)

BUILDING FLOOR AREA SUMMARY

EXISTING BUILDING FLOOR AREA:	908,698 SF
PROPOSED BUILDING FLOOR AREA:	2,884 SF
TOTAL BUILDING AREA:	911,582 SF



C1.2

C1.5

C1.3

C1.4

C1.1

VAN BRUNT AVENUE

BOTHAM AVENUE

MORTON AVENUE

LANGLEY AVENUE

NAPIER AVENUE

ST. JOSEPH RIVER

NORTH PARKING

MAIN ENTRANCE

PARKING GARAGE

PATIENT TOWER A

CLINICAL PAVILION

EXISTING HOSPITAL B

EXISTING HOSPITAL C

SERVICE AREA

EMERGENCY DEPARTMENT

LABORATORY

**Corewell Health**

1234 NAPIER AVE. • ST. JOSEPH, MI 49085

COREWELL HEALTH - LAKELAND HOSPITAL

**BEHAVIORAL HEALTH RENOVATION & ADDITION**

1234 W NAPIER AVENUE

ISSUED FOR:	DATE:
1. PUD SUBMITTAL	08/08/2018
2. PUD SUBMITTAL	08/26/2018
3. PUD SUBMITTAL	10/09/2018
4. PUD SUBMITTAL	04/10/2019
5. PUD SUBMITTAL	06/03/2023

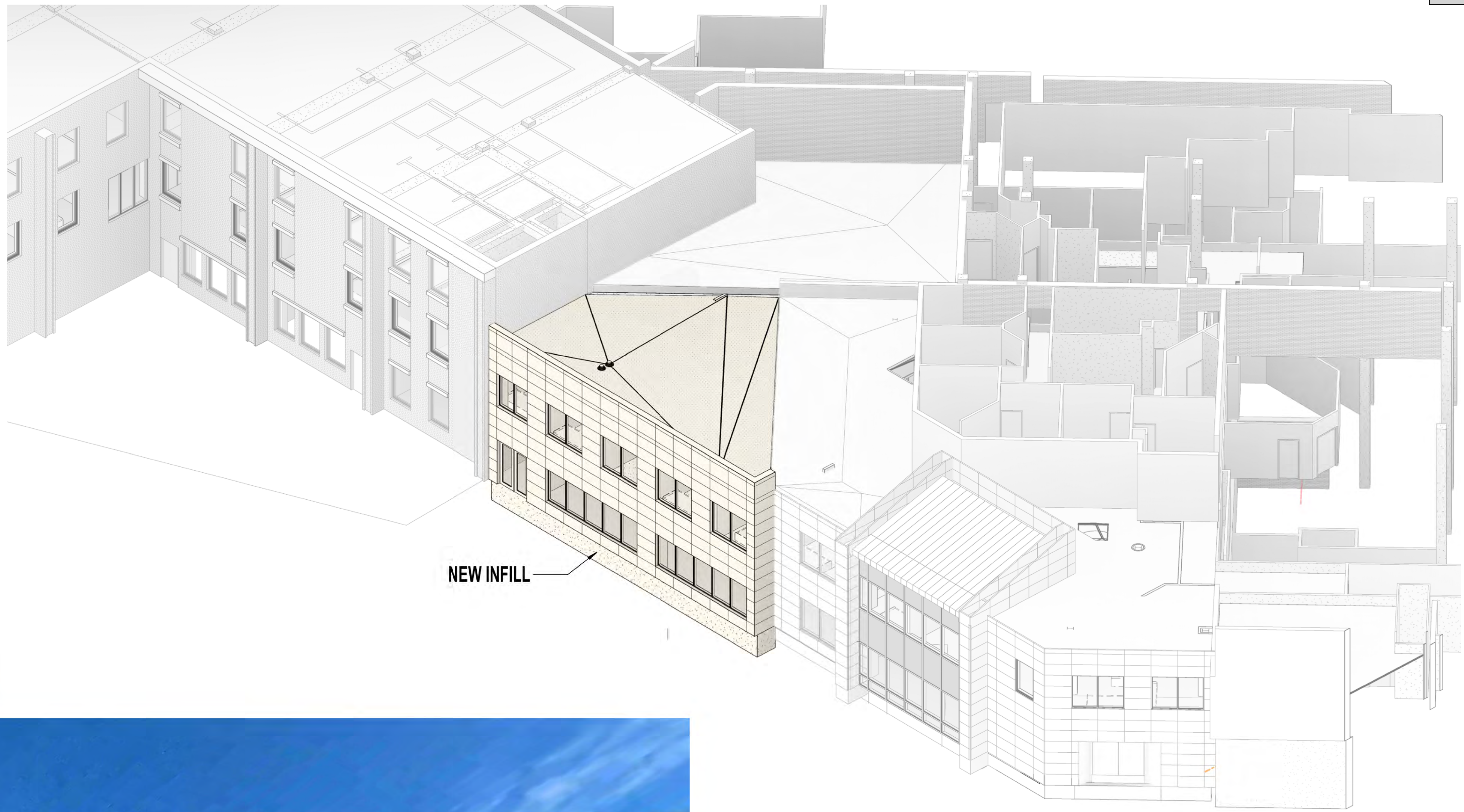
Project No.	Project Number
Drawn By	Checked
AS	PC
AS	AS

OVERALL PROPOSED SITE PLAN

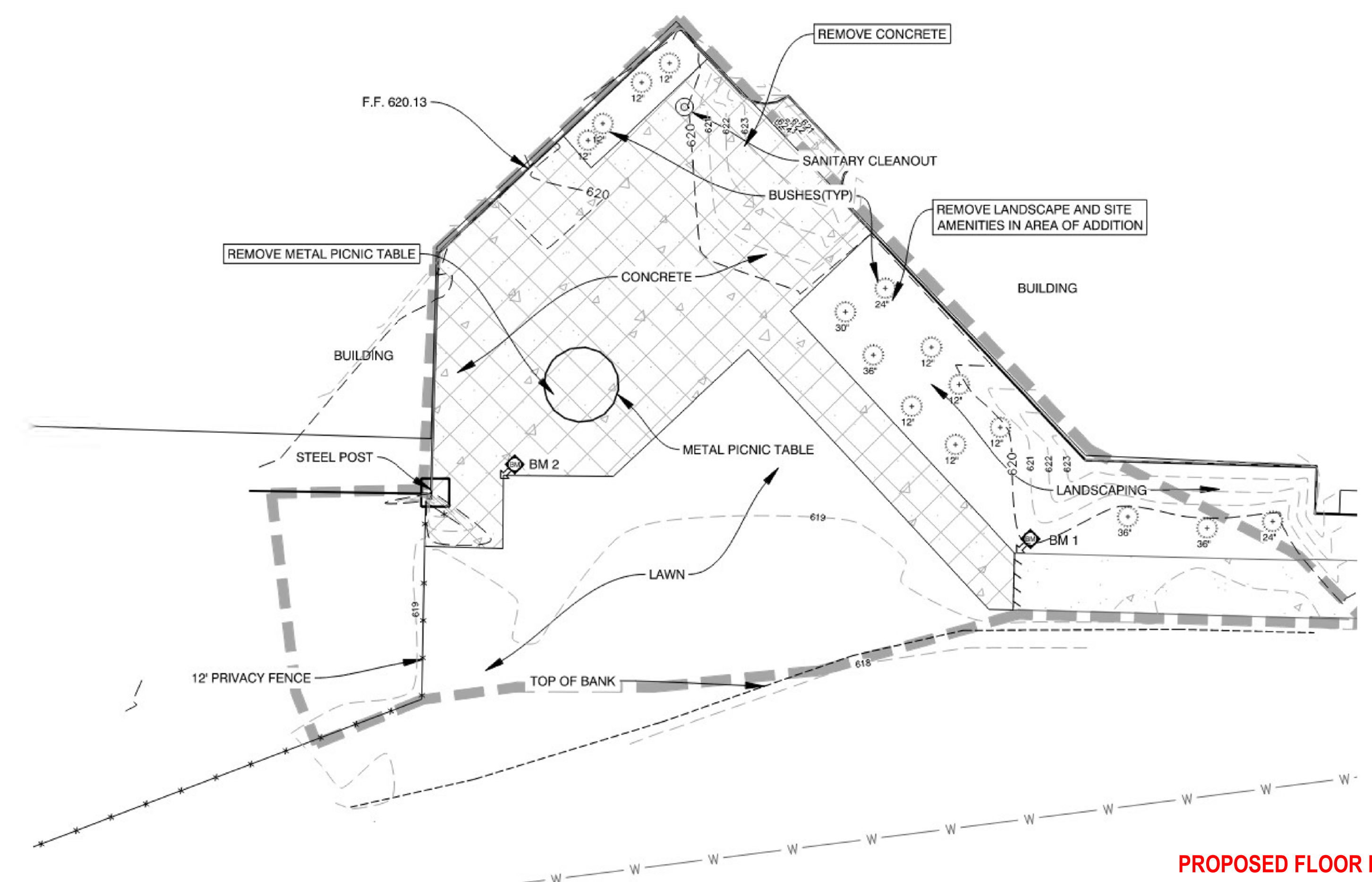
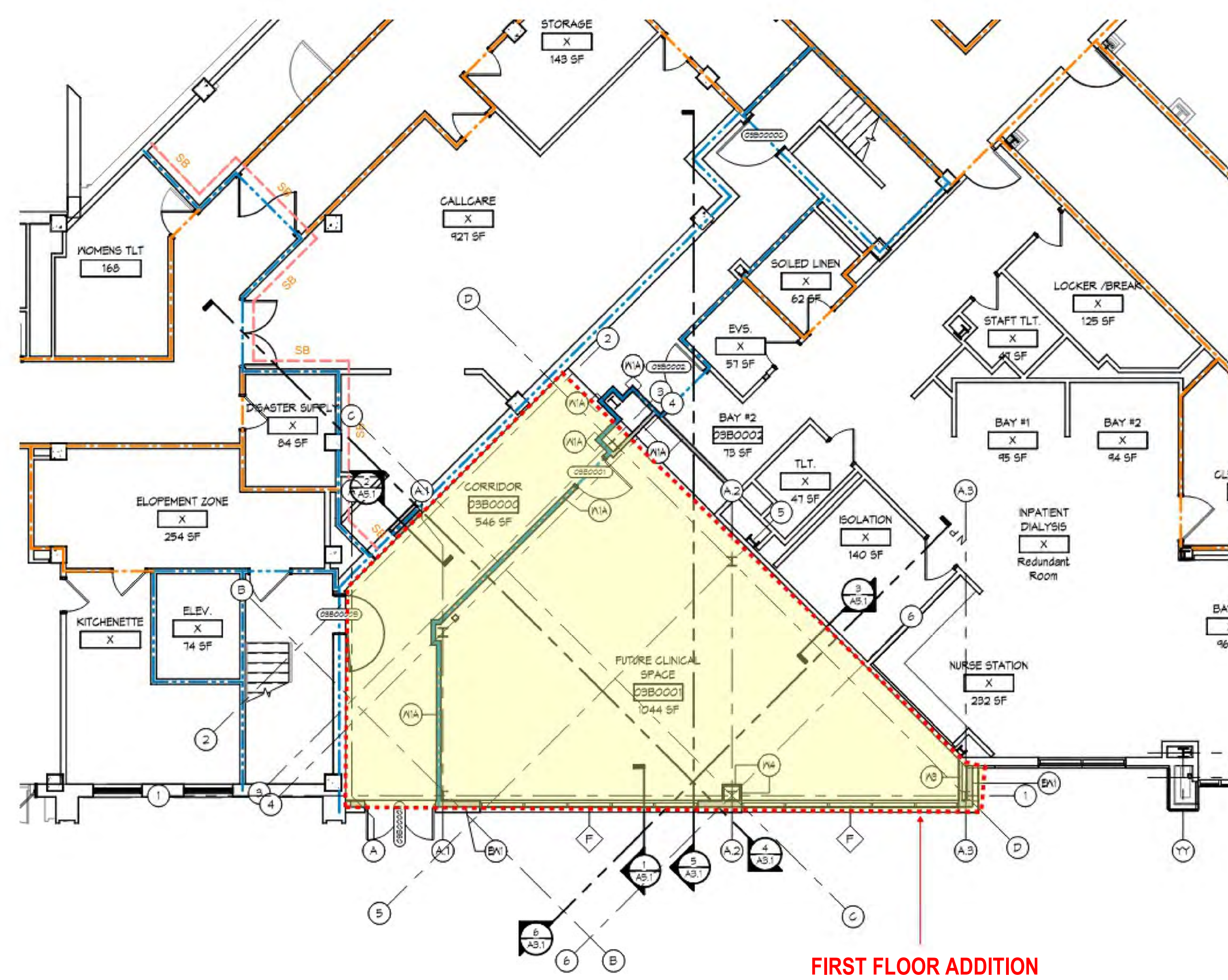
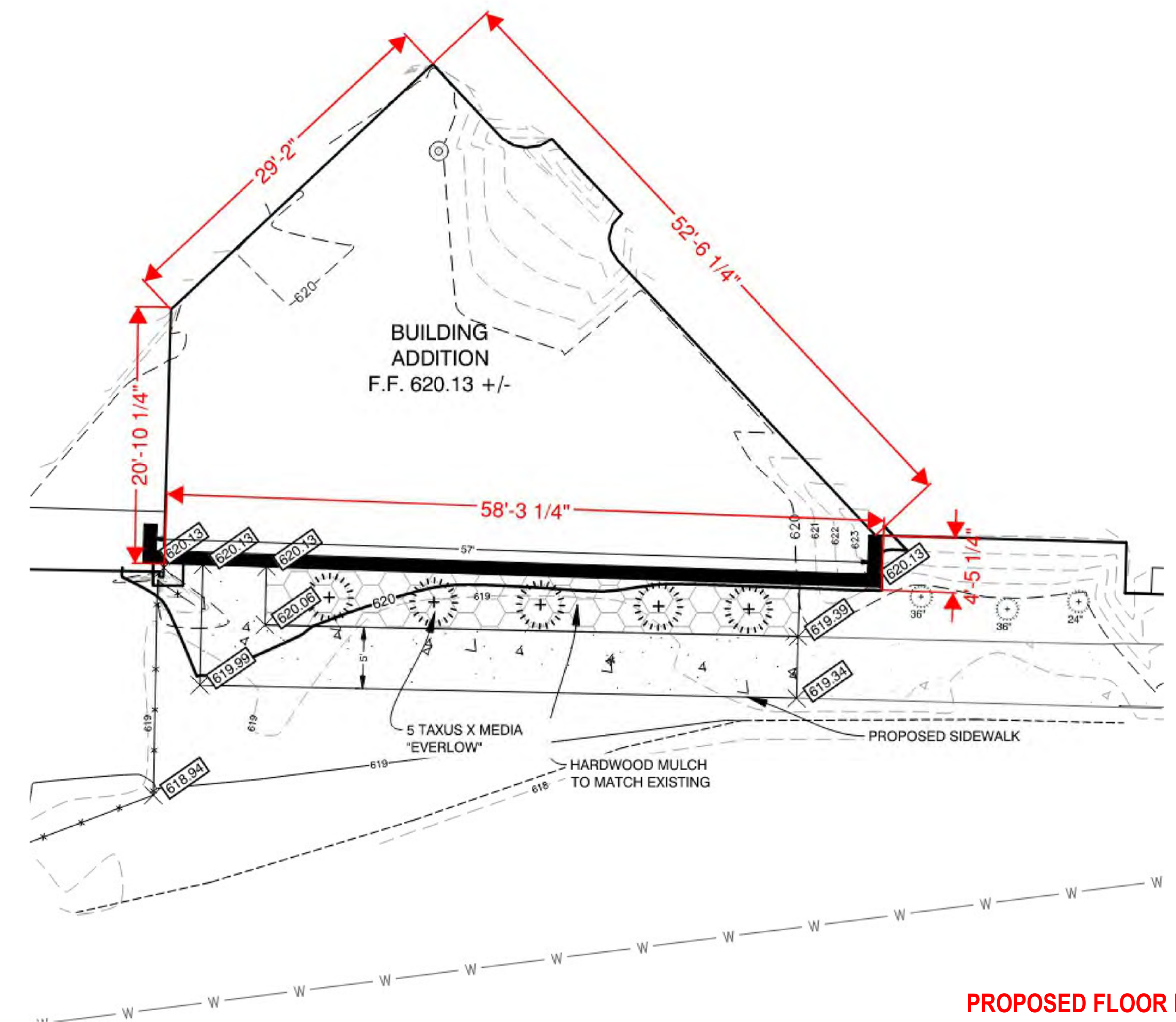
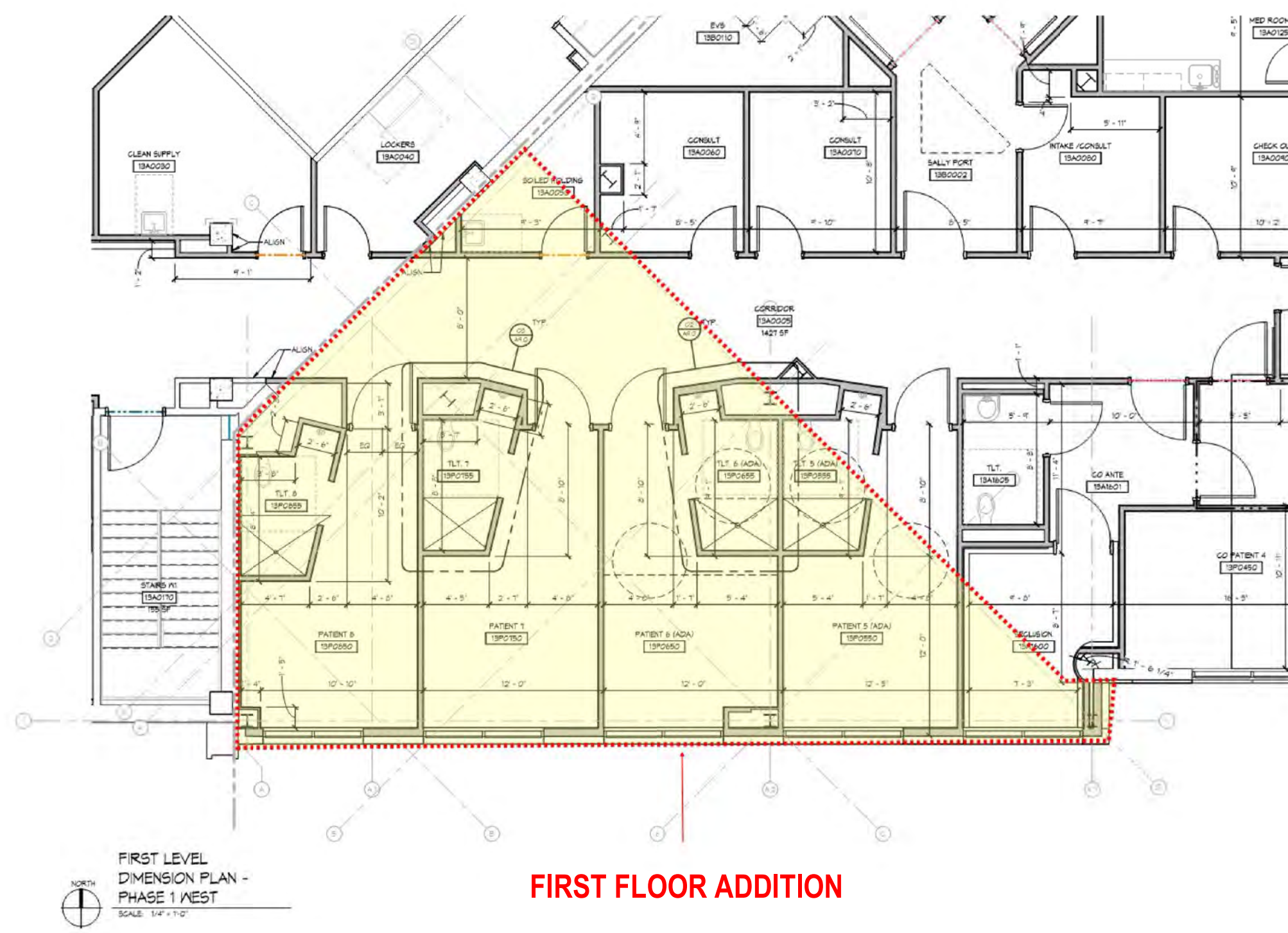
Sheet No.

C0.0

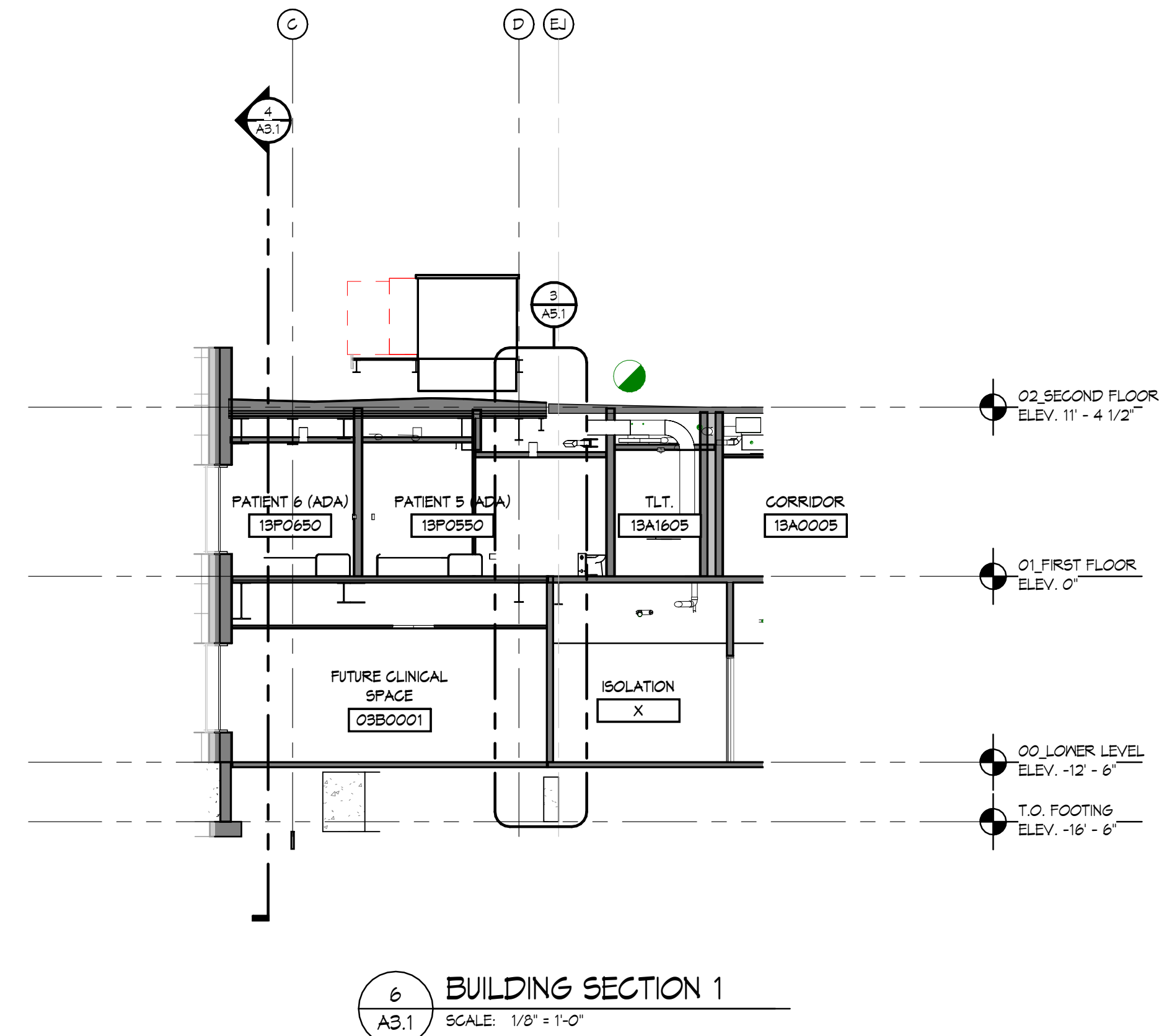
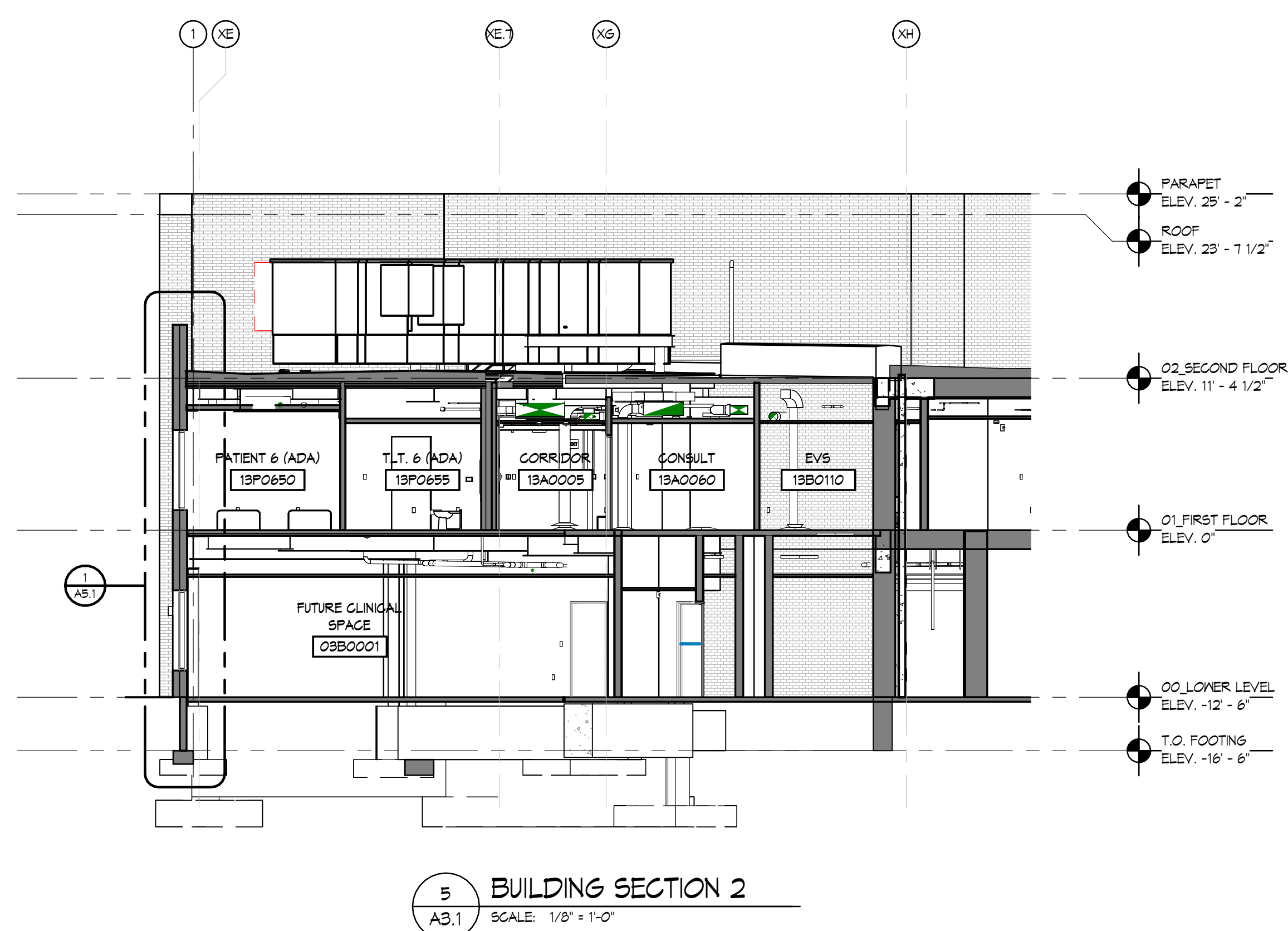
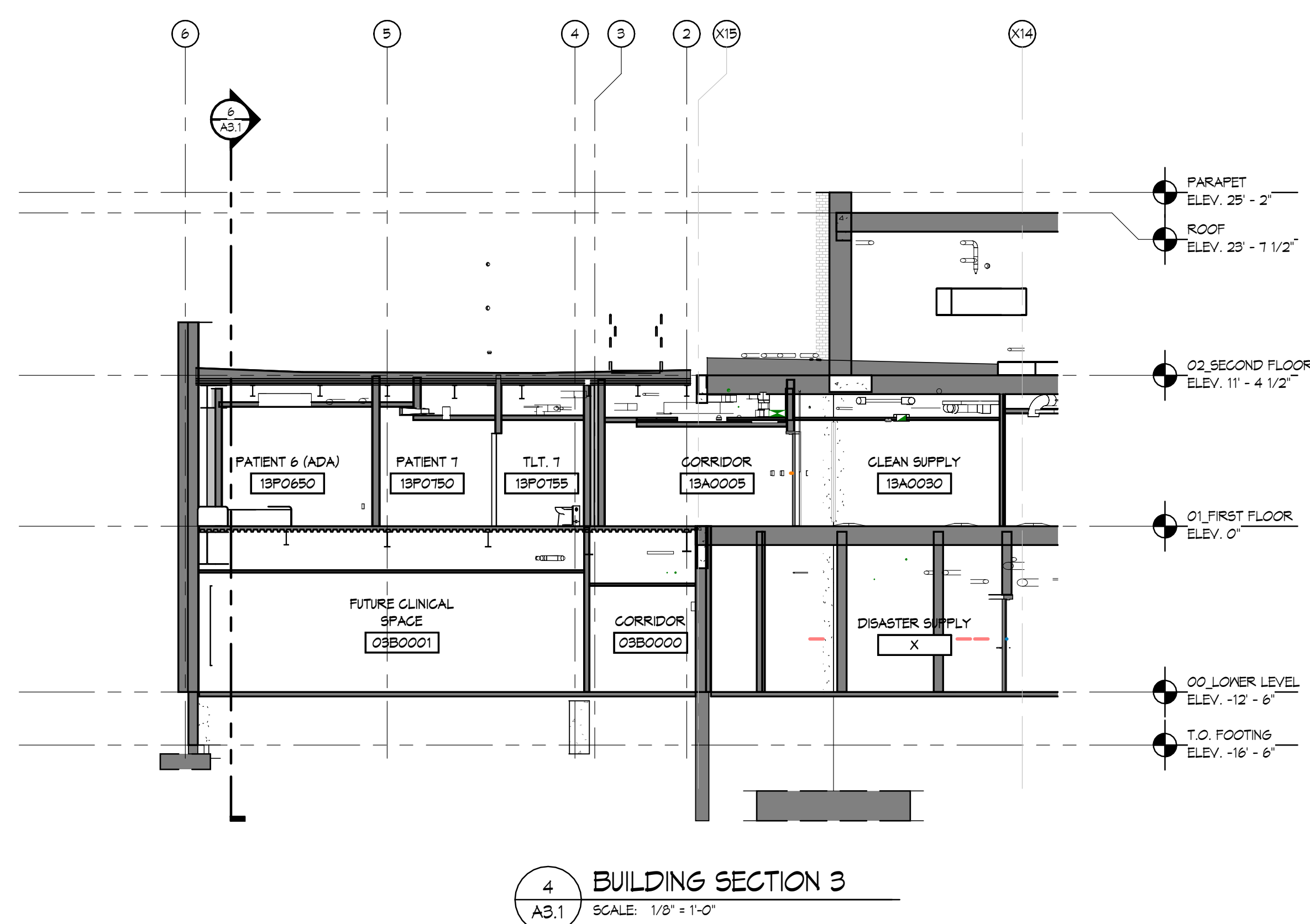
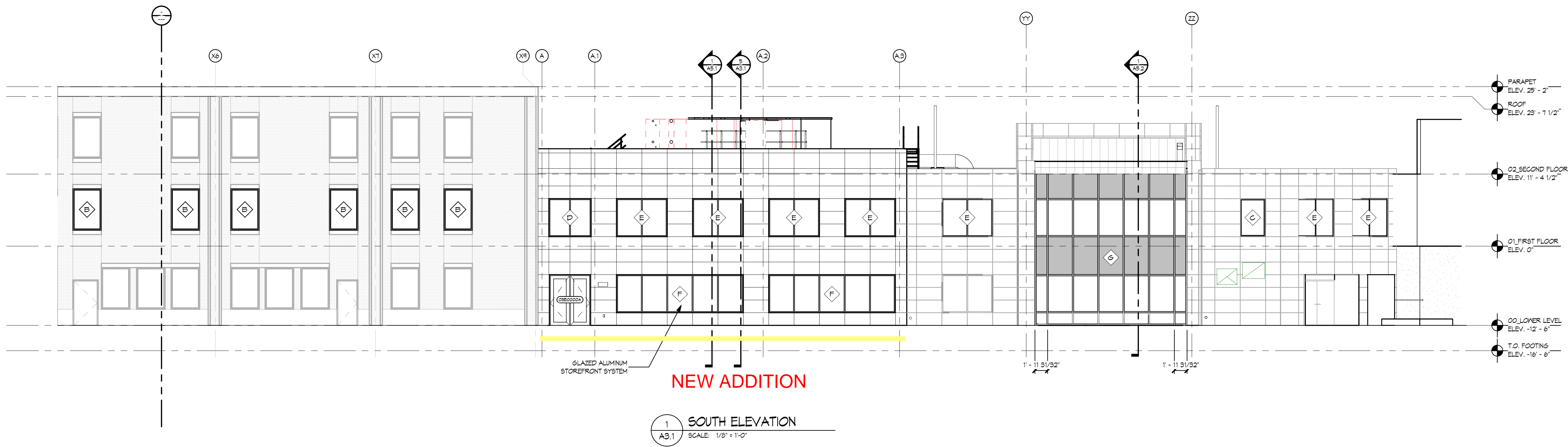














RECEIVED

JUL 01 2025

CITY OF ST. JOSEPH  
ST. JOSEPH, MI 49085

2nd Letter June 25, 2025

Opposed

We now have the helicopters flying right over houses & yards.

Our houses shake & windows rattle. The noise is unbelievable. One neighbor said, her late mother's antique tea cups came crashing to the floor!

Sometimes the loud helicopters go right over two & three times in 1 day!

Property Value

If you thought you could sell your house at the owners "asking price", they're never going to get in once the buyers find out about the helicopters.

P.S. That's already happened on our block!

Our once quiet neighborhood and beautiful scenery is long gone & now getting worse.

P.S. The "Same Story" still goes:

"As long as it's not my family living there, WHO CARES?"

Judith Ludwig  
2619 Thayer

# First letter on file?

## St. Joseph Planning Commission

As a homeowner on the block across from the proposed addition, I am against the Lakeland expansion.

Our neighborhood is just calming down from all the noise, cement dust (caused from "dry cutting") bull dozers, concrete mixers, torn trees, etc. from the Botham Ave. / Thayer Dr. new intersection.

### INCREASED TRAFFIC, CARS, HELICOPTERS

1. From previous expansion, we now have helicopters flying right over our houses & the tower light flashing at all times of day or night. This could get worse → ~~YEAR 2025~~ it did!

### DISREGARD OF NEIGHBORHOOD

2. Several years ago many hospital employees were parking in front of our houses on Botham, Thayer & Morton Ave. We were told that there was ample parking at the hospital. I politely asked a couple of the employees & they said they didn't want their cars to get bumped & they also wanted to park in the shade. They were also leary of the "Parking Garage".

There were about 6 or more employees using our block to smoke their cigarettes, drink their cans of pop & then leave their stuff on our tree lawns. One of our neighbors found a discarded "Scrubs uniform" on the tree lawn.

After the neighbors complained, the

I can see this <sup>problem</sup> happening again!

↓  
hospital told all employees that they must park in the hospital lot.

### QUESTION HOSPITAL SECURITY

3. Also some of the things that happen at the hospital doesn't make the news.

ABOUT  
2020

→ Last summer I looked out my window to see three police cars and one sheriff's car at the house next door! There were four police surrounding a patient from the hospital who was dressed in the hospital gown + footwear. He had a bandage on his arm + what looked like a partial IV in him. (It was!)

After the police talked to him for about 15 to 20 mins., he let them put him in a police car. The patient managed to leave the hospital, walk thru the parking lot, cross Morton Ave., + come all around the block to Thayer Dr.!!

With even more expansion, I certainly question Hospital Security!

### LOWER PROPERTY VALUES

4. The more Lakeland expansion and moving real close to the street, it lowers the property value of all the nearby houses.



**Kristen Gundersen**

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**From:** Inspections  
**Sent:** Monday, July 7, 2025 4:46 PM  
**To:** Kristen Gundersen  
**Subject:** FW: [EXTERNAL] Letter regarding June 20, 2025 Public Hearing  
**Attachments:** Hospital and House Site copy.pdf

Kristen,

For you....

**From:** Doug La Ferle <doug@laferle.com>  
**Sent:** Monday, July 7, 2025 4:16 PM  
**To:** Trudy Wilder <twilder@sjcity.com>; Inspections <inspections@sjcity.com>  
**Subject:** [EXTERNAL] Letter regarding June 20, 2025 Public Hearing

Hello-

This letter is a response regarding the Public Hearing for residents within 300' of 1234 Napier. Unfortunately I am unable to attend in person, but I wanted to comment.

Name: Douglas LaFerle  
Address: 2704 Highland Ct.  
Phone: 248-736-8601

As the owner of the property adjacent to the hospital's south property line, I read with interest the Planned Unit Development Application for Behavioral Health proposed addition.

I found some of the responses to questions puzzling. For example;

- 1) Page 8, Section 13.2, Question D asks if the project addresses current Nonconformity and the response provided does not attempt to answer that question. Knowing the entire south building setback is much less than what code would normally require, any addition, by definition, would increase the Nonconformity, and certainly not render it more conforming.
- 2) Page 12, Section 13.6.1, Statement E, the answer is incorrect. The location of the Proposed addition is directly opposite the Bedroom wing of our house. The infill replaces two windowless façades and proposes a new 58' long, 2-story windowed façade that will be closer to our bedroom windows. The currently the existing hospital windows remain lit the entire night and the proposed two floors of new windows will be a constant source light and glare in our bedroom windows.

By way of comparison, proposed addition will be approximately only 150' from our house, roughly equivalent to having a two-story office building erected where the house across the street is from your house. See attached site plan.

In general, in reading the responses, I see no attempt to acknowledge the existence of residential properties to the south, the possible impact of the addition to them, let alone mitigate the negative impacts.

The proposed landscaping shows only foundation plantings. I would hope it should, at the very least, include a row of large conifers at the crest of the ravine to help reduce the light and glare from the windows. Also, I would request that any exterior flood lighting be provided with glare shields.

Noise is another issue. I would also hope that the proposed site improvements in and around the service areas of the hospital would include enclosure walls or sound baffling for the existing exterior HVAC equipment. This equipment generates a loud and continuous 60-70db growl day and night, as measured from our back deck. For reference, typical noise ordinances would recommend no more than 40-50db measured at the property line.

A sound at 60 dB is 100 times louder than a sound at 40 dB. The decibel scale is logarithmic, meaning each 10 dB increase represents a tenfold increase in sound intensity. Therefore, a 20 dB increase (from 40 dB to 60 dB) corresponds to a  $10 * 10 = 100$  times increase in loudness.

In closing, we value and appreciate the hospital and want to be good neighbors. We also hope the city would take this opportunity to request the hospital make more of an effort to be good neighbors in return.

Sincerely,

Cynthia and Douglas LaFerle



## SURVEY REPORT

APPROXIMATE LOCATION OF THE FOLLOWING:

100' WIDE SANITARY SEWER EASEMENT RECORDED IN LIBER 319, PAGE 379.  
EASEMENT TO INDIANA & MORGAN ELECTRIC COMPANY RECORDED IN LIBER  
149 OF WESC., PAGE 532.

100' WIDE SANITARY SEWER EASEMENT RECORDED IN LIBER 190 OF WESC.  
PAGE 56.

EASEMENT RECORDED IN LIBER 821, PAGE 765.  
RESERVATION OF OIL, GAS AND MINERAL RIGHTS RECORDED IN LIBER 823,  
PAGE 244.

CERTIFIED TO: LAFERLE REALTY LLC,  
METROPOLITAN TITLE COMPANY AND FIRST  
AMERICAN TITLE INSURANCE COMPANY.

NOTE: THIS SURVEY DOES NOT COMPLY WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS" OF AN "ALTA/ACSM LAND TITLE SURVEY".

### LEGEND

- = FOUND IRON  
X = CHISELED "X"  
(m) = MEASURED  
(p) = PLATTED  
(d) = DEEDED

SEE DETAIL

HIGHLAND COURT  
(R/W VARIES)

DETAIL

20

Attachment: Written Comment - LaFerle - 07092025 PC meeting handout (10936 : Public Hearing - 1234 Napier Avenue - Lakeland Hospitals at

**Galina Bogdanova**

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**From:** Doug La Ferle <doug@laferle.com>  
**Sent:** Wednesday, July 16, 2025 2:03 PM  
**To:** Inspections  
**Subject:** [EXTERNAL] Proposed Addition Lakeland Hospital

Dear City Commission;

I am an architect and owner of the property adjacent to the hospital's south property line. I would like to go on record with the following comments regarding approval of the proposed addition to Behavioral Health area of the Lakeland Hospital.

Although this proposed addition seems like a minor infill project, it does disproportionately impact our property. The location of the proposed addition is directly opposite the bedroom wing of our house and will extend that specific portion of the hospital approximately 40' closer to the corner of our house - and only 150' from our house. Please see attached site plan.

The infill proposes to replace two windowless façades and with a new 58' long, 2-story windowed façade directly across from our bedroom windows. The current hospital windows remain unshaded and lit the entire night, and the two floors of new windows will be a constant source light and glare into our bedroom windows.

The Hospital's south property line abuts multiple residential properties. The existing building setback ranges from 100' to as close as 55', which is about a third of what current zoning would have required. It appears that even this small project is expanding a non-conforming use.

In reading the PUD Application, I saw no attempt to acknowledge the existence of our residential properties to the south, let alone mitigate the impact of the addition to them in any way.

The proposed landscaping shows some minimal foundation plantings. I would hope that it would, at the very least, include a row of large conifers at the crest of the ravine to help reduce the light and glare from the windows. Also, I would request that any exterior flood lighting be provided with glare shields.

Noise is another issue. I would also hope that the site improvements in and around the service areas of the hospital would include new enclosure walls or sound baffling for the exterior HVAC equipment. I often specified these when locating schools and other public buildings adjacent to residential areas. This type of equipment is very loud and generates a continuous growl day and night. Noise levels measured from our back deck are in the 60 to 70dB range. For reference, where other communities have noise ordinances, they would recommend no more than 40-50db measured at the property line.

In closing, we value and appreciate the hospital and want to be good neighbors. We also hope the city would take this opportunity to request the hospital make more of an effort to be good neighbors in return.







# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Kristen Gundersen, Community Development Director

**RE:** 1234 Napier Avenue – Lakeland Hospitals at Niles and St. Joseph Inc – Planned Unit Development – third amendment

**MEETING DATE:** July 28, 2025

Following the public hearing, consider the request as presented, and review the criteria found in the Zoning Ordinance, specifically required standards under Sections 13.2, 13.3.1, 13.3.3 and 13.6 of the Zoning Ordinance. All standards and criteria are found in the accompanying Public Hearing agenda item. The approvals previously granted or amended remain along with any previously approved waivers.

As stated in the public hearing memorandum, the applicant is requesting to modify the approved amended PUD to allow a two-story addition with a building foot-print of approximately 1,500 square feet on each floor located on the south side of the building between the laboratory and emergency department areas. The proposed addition will fill-in an irregularly shaped area where the laboratory portion of the building was attached to an older portion of the building and on the opposite side of the emergency department area.

The applicant has stated the proposed addition will be improve the area for inpatient behavioral services by creating one corridor for patient rooms located on the second floor while creating space on the ground floor for future clinical space. The applicant has stated the number of hospital beds is not changing as part of the request. No new or modified waivers are needed.

If the City Commission believes the required standards have been met and is in agreement with the amendment as recommended by the Planning Commission, consider the following motion.

*Action Requested:* To approve third amendment to the Planned Unit Development for the property located at 1234 Napier Avenue commonly known as Corewell Health - Lakeland Hospitals St. Joseph Hospital as presented to allow an irregularly shaped two-story addition on the south side of the building with each floor being less than 1,500 square feet as the request meets the required standards under Sections 13.2, 13.3.1, 13.3.3 and 13.6 of the Zoning Ordinance based on the applications found in the July 9, 2025 Planning Commission Packet which includes four sheets depicting proposed site modifications with no new or modified waivers being requested.



# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Kelly Ewalt,

**RE:** Development District (DDA) for Liquor License

**MEETING DATE:** July 28, 2025

The Development District (DDA) Liquor License Program allows municipalities with a Downtown Development Authority to offer on-premises liquor licenses to businesses located within a designated downtown development district.

These licenses can help spur economic development by making it easier for businesses to obtain a liquor license. The stipulations the businesses need to meet include being located in a Downtown Development District that has at least \$200,000 in real and personal property investment in the preceding 5 years.

For the applicant to qualify, they must meet the following terms:

- The building that will house the proposed licensed premises must have at least \$75,000 expended for new construction or the rehabilitation or restoration of the building over the preceding five (5) years or a commitment for a capital investment of at least \$75,000 in the building that must be expended before the license is issued.
- The licensed business must be engaged in activities related to dining, entertainment, or recreation.
- The licensed business must be open to the general public and have a seating capacity of not less than 25 persons.
- The initial enhanced license fee for a license issued under this section is \$20,000.
- Pursuant to MCL 436.1521a(8), a license issued under MCL 436.1521a(1)(b) cannot be transferred to another location and if the licensee goes out of business the license issued under MCL 436.1521a(1)(b) shall be surrendered by the licensee to the Commission and the Commission will terminate the license.

In order to offer these licenses, the City must pass a resolution creating the City's redevelopment district, which matches the DDA district map.

As the program becomes available to applicants, the City Commission will have the opportunity to review and approve the licenses prior to them being sent to the MLCC for approval.



Staff is requesting that the Commission approve the development district in order to allow businesses to apply for the DDA redevelopment liquor licenses.

*Action Requested:* Move to approve the Resolution to Establish the Development District Pursuant to MCL 436.1521a(1)(b) as presented.

**ATTACHMENTS:**

- Exhibit A\_Sec. 10\_18. \_\_\_Boundaries\_ (PDF)
- Development District Resolution (PDF)

## Sec. 10-18. Boundaries.

The city downtown development authority shall exercise its powers within the following described area:

Beginning at the southwest corner of Lake Boulevard and Market Street in the City of St. Joseph, County of Berrien, State of Michigan; thence northerly along the westerly side of Lake Boulevard to the northerly side of Port Street; thence easterly along the northerly side of Port Street to the easterly side of Church Street; thence southerly along the easterly side of Church Street to the southerly side of Ship Street; thence westerly along the southerly side of Ship Street 122.5 feet; thence southerly 73 feet; thence westerly to the easterly side of the alleyway between lots 300 and 344; thence southerly along the easterly side of the said alleyway to the southerly side of Pleasant Street; thence easterly along the southerly side of Pleasant Street to the easterly side of Church Street; thence southerly along the easterly side of Church Street to the southerly side of Broad Street; thence westerly along the southerly side of Broad Street to the easterly side of the alleyway between Lots 237 and 272; thence southerly along the easterly side of the said alleyway to the southerly property line extended of Lot 243; thence westerly to and along the southerly property line of Lot 243 to the westerly side of Main Street; thence northerly along the westerly side of Main Street 132 feet to the southerly line of Lot 204; thence westerly to the easterly line of the alleyway between Lots 174 and 204; thence southerly along the easterly line of said alleyway 58 feet; thence westerly parallel to the southerly property line of Lot 175 to the west side of State Street; thence southerly along the west side of State Street 78 feet; thence westerly parallel to the southerly property line of Lot 146 132 feet to the easterly side of the alleyway between Lots 118 and 147; thence southerly along the easterly side of said alleyway to the southerly side of Market Street; thence westerly along the southerly side of Market Street to the westerly side of Lake Boulevard, that being the place of beginning.

(Ord. of 10-11-76, § II; Ord. of 4-6-81, § I, Ord. of 7-22-13(1))

**RESOLUTION TO ESTABLISH A DEVELOPMENT DISTRICT  
PURSUANT TO MCL 436.1521A(1)(b)**

WHEREAS, Section 521a(1)(b) of the Michigan Liquor Control Code, being **MCL 436.1521a(1)(b)**, allows the Michigan Liquor Control Commission to issue Development District (DDA) Licenses to businesses located within a development district or area, as established by resolution of the local legislative body, without regard to the statutory population quota for liquor licenses; and

WHEREAS, the City of St. Joseph has determined that certain properties within its jurisdiction qualify as a development district based on the establishment of a downtown district under 1975 PA 197, MCL 125.1651 to 125.1681; and

WHEREAS, the establishment of a development district is intended to stimulate economic growth, attract new businesses, promote investment in real and personal property, encourage new construction or restoration or rehabilitation of existing buildings, and enhance the overall vitality of the community.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City of St. Joseph hereby establishes a **Development District (DDA)**, pursuant to **MCL 436.1521a(1)(b)**, which was established under Part 2 of Public of 57 of 1028 (formerly PA 197 of 1975) for Downtown Development Authorities, for the area legally described in **Exhibit A**, attached hereto and incorporated by reference.
2. The area described in Exhibit A meets the definition of a "development district" under state law and is hereby designated as the St. Joseph Development District.
3. The purpose of this designation is to encourage economic development and qualify eligible businesses within the district for Development District (DDA) Liquor Licenses through the Michigan Liquor Control Commission.
4. The Clerk of the City of St. Joseph is directed to send a certified copy of this resolution and accompanying materials, including maps and descriptions of the development district, to the Michigan Liquor Control Commission upon request.
5. This Resolution shall become effective upon adoption.

AYES:

NAYS:

ABSENT:

ABSTAIN:

RESOLUTION DECLARED ADOPTED.

I hereby certify that the foregoing constitutes a true and complete copy of a resolution adopted by the City Commission of the City of St. Joseph, Berrien County, Michigan at a regular meeting held on July 28, 2025.

\_\_\_\_\_  
Abby Bishop, Clerk

Attachment: Development District Resolution (10959 : Development District (DDA) for Liquor License)





# Agenda Item

**TO:** Members of the St. Joseph City Commission

**FROM:** Greg Grothous, Director of Public Works

**RE:** Five Year Parks and Recreation Plan

**MEETING DATE:** July 28, 2025

As the Commission may recall from this year's budget discussions, the City needs to update and submit its Five Year Parks and Recreation Master Plan to the Michigan Department of Natural Resources by February 1, 2026. If we do not have an updated plan on file, the City will not be eligible to apply for grants with the DNR until a new plan is on file.

With that in mind, City staff prepared a Request for Proposal (RFP) requesting proposals from qualified professional planning consultants to complete an update of our existing Five Year Parks and Recreation Master Plan. The RFP was issued on June 17 and sent to several firms locally, as well as firms who have performed this type of work for the City in the past. The RFP was available on the City website. Responses to the RFP were due back on Tuesday July 8.

The City received eight (8) responses. The proposals were reviewed by City staff and were presented to the Parks and Recreation Advisory Board to review and make a recommendation at a Special Meeting on July 22. At the start of the discussion the Board agreed to remove the low bidder from consideration for not meeting the terms of the RFP. The remaining seven firms were trimmed to five as two proposals exceeded the \$30,000 budget for this project. From that point the Board narrowed the proposals down to three that it felt were exceptional: Edgewater Resources, Troyer Group and Abonmarche and then drilled down into those proposals further.

After considerable review and discussion, the Parks and Recreation Advisory Board recommended the City Commission accept the proposal from Edgewater Resources, of St. Joseph, in the amount of \$28,500 to perform the update of the Five Year Parks and Recreation Master Plan. While this is not the lowest bid, it is within budget, and the Board was extremely impressed by the proposal. It should be noted that Edgewater completed the previous plan for the City and the Board was very happy with their work.

## **ATTACHMENTS:**

- Edgewater Resources (PDF)
- Responsive Bidder List (PDF)



# Schedule

## We are ready to commence work on the project immediately.

The scope of work outlined within this proposal will follow schedule requirements as set forward by the MDNR for Master Plan submittal by **February 1, 2026**.

We will work backwards from that date to plan adequate time for inventory work, public outreach and online survey in August-September, 2025. Draft Plan development will take place in October-November. Draft Plan preparation will be complete by Thanksgiving. The 30 day public review period would span the month of December, and the final Board presentation, public hearing, and Plan adoption would be completed in January 2026.

# Fee

## Our initial assessment of the budgets outlined represent a full service effort.

We propose to complete the scope of work outlined within this proposal at our standard hourly rates, listed on the following page, for a lump sum in the amount listed, not to exceed total without prior written authorization.

Customary expenses for travel and printing will be reimbursed at the cost incurred without markup. Anticipated reimbursable expenses will not exceed the amounts listed without prior written authorization.

In the event that the client requests team member attendance at additional meetings beyond those outlined in the scope of work, these meetings will be billed individually at the hourly rate incurred, not to exceed \$900 for Project Manager or \$1,300 for Project Principal.

**Task 1** ————— ✓  
Project Initiation \$ 2,000

**Task 2** ————— ✓  
Recreation Resource Inventory/Assessment \$ 4,800

**Task 3** ————— ✓  
Community Outreach \$ 8,500

**Task 4** ————— ✓  
Goals and Objectives \$ 3,200

**Task 5** ————— ✓  
Master Plan Actions \$ 4,800

**Task 6** ————— ✓  
Plan Preparation and MDNR Submittal \$ 5,200

**TOTAL\*** \$ 28,500

**\*Additional Reimbursable Expense Budget** \$ 1,200



## FEE SCHEDULE

### BASIS OF COMPENSATION

The compensation of Edgewater Resources, LLC for professional services is based upon hourly rates as indicated below.

TITLE	RATE
Sr. Principal	\$254.00
Principal	\$230.00
Sr. Architect	\$204.00
Sr. Engineer	\$204.00
Sr. Landscape Architect	\$204.00
PM Engineer	\$181.00
Project Landscape Architect	\$181.00
Project Engineer	\$165.00
Project Director	\$153.00
Landscape Designer	\$153.00
Staff Engineer	\$153.00
Administration	\$115.00
Intern	\$103.00

#### Please Note:

Expenses connected with the work such as travel, vehicle rental, equipment rental, subsistence, lodging, etc., will be charged at cost.

Vehicle mileage will be charged at the standard, federal, per mile rate.

Printing expenses will be charged as follows: standard b/w format prints /copies @ \$0.25/page; large format b/w prints/copies @ \$0.40/sq.ft.

Large format color prints/copies range from \$5-15 / l.f. for non-mounted/non-laminated b&w or color prints.

Drone services will be charged at \$20 per hour, or \$100 per day.

Wave sensor usage will be charged at \$100 per week, or \$300 per month.

Any labor expended in support or performance of expert services and litigation activities shall be 1.5 times the above standard hourly rates.

Any labor expended associated with numerical wave modeling software shall be charged at 1.25 times the above standard hourly rates.

CLIENT'S INITIALS \_\_\_\_\_

**City of St. Joseph**  
**5 Year Parks & Recreation Master Plan**  
**Responsive Bidder List**

Tower Pinkster	\$23,805.00
Troyer Group	\$26,520.00
Edgewater Resources	\$28,500.00
Spicer Group	\$28,800.00
Abonmarche	\$30,000.00
McKenna	\$36,000.00
Spalding DeDecker	\$46,258.00



# Agenda Item

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**TO:** Members of the St. Joseph City Commission

**FROM:** Laurie Schmidt, City Attorney

**RE:** Request for Closed Session- Pending Litigation

**MEETING DATE:** July 28, 2025

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The City Attorney requests a closed session for the purpose of consulting with her and Attorney Michael Kluck regarding trial or settlement strategy in connection with pending litigation filed with the Federal Mediation and Conciliation Service, Case Number 251216-02001 for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City pursuant to MCL 15.268(e).

*Action Requested:* That the St. Joseph City Commission go into closed session with its Attorneys Laurie Schmidt and Michael Kluck for the purpose of consultation regarding trial or settlement strategy in connection with pending litigation filed with the Federal Mediation and Conciliation Service, Case Number 251216-02001 for the reason that an open meeting would have a detrimental financial effect on the litigating or settlement position of the City pursuant to MCL 15.268(e),





# Agenda Item

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**TO:** Members of the St. Joseph City Commission

**FROM:** Laurie Schmidt, City Attorney

**RE:** Return to Open Session

**MEETING DATE:** July 28, 2025

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After the closed session, the City Commission must vote to return to open session.

Following the return to open session, the City Commission may then choose to take action or provide direction to staff.

*Action Requested:* Motion to Return to open session.