



**IONIA CITY COUNCIL
REGULAR MEETING MINUTES
7:00 PM, May 1, 2024
CITY HALL COUNCIL CHAMBERS**

CALL TO ORDER & PLEDGE OF ALLEGIANCE

Mayor John Milewski called the meeting of the Ionia City Council to order at 7:04 PM, and led with the Pledge of Allegiance.

ROLL CALL

Roll call revealed a Quorum with Councilmembers Dawn Ketchum, Jeff Winters, Margot Cook, Rich Starr, Tom Millard, Brenda Cowling, and Mayor John Milewski present. Councilmember Starr made a motion, seconded by Councilmember Winters, to excuse the absence of Councilmembers Lee and Waterman.

MOTION CARRIED BY VOICE VOTE

I. APPROVAL OF AGENDA

With no changes or additions to the agenda, Councilmember Cowling made a motion, seconded by Councilmember Cook, to approve the agenda as presented.

MOTION CARRIED BY VOICE VOTE

II. APPROVAL OF MINUTES – April 10, 2024, Regular Meeting Minutes

Councilmember Ketchum made a motion, seconded by Councilmember Cowling, to approve the April 10, 2024, meeting minutes as presented.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski

NAYS: None

MOTION CARRIED

III. PROCLAMATIONS

Mayor John Milewski read the Proclamation Honoring Dennis J. Allen, Utilities Operator, in recognition of his 27 years of service to the City of Ionia. The award was presented to Mr. Allen by Utilities Director Joe Lafler.:

***City of Ionia
Proclamation Honoring Dennis J. Allen
May 1, 2024***

WHEREAS, Dennis Allen began his career with the City of Ionia on October 20, 1997 as an unlicensed Department of Utilities Operator; and

WHEREAS, Dennis has held multiple roles during his employment, including DPW Truck Driver, certified Utilities Operator, and most famously as the “Lab Guy” within the Department of Utilities; and

WHEREAS, Dennis also exercised leadership roles within the Utilities Department, serving at times as Teamsters 214 Union Steward and alternate Union Steward; and

WHEREAS, as part of his career development, over the years Dennis earned multiple drinking water certifications, thus advancing his expertise in the field of water production, treatment, distribution and testing; and

WHEREAS, Dennis found his calling within the Utilities Department when he became that “Lab Guy,” and assumed responsibility for many highly successful lab audits, proficiency tests and further served as a key contributor in the lab’s successful certification in accordance with the State of Michigan Drinking Water Laboratory Certification Program; and

WHEREAS, Dennis always maintained a top-notch laboratory, reflecting the meticulous care and hours he put into testing, tracking and communicating outcomes as required by the high standards of a certified Drinking Water Laboratory; and

WHEREAS, after nearly 27 years of dedicated service to the City of Ionia, Dennis has decided it is time to retire and pursue other interests, leaving behind a legacy of excellence in the City of Ionia Department of Utilities Laboratory, now

THEREFORE, BE IT PROCLAIMED that I, John R. Milewski, Mayor of the City of Ionia do hereby recognize and honor Dennis for his distinguished 27-year career and wish him all the best in his retirement.

IV. PUBLIC COMMENTS

None.

V. PUBLIC HEARINGS & ASSOCIATED ACTIONS

(V-1) Public Hearing & Action—Ordinance No. 584: Amend Chapter 1285, entitled AC Development Planned Unit Development (PUD) District

The AC Development Planned Unit Development (PUD) was approved by City Council on October 5, 2021, following recommendation for approval from the Planning Commission. Outstanding site plan conditions were not submitted to City staff by the applicant until June 2023, thus delaying final approval until June 7, 2023. Since that time, AC Development has decided to change the ownership structure of its development at 533 E. Washington Street from apartments to condominiums. Per City Ordinance and the Michigan Condominium Act, the applicant submitted a site condominium application for the Planning Commission’s consideration. The site plan has not changed since the PUD was approved; only the ownership format has changed.

Following a public hearing in March, the Planning Commission recommended City Council approve the final site condominium plan and Ordinance No. 584 to amend Chapter 1285: AC Development Planned Unit Development District located at 533 E. Washington Street.

No comments were received during the public hearing which Mayor Milewski opened and closed at 7:10 PM. Councilmember Cowling made a motion, seconded by Councilmember Winters, to approve

Ordinance No. 584 amending Chapter 1285: AC Development Planned Unit Development District of Title Six – Zoning of Part Twelve – Planning and Zoning Code of the City of Ionia Codified Ordinances.

Roll Call Vote: AYES: Ketchum, Winters, Starr, Millard, Cowling, and Milewski

NAYS: None

MOTION CARRIED

ABSTAIN: Cook, due to her family’s ownership of the subject project Councilmember Ketchum made a motion, seconded by Councilmember Winters, to allow Cook to abstain from the vote for the reason stated.

MOTION CARRIED BY VOICE VOTE

CITY OF IONIA
Ordinance No. 584

AN ORDINANCE TO AMEND CHAPTER 1285 – AC DEVELOPMENT PLANNED UNIT DEVELOPMENT DISTRICT OF TITLE SIX – ZONING OF PART TWELVE – PLANNING AND ZONING CODE OF SAID CODIFIED ORDINANCES OF THE CITY OF IONIA

THE CITY OF IONIA HEREBY ORDAINS:

That the following Chapter 1285, entitled AC DEVELOPMENT PUD – AC Development Planned Unit Development District of Title Six – Zoning of Part Twelve – Planning and Zoning Code shall read as follows:

PART TWELVE – PLANNING AND ZONING CODE
Title Six – Zoning

Chapter 1285 – AC Development Planned Unit Development District

1285.01 PLANNED UNIT DEVELOPMENT DISTRICT.

The AC Development Planned Unit Development District shall be as shown on the official Zoning Map of the City of Ionia as PUD 3 AC Development.

1285.02 CONDITIONS ON THE PLANNED UNIT DEVELOPMENT.

The Planned Unit Development District, in accordance with the Final Development Plan of the AC Development Planned Unit Development (“the Development”), is expressly subject to all of the following terms and conditions:

(a) Development Plan Compliance and Review of Phases

- (1) The AC Development Planned Unit Development as submitted by Mr. Gregory Cook and Mr. Daniel Avery, successors and assigns (“the Applicant”), shall comply in all respects with the Final Development Plan (the “Plan”), which consists of a Site Plan with a last revision date of May 2, 2023, except where the

Plan has been changed, revised or modified by this Ordinance. In such cases, the provisions of this Ordinance shall control.

- (2) Approval of the Plan shall constitute approval only of the overall design and road and utility layout for this property and not approval of any individual building or group of buildings of the Plan. The Development as illustrated on the Plan shall be submitted to the Planning Commission for review under the site plan review requirements of the City of Ionia Zoning Ordinance as appropriate for approval.
- (3) *Site Plan Review.* In its review of those portions of the Development that require site plan review by the Planning Commission, the Commission may approve minor modifications from the Final Development Plan to that phase of the Plan provided the modifications do not result in a significant change to the Plan and the modifications still meet the PUD approval standards as contained in the City of Ionia Zoning Ordinance. Changes that are not considered to be minor by the Planning Commission shall be reviewed in the same manner as the original application.
- (4) *Amendments to an Approved Plan.* A change to the approved plan of the Development may be approved in accordance with Section 1266.06 of the Ionia Zoning Ordinance.

(b) Land Uses

- (1) The Development shall be constructed and used for a maximum total of 12 dwelling units to be constructed as follows: 12 units shall be single-family attached condominium dwellings to be developed as three separate structures of 4 units each with the applicable regulations of the City of Ionia Zoning Ordinance.
- (2) The future use of the parcel may include attached single-family residential use. Such use shall be subject to the site plan review requirements of the Ionia Zoning Ordinance and the site development requirements for the proposed use, which would normally be imposed by the Zoning Ordinance. The City Council, however, following a recommendation of the Planning Commission, may modify the site development requirements in accordance with Section 1266.04(e) of the Zoning Ordinance.
- (3) Accessory buildings are permitted per Chapter 1248.

(c) Lot Area

The minimum area of the lot shall not be less than 4.17 acres or 181,645 sq. ft. with a minimum width of 465 feet as measured at the minimum required front setback line between the side lot lines.

(d) Dwelling Unit Setbacks & Height

- (1) Each attached dwelling structure shall comply with the following minimum setbacks:

- A. Front: 70 feet (measured from front property centerline)
- B. Rear: No setback minimum
- C. Minimum side yards: 20 feet and 30 feet, with a combined total of 50 feet
- D. Minimum distance between buildings: 10 feet

(2) No building shall exceed a height of 25 feet as determined by the City of Ionia Zoning Ordinance.

(e) Dwelling Unit Size

All dwellings shall comply with the minimum floor area requirements of the City of Ionia Zoning Ordinance for the type of dwelling unit proposed.

(f) Sanitary Sewer and Water Supply

Each dwelling unit in the Development shall be served by public water and sanitary sewers systems in accordance with all applicable City of Ionia Ordinances.

(g) Sidewalks

- (1) All sidewalks shall be a minimum of four feet wide and constructed to the specifications of the City of Ionia Municipal Standards Ordinance.
- (2) The Applicant shall provide for the maintenance of all sidewalks and walkways located outside the public street right of way.

(h) Tree Plantings and Landscaping

- (1) Trees shall be planted within the public right of way as illustrated on the Plan.
- (2) Other landscaping as shown on the Plan shall be subject to review and approval of the Planning Commission during the review of each phase.
- (3) All landscaping shall be maintained according to the landscaping maintenance agreement.

(i) Dedicated Open Space

- (1) The Development shall include open space as shown on the Plan. Such areas shall be clearly delineated on the Plan as Dedicated Open Space and maintained as open space in perpetuity and no dwellings shall be constructed within this Dedicated Open Space.
- (2) No improvements, buildings or structures, except as otherwise shown on the Plan shall be constructed upon the Dedicated Open Space areas.
- (3) Documentation to establish and maintain the Dedicated Open Space areas shall be subject to the approval of the City Attorney and such document shall be recorded with the Ionia County Register of Deeds.

- (4) The Applicant shall provide a recorded copy of the Dedicated Open Space document to the City Clerk prior to the issuance of any building permits for the Development.
- (5) All Dedicated Open Space areas shall be completed in conjunction with each phase in which the open space or portion of the open space is located as shown on the Plan.

(j) Storm-water Management

A storm water management plan shall be provided to ensure that storm water runoff does not have an adverse effect on adjacent or nearby properties. This plan shall be subject to approval of the City Engineer and the Ionia County Drain Commissioner before any earthmoving shall occur on the property. The phasing of the construction of the stormwater management facilities shall be subject to the approval of the City Engineer or the Ionia County Drain Commissioner.

(k) Construction Plans

Complete construction plans for all site improvements including but not limited to site grading, storm water drainage, and streets shall be submitted to the City Engineer for approval before any construction commences on site.

(l) Signs

Any signs placed at the entrances to the Development that state the name of the Development shall be permitted in accordance with the requirements of Chapter 1234 of the City of Ionia Zoning Ordinance, for signs in Residential Districts.

(m) Time Limitation on the Development

- (1) In accordance with Section 1266.08 of the City of Ionia Zoning Ordinance, construction of the AC Development PUD shall commence within one year of the approval by the City Council of the Plan and Zoning Ordinance creating the AC Development PUD District. All other provisions of this Section 1266.08 shall also apply to the Development.

1285.03 FINDINGS BY THE CITY COUNCIL.

The City Council hereby determines that the Plan as regulated by this Ordinance, complies with the approval standards for a Planned Unit Development as contained in Section 1266.05 (h) of the City of Ionia Zoning Ordinance and promotes its intent and purposes. The City Council also acknowledges that the Applicant has been informed that nearby existing land uses may generate noise that may be audible to the future residents of the Development.

1285.04 COMPLIANCE WITH OTHER APPLICABLE CITY ORDINANCES.

Except as expressly otherwise exempted by the AC Development PUD Ordinance, or the approved Final Development Plan of the Development, all uses, activities, buildings and structures for the development shall comply with all applicable requirements and standards of the City of Ionia Zoning Ordinance, as amended, as well as any and all other City of Ionia ordinances.

1285.05 ENFORCEMENT.

- (a) The City may enforce the provisions of this ordinance and applicable provisions of the City Zoning Ordinance, Building Code and all other ordinances, laws and regulations to the extent and in any manner provided by law. Any violation of this ordinance or the approved Final Development Plan of the AC Development Planned Unit Development shall constitute a violation of the City of Ionia Zoning Ordinance, as amended.
- (b) In the event that the Applicant shall fail to carry out any provision or requirement of this ordinance or other applicable law, ordinance or regulation, in addition to any other legal remedies, the City may, through its Zoning Administrator or other City agency, issue and post a stop work order at the site of any improper or non-complying part of the Development, directing that all further construction of such part of the Development be ceased forthwith, pending compliance with any applicable provisions of this ordinance or of City ordinances, regulations, Ionia County regulations, or State of Michigan laws.
- (c) Upon the correction of any matters as to which the stop work order was issued, the City shall promptly rescind and remove the stop work order, whereupon the Applicant may again proceed with construction or other permissible activity as to the Development.

ORDINANCE No. 584 APPROVED

(V-2) Public Hearing and Action—Ordinance No. 585: Sozo Coffee—Rezoning of 310 Cleveland Street

Mr. Rodney Hensley owns and operates Sozo Coffee at 576 N. State Street and recently acquired a new property (PPN# 34-204-140-000-005-10) located at 310 Cleveland Street with the goal of expanding his business for additional roasting, packaging, and storage. To make this possible, Mr. Hensley requested that 310 Cleveland Street be rezoned from B-1, Neighborhood Business District to I-1, Light Industrial District.

310 Cleveland Street was formerly the location of Bert's Glass. This property has a history of nonconforming uses because it is zoned B-1, Neighborhood Business District and the previous commercial uses and the existing ground floor residential are not allowed in this district. B-1 is intended for office and retail uses that are low intensity to avoid negative impacts to adjacent residential uses. Mr. Hensley purchased the property unaware of its nonconforming status.

Following a public hearing in March, the Planning Commission voted to recommend approval of Ordinance 585, which if approved, would rezone 310 Cleveland Street from B-1, Neighborhood Business District to I-1, Light Industrial District.

No comments were received during the public hearing which Mayor Milewski opened and closed at 7:12 PM. Councilmember Millard made a motion, seconded by Councilmember Starr, to approve Ordinance

No. 585, an ordinance to rezone parcel 34-204-140-000-005-10 (310 Cleveland Street) from the B-1 Neighborhood Business Zoning District as identified in Chapter 1256 to the I-1 Light Industrial District as identified in Chapter 1262, and the inclusion of that parcel as defined on the Zoning Map identified in Section 1246.02 Districts generally and Zoning Map District boundaries of Chapter 1246, Title Six – Zoning of Part Twelve – Planning and Zoning Code of the City of Ionia Codified Ordinances.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski

NAYS: None

MOTION CARRIED

**CITY OF IONIA
IONIA COUNTY, MICHIGAN
Ordinance No. 585**

AN ORDINANCE TO REZONE PARCEL 34-204-140-000-005-10 (310 CLEVELAND STREET) FROM THE B-1 NEIGHBORHOOD BUSINESS ZONING DISTRICT AS IDENTIFIED IN CHAPTER 1256 TO THE I-1 LIGHT INDUSTRIAL DISTRICT AS IDENTIFIED IN CHAPTER 1262; AND THE INCLUSION OF THAT PARCEL AS DEFINED ON THE ZONING MAP IDENTIFIED IN SECTION 1246.02 DISTRICTS GENERALLY AND ZONING MAP DISTRICT BOUNDARIES OF CHAPTER 1246 - TITLE SIX – ZONING OF PART TWELVE – PLANNING AND ZONING CODE OF SAID CODIFIED ORDINANCES OF THE CITY OF IONIA

THE CITY OF IONIA HEREBY ORDAINS:

Section One: Rezoning

Parcel number 34-204-140-000-005-10, also identified by the street address of 310 Cleveland Street and the following legal description:

CITY OF IONIA MERRITTS ADD. LOTS 88,89,102 & 103 AND A PORTION OF 90 AND 101 OF THE RECORDED PLAT OF MERRITTS ADD TO THE CITY OF IONIA, DESC AS; BEG AT NW COR LOT 88; S 89D 44M 42S E 160 FT ALG S LINE OF BAYARD ST; S 00D 00M 00S W 259 FT; N 89D 44M 42S W 28 FT; S 71 FT ALG E LINE OF LOT 102; N 89D 44M 42S W 132 FT ALG S LINE LOTS 102 & 103; N 330 FT ALG E LINE OF CLEVELAND ST TO POB. CONTAINS 1.17 ACRES SPLIT ON 07/14/2011 FROM 204-140-000-005-00;

Shall be rezoned to the I-1 Light Industrial Zoning District as established in Section 1246.01 Districts Established of Chapter 1246, and conforms with Section 1246.02 Districts Generally, and Zoning Map District Boundaries of Chapter 1246 - Title Six – Zoning of Part Twelve – Planning and Zoning Code.

Section Two: Zoning Map Update

The official Zoning District Map of the City of Ionia, Michigan, last adopted on March 21, 2023, shall hereby be amended to rezone parcel 34-204-140-000-005-10, also identified by the street address of 310 Cleveland Street and the legal description above. This parcel shall be clearly labeled and zoned into the I-1 Light Industrial Zoning District, as said district is presently labeled on the official Zoning District Map of the City of Ionia, Michigan.

Section Three: Publication and Effective Date

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

ORDINANCE No. 585 APPROVED

(V-3) Public Hearing and Action—Ordinance No. 586; Repeal Chapter 288—Parks & Recreation Commission

In February 2013, the Parks and Recreation Commission was established by Ordinance No. 498, which has been codified as Chapter 288 – Parks and Recreation Commission in the City Code. The purpose of the Commission is, “to serve in an advisory capacity to the City Council, the City Manager and the Parks and Recreation Services in the city and to propose rules and regulations governing their programs and facilities for adoption by the City Council.” There is no statutory requirement for a city to have such a Commission and this one has not met since 2018, when the previous City of Ionia Five-Year Parks and Recreation Plan (2019 – 2023) was prepared. All but one of the members’ terms on the Parks & Recreation Commission are currently expired.

Because state statute charges the Planning Commission with reviewing and approving all public infrastructure improvements and it conducts regular monthly meetings, it was the Planning Commission that most recently developed the latest, 2024-2028 Parks & Recreation Plan. The City regularly seeks volunteers to serve on various city boards and commissions that meet regularly so opportunities exist for the expired members of the Parks & Recreation Commission to serve elsewhere if they are so inclined.

Mayor Milewski opened the public hearing at 7:13 PM. Ionia resident Gordon Kelley stated that the Planning Commission and the Parks and Recreation Commission have two separate roles and different memberships. While he is not opposed to the Ordinance, government is great when people are involved in it. Mayor Milewski closed the public hearing at 7:19 PM. Following discussion, Councilmember Millard made a motion to approve Ordinance No. 586, an ordinance to repeal Chapter 288 – Parks & Recreation Commission.

Roll Call Vote: AYES: Ketchum, Starr, Millard, and Milewski
NAYS: Winters, Cook, Cowling

MOTION CARRIED

**CITY OF IONIA
IONIA COUNTY, MICHIGAN
ORDINANCE NO. 586**

AN ORDINANCE TO REPEAL PART TWO, TITLE EIGHT, CHAPTER 288, ENTITLED “PARKS AND RECREATION COMMISSION,” SECTIONS 288.01 THROUGH 288.06, INCLUSIVE, OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA

THE CITY OF IONIA HEREBY ORDAINS:

Section 1: Repeal

That Part Two, Title Eight, Chapter 288, entitled “Parks and Recreation Commission,” Sections 288.01 through 288.06, inclusive, of the Codified Ordinances of the City of Ionia is hereby repealed in its entirety.

Section 2: Publication and Effective Date

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

ORDINANCE No. 586 APPROVED

(V-4) Public Hearing and Action—Ordinance No. 587: Amend Water and Sewer Rates and Charges

A Water and Sewer Rate Study was recently completed by Municipal Analytics at the request of the city. The study performed an analysis of the city's water and sewer systems, projecting rates in the short and long runs necessary to support the operation and capital maintenance of the system. It also reviewed the city's methodology for establishing connection fees to the water and sewer systems and recommended a new methodology based on best practice and reflective of anticipated capacity consumption/buying into the existing asset when connecting. Finally, a full review of Ionia's current water and sewer ordinances was conducted by the consultant, resulting in a recommendation to amend various sections as needed, such that all future rate changes can be more efficiently accomplished by resolution of the City Council.

These recommendations to amend the water and sewer ordinances were incorporated into the numerous, corresponding sections of existing ordinances to produce Ordinance No. 587. Ordinance No. 587 includes amendments that would base connection fees to the water and sewer system on meter size and make it possible for all related water and sewer system rate changes to occur by resolution rather than by ordinance. Rates, fees, and charges set by Resolution 2024-11 include:

1. Water System Rates and Charges
2. Fire Sprinkler Standby Fee
3. Water Tap Fees and Connection Charges
4. Cross Connection Inspection Fees
5. Sanitary Sewer System Rates and Charges
6. Sewer Tap Fees and Connection Charges
7. Discharge Permit Application Fees
8. Pretreatment Charges and Fees
9. Extra Strength Surcharges
10. Other charges (related to City's pretreatment program)
11. Fee for Water Turn-On after Disconnection
12. Emergency Final Reading Fee
13. Deposits and Processing Fee

Additionally, the ordinance will amend the section regarding placement of liens against property for unpaid utility bills to comply with state statute.

No comments were received during the public hearing which Mayor Milewski opened and closed at 7:28 PM. Councilmember Cowling made a motion, seconded by Councilmember Winters, to approve Ordinance No. 587 - an ordinance to amend Part Two, Title Two, Chapter 214, Section 214.05, entitled, "Fees in the Streets, Utilities and Public Services Code;" to amend Part Ten, Title Four, Chapter 1040, Section 1040.10, Entitled, "Rates and Charges;" to amend Part Ten, Title Four Chapter 1042, Section 1042.02 Entitled, "Objectives RE: Contract Requirements;" to amend Part Ten, Title Four, Chapter 1042, Section 1042.42 Entitled, "Rates and Charges," and to amend Part Ten, Title Four, Chapter 1042, Section 1042.48, entitled, "Liens" of the Codified Ordinances of the City of Ionia.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
NAYS: None

MOTION CARRIED

**CITY OF IONIA
IONIA COUNTY, MICHIGAN
ORDINANCE NO. 587**

AN ORDINANCE TO AMEND PART TWO, TITLE TWO, CHAPTER 214, SECTION 214.05 ENTITLED “FEES IN THE STREETS, UTILITIES AND PUBLIC SERVICES CODE”; TO AMEND PART TEN, TITLE FOUR, CHAPTER 1040, SECTION 1040.10 ENTITLED “RATES AND CHARGES”; TO AMEND PART TEN, TITLE FOUR, CHAPTER 1042, SECTION 1042.02 ENTITLED “OBJECTIVES RE: CONTRACT REQUIREMENTS”; TO AMEND PART TEN, TITLE FOUR, CHAPTER 1042, SECTION 1042.42 ENTITLED “RATES AND CHARGES”; AND TO AMEND PART TEN, TITLE FOUR, CHAPTER 1042, SECTION 1042.48 ENTITLED “LIENS” OF THE CODIFIED ORDINANCES OF THE CITY OF IONIA

The City of Ionia Hereby Ordains:

Section 1: Amendment

That Part Two, Title Two, Chapter 214, Section 214.05 of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows:

214.05 FEES IN THE STREETS, UTILITIES AND PUBLIC SERVICES CODE.

(a) Street Permits. The fee for a permit issued pursuant to Chapter 1020 (Streets Generally), as provided for in Section 1020.03 of the Streets, Utilities and Public Services Code, is twenty-five dollars (\$25.00).

(b) Sidewalk Permits. The fee for a permit to construct, rebuild or repair a sidewalk, as provided for in Section 1022.02, is twenty-five dollars (\$25.00).

(c) Water System Rates and Charges.

(1) Water Supply System Rates and Charges. Rates and charges for services and use of the water supply system shall be as set by resolution of the City Council from time to time.

(2) Fire Sprinkler Standby Fee. A fire sprinkler standby fee shall be as set by resolution of the City Council from time to time. The fire sprinkler standby fee applies to customers with internal sprinkler fire suppression systems and is intended to cover the cost of the City's cross-connection program and the readiness to serve charge for the water service line that feeds the sprinkler fire suppression system.

(3) Water Tap Fees and Connection Charges. Water tap fees and connection charges shall be as set by resolution of the City Council from time to time. Water tap fees and connection charges shall be paid to the City exclusively as the sole owner of the water system.

a. Connection Charge. As new customers connect to the water system, it is necessary for them to contribute to the cost of existing infrastructure capacity

that existing customers have paid to construct. Each new connection reduces the available capacity of the system, which means the City moves closer to needing to expand system capacity to serve its customers. Capacity is limited by the availability of safe, reliable water and the size and number of wells, pumps, watermains and storage structures. As demand increases, these assets must be upsized to meet that demand. Additionally, capital assets depreciate over time due to age and use, thus new customers are assessed a connection charge, or “equity buy-in” of the current value of this system. The connection charge is readily calculated from the City’s accounting and utility billing systems. The basis of the charge is the customer meter size, which determines the maximum demand potential for that connection.

- b. Customers wishing to connect are responsible for the cost of the connection. To make a connection, customers shall contract with a licensed and approved contractor, or with the City directly, to perform the work. Prior to any taps being made, contractors must first apply to the City’s Public Utilities Department for a permit to perform the tap. Customers are responsible for paying the contractor or City for the cost of the tap, including street cuts and repairs, excavation, connection, labor, supplies, restoration and all other associated costs. The City shall not incur any cost for taps, unless it has a contract with the property owner for full repayment of the associated costs. The tap fee will be in addition to any applicable inspection fees associated with the tap as assessed from time to time by the City Council.
- (4) Cross Connection Inspection Fees. A cross connection inspection fee shall be as set by resolution of the City Council from time to time to conduct cross connection inspections at locations requiring back flow preventers or prevention, or having chemical application, food processing or non-domestic usage.
- (d) Sanitary Sewer System Rates and Charges.
- (1) Sanitary Sewer System Rates and Charges. Rates and charges for services and use of the sanitary sewer system shall be as set by resolution of the City Council from time to time.
 - (2) Sewer Tap Fees and Connection Charges. Sewer tap fees and connection charges shall be as set by resolution of the City Council from time to time. Sewer tap fees and connection charges shall be paid to the Ionia Regional Utilities Authority (IRUA) as the majority owner of the sanitary sewer system.
 - a. Connection Charge. As new customers connect to the sewer system, it is necessary for them to contribute to the cost of existing infrastructure capacity that existing customers have paid to construct. Each new connection reduces the available capacity of the system, which means the City moves closer to needing to expand system capacity to serve its customers. Capacity is limited by the size and number of sanitary sewer mains, lift stations, and the flow capacity of the wastewater treatment plant. As demand increases, these assets must be upsized to meet that demand. Additionally, capital assets depreciate over time due to age and use, thus new customers are assessed a connection charge, or “equity buy-in” of the current value of this system. The connection

charge is readily calculated from the City's accounting and utility billing systems. The basis of the charge is the customer meter size, which determines the maximum demand potential for that connection.

- b. Customers wishing to tap the sewer main are responsible for the cost of the connection. To make a connection, customers shall contract with a licensed and approved contractor, or with the City directly, to perform the work. Prior to any taps being made, contractors must first apply to the City's Public Utilities Department for a permit to perform the tap. Customers are responsible for paying the contractor or City for the cost of the tap, including street cuts and repairs, excavation, connection, labor, supplies, restoration, and all other associated costs. The City shall not incur any cost for taps unless it has a contract with the property owner for full repayment of the associated costs. The tap fee will be in addition to any applicable inspection fees associated with the tap as assessed from time to time by the City Council.
- (3) Discharge Permit Application Fees. All discharge permit applicants shall be assessed an application fee for reimbursement of the City's costs of reviewing and processing the application and for administration of the permit. The application fee shall be as set by resolution of the City Council from time to time.
 - (4) Pretreatment Charges and Fees. All permitted users shall be assessed a surcharge for reimbursement of actual costs to operate the City's pretreatment program. The surcharge shall be as set by resolution of the City Council from time to time.
 - (5) Extra Strength Surcharges. Extra strength surcharges shall be as set by resolution of the City Council from time to time.
 - (6) Other charges. The City Council may adopt other reasonable charges and fees, through adoption of resolutions of the City Council from time to time, for reimbursement of costs for setting up, administering and operating the City's pretreatment program, which may include, without limitation, fees for monitoring, inspection and surveillance procedures; reviewing and responding to accidental discharge procedures and construction; filing appeals and related legal expenses; and, other fees as the City may deem necessary to carry out the requirements contained herein. These fees are separate from all other fees, fines and penalties chargeable by the City.
- (e) Lien and Deposits.
 - (1) Lien. Utility system rates, fees, and charges will be a lien and collected on property served by utilities as provided in 1933 PA 94 (MCL 141.101 et seq.) and 1939 PA 178 (MCL 123.161 et seq.). If such rates, fees, or charges are not paid within six months after they are due, the City's Public Utilities Department may certify the same to the City Treasurer who shall enter such delinquent charges upon the next general City tax roll as a charge against such premises and the same shall be collected and the lien thereof enforced in the same manner as general City taxes are collected and the lien thereof enforced against such premises.

(2) Notwithstanding subsection (e)(1), above, the lien shall not apply if a lease has been legally executed, containing a provision that the lessor shall not be liable for payment of water and/or sanitary sewage system bills accruing subsequent to the filing of an affidavit as provided herein. An affidavit with respect to the execution of a lease containing this provision shall be filed with the City's Public Utilities Department and 20 days' notice shall be given by the lessor of any cancellation, change in, or termination of the lease. The affidavit shall contain a notation of the expiration date of the lease. Where notice is given that a tenant is responsible for such charges and services as provided herein, the City shall render no further service to the premises until a cash deposit and processing fee in a sum fixed by resolution of the City Council from time to time is made as security for the payment of the rates, fees, and charges. Nothing herein shall be interpreted or applied to preclude other lawful means of enforcement including, without limitation, discontinuing water or similar services to the premises.

Section 2: Amendment

That Part Ten, Title Four, Chapter 1040, Section 1040.10 of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows:

1040.10 RATES AND CHARGES.

(a) In General. The City Council shall establish rates, fees, and charges for services of the Water Supply System consistent with the provisions of Section 214.05 of the Code.

(b) No Free Service. No free water service shall be furnished to any person, firm or corporation, public or private, or to a public agency or instrumentality.

(c) Contracts for Service and Rates and Charges for Service Outside of the City; Franchise Contracts; Outside City Service. The City has previously entered into contracts with certain townships whereby the City has received consideration in exchange for providing certain capital costs, and other indirect costs, of providing service to users of the Water Supply System located in those townships. Rates, fees, and charges billed for use by the user of those townships shall be in accordance with the applicable contract and Section 214.05 of the Code.

(d) Payment of Charges by City, Exception. The City shall pay for all water used by it at the rates established by ordinance. The water used through a fire hydrant by the City is hereby deemed to be a public benefit and there shall be no charge for service. Charges against the City shall be payable in quarterly installments from current funds of the City.

(e) Illegal Disconnection, Connection or Tampering With a Water Meter. For illegally disconnecting, connecting or tampering with a water meter, the property owner shall be charged two times the cost of the last quarterly billing. No service shall be provided until such bill is paid in full. If not paid, such cost shall be added to the property taxes and collected as delinquent.

(f) Facilities Maintenance Charge. A Facilities Maintenance Charge shall be charged against every premises connected to the Water Supply System whether water is used or not and shall be calculated consistent with the provisions of Section 214.05 of the Code and in accordance with a Residential Equivalent Unit (REU) basis. A single family unit is considered one REU. In the case of a multiple unit residence, each unit shall be charged one Facilities Maintenance Charge REU. In December of each year, or at such other time as may be deemed appropriate, the City shall review REU allocations, taking into account factors such

as the amount of use for each class of user in the previous year, and shall adjust such REU allocations as necessary with the revised allocations effective for the following twelve month period or until a subsequent review.

(g) Fee for Water Turn-On after Disconnection. If service is discontinued, a fee, consistent with the provisions of Section 214.05 of the Code and as established by resolution of the Council from time to time, shall be charged to turn the utilities back on. In the case of winter shut-offs, no charge shall be made to turn the utility off. However, a fee shall be charged to turn service back on.

(h) Final Readings. At least twenty-four (24) hours notice shall be given to the City for a final notice reading on a property. If such time limit cannot be given, a fee, consistent with the provisions of Section 214.05 of the Code and as established by resolution of the City Council from time to time, shall be made to perform the work on an emergency basis.

(i) Contracts for Service. No user shall receive service from the Water Supply System without first completing a contract application and providing evidence of ownership of the property to be served or by taking other steps as set forth in Section 214.05 of the Code. No utility service will be activated without a signed contract, and no billings shall be made to "Occupant" or any person other than the owner of the property being served, or a tenant who has complied with the requirements of this Code, or such other person as the City Manager approves.

(j) Billing Cycle; Penalty; Collection. The City Manager shall have charge of the reading of all meters and shall have all meters read at least quarterly. Bills for water service shall be due and payable when rendered. There shall be added to all bills not paid on or before the twentieth day of the first month following the end of each quarter a penalty of ten percent of the amount of the bill. The Treasurer shall be responsible for collecting all charges and crediting the proper account.

(k) Non-payment of Bills. All bills not paid shall result in the termination of water service to the premises. No user who has had his or her water shut off shall reactivate his or her service by their own action. The City may disable the service to prevent future reactivation.

(l) Liens. The rates, fees, and charges for services furnished by the Water Supply System shall be liens on the property served in the manner, and subject to the provisions of, Section 214.05(e) of the Code.

Section 3: Amendment

That Part Ten, Title Four, Chapter 1042, Section 1042.02 of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows:

1042.02 OBJECTIVES RE: CONTRACT REQUIREMENTS.

The City of Ionia ("City") and the Townships of Berlin, Easton, Ionia and Orange (together with the City collectively called the "Constituent Municipalities") and the Ionia Regional Utilities Authority ("Authority"), entered into the Ionia Regional Utilities Authority Contract of December 2010 ("Contract"), to promote the health and welfare of the residents of the Constituent Municipalities. The City, on behalf of the Authority, and in accordance with the Contract: operates, maintains, administers and manages the sewage disposal system; reads its master meters; bills and collects service charges from the Constituent Municipalities; and accounts for all collections and from such collections pays all costs for operation, maintenance, management and administration of the sewage disposal system. Accordingly, it is necessary for the City, as a Constituent Municipality, to establish rates and charges for services to users connected to or are required to be connected to its collection system, in amounts necessary to operate, maintain and administer the sewage collection and disposal system.

Section 4: Amendment

That Part Ten, Title Four, Chapter 1042, Section 1042.42 of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows:

1042.42 RATES AND CHARGES.

(a) The City Council shall establish rates, fees, and charges for services of the sewage collection and disposal system consistent with the provisions of Section 214.05 of the Code.

(b) A Facilities Maintenance Charge shall be charged against every premises connected to the sewage collection and disposal system whether the system is used or not and shall be calculated consistent with the provisions of Section 214.05 of the Code in accordance with a Residential Equivalent Unit (REU) basis. A single family unit is considered one REU. In the case of a multiple unit residence, each unit shall be charged one REU. In December of each year, or at such other time as may be deemed appropriate, the City shall review REU allocations, taking into account factors such as the amount of use for each class of user in the previous year, and shall adjust such REU allocations as necessary with the revised allocations effective for the following 12-month period or until a subsequent review.

Section 5: Amendment

That Part Ten, Title Four, Chapter 1042, Section 1042.48 of the Codified Ordinances of the City of Ionia is amended to read in its entirety as follows:

1042.48 LIENS.

The rates, fees, and charges for services furnished by the sewage collection and disposal system shall be liens on the property served in the manner, and subject to the provisions of, Section 214.05(e) of the Code.

Section 6: Repealer

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

Section 7: Publication and Effective Date

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

ORDINANCE No. 587 APPROVED

VI. COMMUNICATIONS

(VI-1) Request from Triple J Car Show for recognition as a nonprofit organization in the Ionia Community for Charitable Gaming Licenses; Resolution 2024-10

A representative from Triple J Car Show recently contacted the city seeking recognition from the City of Ionia as a nonprofit organization operating in the Ionia community, so that it is then eligible for Charitable Gaming Licenses. The group has been recognized by the IRS as a 501(c)(3) nonprofit organization, and has regularly conducted car shows in the City of Ionia, on the Ionia Fair Grounds.

Councilmember Millard made a motion, seconded by Councilmember Ketchum, to approve Resolution 2024-10, to recognize a nonprofit organization (Triple J Car Show) operating in the community for the purpose of obtaining charitable gaming licenses.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
NAYS: None

MOTION CARRIED

Resolution 2024-10

**CITY OF IONIA
CITY COUNCIL
RESOLUTION**

**A RESOLUTION TO RECOGNIZE A NONPROFIT ORGANIZATION
OPERATING IN THE COMMUNITY FOR THE PURPOSE OF OBTAINING CHARITABLE
GAMING LICENSES**

The following Resolution was offered for adoption by City Council Member Millard and was supported by City Council Member Ketchum:

WHEREAS, the City of Ionia received a request from Triple J Car Show requesting recognition as a nonprofit organization operating in the Ionia community; and

WHEREAS, this recognition is required by the Bureau of State Lottery of the State of Michigan for purposes of obtaining future charitable gaming licenses; and

WHEREAS, the City of Ionia has received proof of Triple J Car Show's 501(c)(3) non-profit, tax exempt status by its local Ionia representative; and

WHEREAS, the Triple J Car Show organization regularly conducts car shows within the City of Ionia, most typically on the Ionia Fair Grounds,

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Ionia hereby recognizes Triple J Car Show, of the city of Ionia and county of Ionia, as a nonprofit organization operating in the community for the purpose of obtaining charitable gaming licenses.

AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski

NAYS: None

ABSTAIN: None

ABSENT: Lee, Waterman

RESOLUTION No. 2024-10 DECLARED ADOPTED

(VI-2) Application for Street Closure with Mobile Food Vending Units—Ionia Cruisin' Classic Car Show—June 1, 2024

Council reviewed an application submitted by Ionia Cruisin' Classic Car Show for a car show event to be held on June 1, 2024, requesting closure of Main Street from Hudson to Dexter Streets, plus small sections of Depot and Steele Streets within the central business district, from 5:00 AM to 4:00 PM. They propose to include two mobile food vending units (food trucks) as part of the event, one serving food

and the other serving mocktails. City Code requires that any food truck proposing to operate on public land or public right-of-way must first receive a special event food vending permit approved by the City Council.

Councilmember Winters made a motion, seconded by Councilmember Starr, to approve the application for street closure with mobile food vending units, for June 1, 2024 in conjunction with the Ionia Cruisin’ Classic Car Show, contingent upon final staff approval.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski

NAYS: None

MOTION CARRIED

VII. CITY MANAGER’S REPORT

(VII-1) Bid Award – Annual Auditing Services

In accordance with various federal, state, and local laws, including Michigan Public Act 2 of 1968 (PA 2), Chapter 232 – City Manager, and Chapter 248 – Finance Department of the Codified Ordinances of the City of Ionia, the City of Ionia is required to prepare a Comprehensive Annual Financial Report (CAFR). The CAFR, or “audit” as it commonly called, is performed annually by a qualified accounting firm. The audit is conducted and submitted to the Michigan Department of Treasury no later than six months following the conclusion of a fiscal year.

Bids were solicited from qualified accounting firms to provide both the City of Ionia and the Ionia Regional Utilities Authority (IRUA) with annual auditing services for fiscal years 2024, 2025, and 2026. Bidding included pricing for a Single Audit, which is only required in the event the City or IRUA receives more than \$750,000 in federal funding during a fiscal year. Four bids were received for these auditing services:

Bidder	Location	City Audit ('24,'25,'26)	Single Audit	IRUA Audit
Gabridge & Co	Grand Rapids, MI	\$27,460; \$28,300; \$29,200	\$6,000 ea. year	Included in City fee
Maner Costerisan	Lansing, MI	\$48,930; \$51,900; \$54,000	\$5,000 ea. year	\$10,000; \$11,000; \$12,000
Rehmann	Saginaw, MI	\$47,600; \$49,800; \$52,200	\$7,000; \$7,500; \$8,000	Included in City fee
Vredveld Haefner, LLC	Grand Rapids, MI	\$18,200; \$18,900; \$19,700	\$4,250 ea. year	\$3,380; \$3,500; \$3,650

The low bid submitted by Vredveld Haefner, LLC was recommended. It is the city’s current auditor and was able to submit its lower bid, relative to competitors, based on its knowledge and previous experience in auditing the City’s and IRUA’s financial statements.

Councilmember Winters made a motion, seconded by Councilmember Cowling, to approve the three-year bid as shown by Vredveld Haefner, LLC of Grand Rapids, MI to provide financial auditing services to the City of Ionia and IRUA for fiscal years 2024, 2025, and 2026.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
NAYS:

MOTION CARRIED

(VII-2) Bid Award—Hale Park Improvements

The City was awarded a Land and Water Conservation Fund (LWCF) Grant from the Michigan Department of Resources in 2023 to make improvements to Hale Park. The total expected project cost at the time of grant application was \$764,000, with \$382,000 in grant funds and a \$382,000 match to be provided by the City of Ionia.

Subsequent to receiving the grant, the City solicited bids for its design and hired MCSA Group, Inc. to perform design and construction engineering services. MCSA Group completed the park plans and specifications, which were issued for bid. The two bids were opened on Tuesday, April 16 at 10 AM.

Bidder	Location	Base Bid	Alternate A	Alternate B
C.L. Trucking & Excavating	Ionia MI	\$1,103,212	\$169,150	\$13,500
Katerberg Verhage	Grand Rapids MI	\$912,689	\$158,471	\$14,300

Alternate A – Band Shell

Alternate B – Salvage/relocate select playground equipment

To reduce the base bid to an amount closer to the engineer’s estimate (\$860,000) and original grant project budget (\$764,000), MCSA Group reviewed all components of the base bid and conducted value engineering to reduce/adjust project scope. The City’s public works department will perform two scope items that were to be completed by the contractor. Additionally, two other project scope items were revised, resulting in a total savings of \$32,000 and a revised bid price of \$880,689.

With the revised bid price at \$880,689, the LWCF grant will still provide \$382,000 in funding, leaving the City to fund the \$498,689 project balance. Neither alternate bid options were recommended because of overall pricing and available match funding.

Councilmember Winters made a motion, seconded by Councilmember Cook, to approve the recommendation from MCSA Group, Inc. to award the value-engineered bid of \$880,689, plus a \$50,000 contingency, if needed, to Katerberg Verhage of Grand Rapids, MI for the Hale Park Improvement Project.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
NAYS: None

MOTION CARRIED

(VII-3) Bid Award—Complete Distribution System Materials Inventory (CDSMI)—Potholing Project

The City recently applied for EGLE’s Technical, Managerial and Financial Support (TMFS) grant in the amount of \$600,000 to provide funding for compiling a Complete (Water) Distribution System Materials Inventory (CDSMI). Whether or not the grant is funded, this inventory must be performed and submitted to EGLE by the federally-mandated deadline of October 16, 2024. These applications were separated into two priority groups and the City of Ionia was placed in the highest priority group, which has been determined to be within the “fundable range.”

The CDSMI requires the City to inventory its 2,871 water service lines for potential lead. This is done by targeting areas within the system that are suspected, but not confirmed, to contain lead and then physically verifying service line materials through “potholing,” a process by which contractors excavate at the curb stop to check actual service line materials.

Engineering firm Prein & Newhof (P&N) was approved by the City in March to assist in undertaking the required work for inventorying and verifying service line materials. As part of this process, P&N developed plans and specifications for potholing and released the same for bidding. Bids were opened on April 24 at 10 AM:

Bidder	Location	Bid Amount
Duke’s Root Control	Elgin, IL	\$261,491.80
National Industrial Maintenance	East Chicago, IL	\$260,760.00
Pipeline Management Company	Milford, MI	\$288,687.00
Plummer’s Environmental Services	Byron Center, MI	\$184,725.00
Waste Recovery Systems	Wyoming, MI	\$177,640.00

Following a complete bid review and reference checks (neither P&N nor the City has worked with Waste Recovery Systems previously), P&N provided a letter recommending Waste Recovery Systems be awarded the Potholing Project bid.

Councilmember Millard made a motion, seconded by Councilmember Winters, to approve the bid from Waste Recovery Systems of Wyoming, MI in the amount of \$177,640 to proceed with the CDSMI Potholing Project.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
 NAYS: None

MOTION CARRIED

(VII-4) Water and Sanitary Sewer System Fees and Charges—Resolution 2024-11

With the approval earlier in the meeting of Ordinance No. 587, it was necessary for Council to establish fees, surcharges, and charges associated with its water and sanitary sewer systems by resolution. Council reviewed Resolution No. 2024-11, showing current rates and proposed rates by surcharge, charge, or fee.

Ordinance No. 587 immediately changes the methodology upon which water and sewer connection fees are based, moving away from building square footage and instead, basing connection on the size of the meter. Per the recent City of Ionia Water and Sewer Rate Study, performed by Municipal Analytics, basing the connection fee on meter size is a best practice and more realistically reflects the demand a user will place on the existing water and/or sanitary sewer system. For this fee then, the current fee amount, plus that effective July 1, 2024 remains the same.

To keep up with the cost of capital improvements, system maintenance and water production/wastewater processing, it is necessary to adjust water and sanitary sewer rates annually. The rate increases proposed to coincide with the new FY24/25 fiscal year are taken directly from those recommended by the Municipal Analytics rate study.

The water commodity charge is proposed to increase from \$4.10 to \$4.20 per 1,000 gallons and the REU rate is also proposed to increase from \$32 per unit per quarter to \$33.39 per unit per quarter.

The sewer commodity charge is proposed to increase from \$4.50 to \$4.87 per 1,000 gallons while the REU rate is proposed to decrease from \$46 per unit per quarter to \$44.59 per unit per quarter.

Other rate changes as detailed in the resolution are made to:

- Pretreatment Charges and Fees
- Extra Strength Surcharges

The overall impact of the proposed water and sanitary sewer rate changes is best illustrated with several user examples, ranging in size from small to large. As the illustration shows, quarterly bills are expected to increase from 1.93% to 3.87%, depending on consumption rates:

Current Bill	5 Units	12 Units	22 Units	1000 Units
Water REU	32.00	32.00	32.00	1,440.00
Commodity Charge	4.10	4.10	4.10	4.10
Sewer REU	46.00	46.00	46.00	2,070.00
Commodity Charge	4.50	4.50	4.50	4.50
	<u>121.00</u>	<u>181.20</u>	<u>267.20</u>	<u>12,110.00</u>
7/1/24 Bill	5 Units	12 Units	22 Units	1000 Units
Water REU	33.39	33.39	33.39	1,502.55
Commodity Charge	4.20	4.20	4.20	4.20
Sewer REU	44.59	44.59	44.59	2,006.55
Commodity Charge	4.87	4.87	4.87	4.87
	<u>123.33</u>	<u>186.82</u>	<u>277.52</u>	<u>12,579.10</u>
	1.93%	3.10%	3.86%	3.87%

Councilmember Winters made a motion, seconded by Councilmember Cowling, to approve Resolution 2024-11, a resolution to establish surcharges, charges, and fees associated with the City of Ionia’s water and sanitary sewer systems in accordance with Chapters 214 and 1040 of the Codified Ordinances of the City of Ionia.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
 NAYS: None

MOTION CARRIED

Resolution No. 2024-11

**CITY OF IONIA
 COUNTY OF IONIA, MICHIGAN**

At a regular meeting of the City Council of the City of Ionia, held at the Ionia City Hall, 114 North Kidd Street, Ionia, Michigan, on the 1st day of May, 2024, at 7:00 p.m.

PRESENT: Ketchum, Winters, Cook, Starr, Millard, Cowling, Mayor Milewski
ABSENT: Lee, Waterman

**A RESOLUTION TO ESTABLISH SURCHARGES, CHARGES, AND FEES
ASSOCIATED WITH THE CITY OF IONIA’S WATER AND SANITARY SEWER
SYSTEMS IN ACCORDANCE WITH CHAPTERS 214 AND 1040 OF THE
CODIFIED ORDINANCES
OF THE CITY OF IONIA**

The following Resolution was offered for adoption by City Council Member Winters and was seconded by City Council Member Cowling:

WHEREAS, the City of Ionia is authorized by law and contract to set and establish rates, fees, and charges for services and use of the City Water Supply System and the Sanitary Sewer System; and

WHEREAS, without limiting the foregoing, Sections 214.05 and 1040.10 of the Codified Ordinances of the City of Ionia expressly provide for the establishment of such rates, fees, and charges by the City Council’s adoption of resolutions from time to time; and

WHEREAS, the City Council, in reliance on the reports and data provided to it regarding the utility systems, finds and determines that the rates, fees, and charges for the service and use of the utility systems as set forth in this Resolution are appropriate and should be adopted and established as being the best interest of the City, its businesses, residents, and the systems’ customers and users.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The recitals set forth above are hereby adopted as accurate and incorporated herein.
2. The amounts for the charges, surcharges, and fees for the services and use of City’s Water and Sanitary Sewer Systems are hereby established and provided as follows:

Water System Rates and Charges (Code Sec. 214.05(c)(1))

Water Facilities maintenance charges as of 7/1/2023

000 to 100,000 gallons	1 REU	\$32.00/qtr
100,000 to 300,000 gallons	5 REU	\$160.00/qtr
300,000 to 1 million gallons	13 REU	\$416.00/qtr
1 million to 2 million gallons	45 REU	\$1,440.00/qtr
2 million to 10 million gallons	90 REU	\$2,880.00/qtr
10 million gallons plus -usage is divided by 22,000 gallons X \$32.00/qtr/REU		

Water Facilities maintenance charges as of 7/1/2024

000 to 100,000 gallons	1 REU	\$33.39/qtr
100,000 to 300,000 gallons	5 REU	\$166.95/qtr
300,000 to 1 million gallons	13 REU	\$434.07/qtr
1 million to 2 million gallons	45 REU	\$1,502.55/qtr
2 million to 10 million gallons	90 REU	\$3,005.10/qtr
10 million gallons plus -usage is divided by 22,000 gallons X \$33.39/qtr/REU		

Commodity rate: All water service shall be charged on the basis of water consumed as determined by the meter installed by the Department in the premises of water users. The commodity rate shall be per thousand metered gallons.

7/1/2023
\$ 4.10

Effective
7/1/2024
\$ 4.20

Fire Sprinkler Standby Fee (Code Sec. 214.05(c)(2)): An annual fee will be charged which can be applied in one payment or divided into quarterly payments as determined by the City.

7/1/2023
\$ 2,000/yr

Effective
7/1/2024
\$ 2,100/yr

Water Tap Fees and Connection Charges (Code Sec. 214.05(c)(3))

<i>Water Connection Charge by Meter Size</i>		
Water Meter Size	Effective 5/2/24	Effective 7/1/24
5/8 inch	\$ 2,600	\$ 2,600
3/4 inch	\$ 3,900	\$ 3,900
1 inch	\$ 6,500	\$ 6,500
1 ½ inch	\$ 13,000	\$ 13,000
2 inch	\$ 20,800	\$ 20,800
3 inch	\$ 39,000	\$ 39,000
4 inch	\$ 65,000	\$ 65,000
6 inch	\$130,000	\$130,000
8 inch	\$208,000	\$208,000
10 inch	\$299,000	\$299,000

Cross Connection Inspection Fees (Code Sec. 214.05(c)(4)): A quarterly fee shall be charged by the City to cover its cost for conducting cross connection inspections at locations requiring back flow preventers or prevention, or having chemical application, food processing or non-domestic usage according to the following schedule:

	<u>7/1/2023</u>	Effective <u>7/1/2024</u>
a. Locations requiring annual inspections:	\$15.50/qtr	\$16.50/qtr
b. Locations requiring bi-annual inspections:	\$7.75/qtr	\$8.50/qtr
c. Locations requiring tri-annual inspections:	\$4.00/qtr	\$4.50/qtr

Sanitary Sewer System Rates and Charges (Code Sec. 214.05(d)(1)):

Sewer Facilities maintenance charges as of 7/1/2023

000 to 100,000 gallons	1 REU	\$46.00/qtr
100,000 to 1 million gallons	5 REU	\$230.00/qtr
1 million to 2 million gallons	45 REU	\$2,070.00/qtr
2 million to 4 million gallons	90 REU	\$4,140.00/qtr
4 million to 8 million gallons	180 REU	\$8,280.00/qtr
8 million to 10 million gallons	360 REU	\$16,560.00/qtr
10 million gallons plus -usage is divided by 22,000 gallons X \$36.00/qtr/REU		

Sewer Facilities maintenance charges as of 7/1/2024

000 to 100,000 gallons	1 REU	\$44.59/qtr
100,000 to 1 million gallons	5 REU	\$222.95/qtr
1 million to 2 million gallons	45 REU	\$2,006.55/qtr

2 million to 4 million gallons	90 REU	\$4,013.10/qtr
4 million to 8 million gallons	180 REU	\$8,026.20/qtr
8 million to 10 million gallons	360 REU	\$16,052.40/qtr
10 million gallons plus -usage is divided by 22,000 gallons X \$44.59/qtr/REU		

Commodity rate: All sewage disposal service shall be charged on the basis of water consumed. The commodity rate shall be per thousand metered gallons.

<u>7/1/2023</u>	Effective <u>7/1/2024</u>
\$ 4.50	\$ 4.87

Sewer Tap Fees and Connection Charges (Code Sec. 214.05(d)(2)):

<i>Sewer Connection Charge by Water Meter Size</i>		
Water Meter Size	Effective 5/2/24	Effective 7/1/24
5/8 inch	\$ 2,400	\$ 2,400
3/4 inch	\$ 3,600	\$ 3,600
1 inch	\$ 6,000	\$ 6,000
1 ½ inch	\$ 12,000	\$ 12,000
2 inch	\$ 19,200	\$ 19,200
3 inch	\$ 36,000	\$ 36,000
4 inch	\$ 60,000	\$ 60,000
6 inch	\$120,000	\$120,000
8 inch	\$192,000	\$192,000
10 inch	\$276,000	\$276,000

Discharge Permit Application Fees (Code Sec. 214.05(d)(3)): All discharge permit applicants shall be assessed an application fee for reimbursement of the City’s costs of reviewing and processing the application and for administration of the permit. For Non-Categorical permits, the application fee shall be two hundred dollars (\$200) per year multiplied by the number of years of the permit. For categorical permits, the application fee shall be \$500 per year multiplied by the number of years of the permit.

Pretreatment Charges and Fees (Code Sec. 214.05(d)(4)): Pretreatment charges and fees. All permitted users shall be assessed a surcharge for reimbursement of actual costs to operate the City’s pretreatment program.

<u>7/1/2023</u>	Effective <u>7/1/2024</u>
\$220.00/qtr	\$ 230.00/qtr

Extra Strength Surcharges (Code Sec. 214.05(d)(5)):

Extra strength surcharges as of 7/1/2023:

1. Any discharge of BOD between 300 mg/L and 490 mg/L may be charged at a rate of up to \$0.15 per pound.
2. Any discharge of suspended solid between 300 mg/L and 570 mg/L may be charged at a rate of up to \$0.30 per pound.

3. Any discharge of total phosphorus between 5.0 mg/L and 10.0 mg/L may be charged at a rate of up to \$8.20 per pound.
4. Any discharge of ammonia nitrogen between 20 mg/L and 52 mg/L may be charged at a rate of up to \$0.30 per pound.

Other charges. The City may adopt other reasonable charges and fees for reimbursement of costs for setting up administering and operating the City’s pretreatment program, which may include:

1. Fees for monitoring, inspection and surveillance procedures, including the cost of collection and analyzing an industrial user’s discharge, and reviewing monitoring reports submitted by industrial users.
2. Fees for reviewing and responding to accidental discharge procedures and construction.
3. Fees for filing appeals and related legal expenses.
4. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines and penalties chargeable by the City.

Extra strength surcharges effective 7/1/2024:

1. Any discharge of BOD between 300 mg/L and 490 mg/L may be charged at a rate of up to \$0.20 per pound.
2. Any discharge of suspended solid between 300 mg/L and 570 mg/L may be charged at a rate of up to \$0.35 per pound.
3. Any discharge of total phosphorus between 5.0 mg/L and 10.0 mg/L may be charged at a rate of up to \$8.65 per pound.
4. Any discharge of ammonia nitrogen between 20 mg/L and 52 mg/L may be charged at a rate of up to \$0.35 per pound.

Fee for Water Turn-On after Disconnection (Code Sec. 214.05 and Sec. 1040.10(g)):

Fee effective 7/1/23 - \$0

Fee effective 7/1/24 - \$0

Emergency Final Reading Fee (Code Sec. 214.05 and Sec. 1040.10(h)):

Fee effective 7/1/23 - \$0

Fee effective 7/1/24 - \$0

Lien and Deposits (Code Sec. 214.05(e)(2)): Where notice is given that a tenant is responsible for such charges and services as provided herein, the City shall render no further service to the premises until a cash deposit and processing fee in a sum fixed by resolution of the City Council from time to time is made as a security for the payment of the rates, fees and charges.

Fees effective 7/1/23
 Water deposit - \$120
 Sewer deposit - \$120
 Processing fee - \$4

Fees effective 7/1/24
 Water deposit - \$120
 Sewer deposit - \$120
 Processing fee - \$4

Other charges. The City may adopt other reasonable charges and fees for reimbursement of costs for setting up administering and operating the City’s pretreatment program, which may include:

1. Fees for monitoring, inspection and surveillance procedures, including the cost of collection and analyzing an industrial user’s discharge, and reviewing monitoring reports submitted by industrial users.
 2. Fees for reviewing and responding to accidental discharge procedures and construction.
 3. Fees for filing appeals and related legal expenses.
 4. Other fees as the City may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this chapter and are separate from all other fees, fines and penalties chargeable by the City.
3. The City Council of the City of Ionia additionally authorizes its City Manager to take such administrative and similar actions as are reasonably necessary to effectuate and implement this Resolution.
 4. All prior resolutions and parts of resolutions in conflict herewith are, to the extent of such conflict, hereby repealed.
 5. This Resolution shall take effect immediately.

AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
 NAYS: None
 ABSTAIN: None
 ABSENT: Lee, Waterman

RESOLUTION No. 2024-11 DECLARED ADOPTED

(VII-5) 2024 Sidewalk Replacement Program—Resolution 2024-12

It is necessary from time to time for sidewalks throughout the City of Ionia to be inspected and inventoried for removal and replacement., as outlined in the City Code under Chapter 1022 - Sidewalks and City Policy 4-002, titled, “Sidewalk Maintenance and Construction Policy.”

In accordance with those rules, the City recently conducted an inspection of Quadrants Two and Four, which is essentially the entire north half of the City (north of Lincoln Avenue.) A total of 28 properties with 391.8 linear feet of sidewalk, all 4 inches thick and ranging from 3.5 to 5 feet in width was identified as in disrepair and in need of removal and replacement.

Council reviewed Resolution 2024-12 which identifies the specific properties where sidewalk is to be removed and replaced and directs the adjoining property owners to make such replacements within 30 days of the date of the resolution. The resolution also provides the anticipated rate of City financial participation in these repairs and establishes parameters for qualifying sidewalk project costs to be spread over a term of years in accordance with a future special assessment role.

The total estimated cost of all sidewalk project improvements is \$13,126.25. Of that total, 25%, or an estimated \$3,281.56 would be covered by the City. In instances where a property owner’s portion of the cost is greater than \$500, the property owner will be permitted to spread their cost by paying installments to the City over a term of years that includes one additional year for each \$500 of cost.

The Resolution further directs the city manager to provide notice of its approval to all the property owners, along with an explanation of the approved sidewalk project and property owners’ associated rights and responsibilities. If the specified sidewalk removal and replacement activities are not completed by the adjoining property owners by June 5, 2024, then the City will proceed with soliciting bids to have

the sidewalk removed and replaced. The cost of the project, less the City's participation rate will become a lien against the adjoining property in accordance with Chapter 210, Special Assessment Procedures and Resolution 2024-12

Councilmember Starr made a motion, seconded by Councilmember Millard, to approve Resolution 2024-12, approving the City of Ionia 2024 Sidewalk Replacement Project.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski

NAYS: None

MOTION CARRIED

Resolution No. 2024-12

**CITY OF IONIA
COUNTY OF IONIA, MICHIGAN**

At a regular meeting of the City Council of the City of Ionia, held at the Ionia City Hall, 114 North Kidd Street, Ionia, Michigan, on the 1st day of May, 2024, at 7:00 p.m.

PRESENT: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski

ABSENT: Lee, Waterman

The following preamble and resolution were offered by Council Member Starr and seconded by Council Member Millard:

A RESOLUTION APPROVING THE CITY OF IONIA 2024 SIDEWALK REPLACEMENT PROJECT

WHEREAS, it is necessary for the public health, safety and welfare of City residents that the City have a sidewalk system that provides contiguity and is in a good state of repair; and,

WHEREAS, Chapter 1022, entitled Sidewalks, of the City's Codified Ordinances and General City Policy 4-002 together outline the process the City must follow for replacing or constructing sidewalk; and,

WHEREAS, after inspection of the City's sidewalk system, the City Manager has recommended that certain sidewalks be replaced or constructed in the northwest and northeast quadrants of the City; and,

WHEREAS, it has been determined that the sections of current sidewalk marked with a pink dot by the City's designated inspector are in disrepair for one or more of the following reasons:
Difference in Elevation: An elevation difference between sidewalk squares of 1 ½" or greater.

Cracks: A crack that is ½" or wider in width and 24" or longer in length or a crack that is ¾" or wider in width of any length.

Surface Spalling: A chipping away or crumbling of the sidewalk surface in excess of 2 square feet per sidewalk square and an average of ½" deep.

Multiple Cracks: A sidewalk square containing multiple cracks of any width, length and/or depth.

Other: Any other form or type of sidewalk deterioration that, in the opinion of the City's designated inspector, may be a safety hazard; and,

WHEREAS, in cases where new sidewalk is proposed to be installed, the installation of the new sidewalk will complete the sidewalk network in defined areas and eliminate gaps in the current sidewalk system.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby directs the owners of the real properties identified in Attachment A, to replace or construct the length of sidewalk within thirty (30) days after the date of this Resolution, as identified in Attachment A. In all cases, the sidewalk specifications prescribed by Chapter 1210 and General City Policy 4-002 shall be followed and the required permit obtained, with the normal permit fee waived.

BE IT FURTHER RESOLVED that pursuant to the requirements contained in Chapter 1210 and General City Policy 4-002, the City Council hereby determines that the City shall participate financially in the cost of replacing or constructing the sidewalk identified in Attachment A as follows:

Sidewalk Replacement (includes demolition of old concrete and replacement with new concrete)

4 foot wide sidewalk, 4 inches thick – \$7.69/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$30.75 per linear foot to replace)

4 foot wide sidewalk, 6 inches thick – \$8.69/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$34.75 per linear foot to replace)

5 foot wide sidewalk, 4 inches thick - \$9.69/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$38.75 per linear foot to replace)

5 foot wide sidewalk, 6 inches thick - \$10.69/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$42.75 per linear foot to replace)

Sidewalk Construction (no demolition; new construction only)

4 foot wide sidewalk, 4 inches thick - \$6.13/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$24.50 per linear foot to construct)

4 foot wide sidewalk; 6 inches thick - \$7.63/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$30.50 per linear foot to construct)

5 foot wide sidewalk, 4 inches thick - \$7.06/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$28.25 per linear foot to construct)

5 foot wide sidewalk, 6 inches thick - \$8.81/LF or 25% of cost of installation, whichever is less (based on City estimate that it will cost \$35.25 per linear foot to construct)

Reimbursement shall be made by the City to the property owner for the City's share of the cost upon request by the property owner for reimbursement and after a satisfactory inspection of the replaced or constructed sidewalk by the City.

BE IT FURTHER RESOLVED that in instances where a property owner's portion of the cost of replacing or constructing a sidewalk is greater than \$500, the property owner shall be permitted to spread their cost of replacing or constructing the sidewalk by paying installments to the City

over a term of years that includes one additional year for each \$500 of the cost of replacing or constructing the sidewalk. Installments shall be due and payable on July 1st of each year commencing July 1, 2025, in the principal sum of increments of \$500, plus interest at the rate of 6% per annum on the unpaid balance, until paid in full. Any lesser amount of principal for the final installment shall bear interest at the same rate.

BE IT FURTHER RESOLVED that the City Manager is hereby directed to serve upon the property owners identified in Attachment A, by first class mail, addressed to such owner under the name and at the address as shown upon the City's latest tax assessment roll, a copy of this Resolution, which identifies their requirement to replace or construct sidewalk, and copies of such other sidewalk-related documents as she deems necessary.

BE IT FURTHER RESOLVED that if the property owner fails to repair the sidewalk by June 5, 2024, the City will proceed to have the sidewalk repaired or constructed. The cost of repairing or constructing sidewalk will be charged against and shall become a lien upon the abutting property. The lien will be of the type applicable to special assessments.

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

AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
NAYS: None
ABSTAIN: None
ABSENT: Lee, Waterman

RESOLUTION 2024-12 DECLARED ADOPTED

(VII-6) Public Transportation Services Agreement Between City of Ionia and Easton Township

The current agreement for public transportation services has existed between the City of Ionia and Easton Township since at least 2004, and expires June 30, 2024. A new agreement starting July 1, 2024 and ending June 30, 2025 was by Council. The terms of this agreement are generally the same as in past agreements, providing Dial-A-Ride services from 6:30 AM to 5 PM, Monday through Friday and 9 AM to 1 PM on Saturdays, with the service area as shown on the map. The agreement was updated to change the payment schedule for FY24-25, increasing by \$1,500 to \$30,000.

Data will be collected during the upcoming service year to ascertain the cost and value of services provided and if the current compensation methodology/rate is adequate or should be modified to ensure equity across the system for services provided during future agreements.

Councilmember Winters made a motion, seconded by Councilmember Cowling, to approve the Public Transportation Services Agreement between the City of Ionia and Easton Township as presented for the period July 1, 2024 through June 30, 2025.

Roll Call Vote: AYES: Ketchum, Winters, Cook, Starr, Millard, Cowling, and Milewski
NAYS: None

MOTION CARRIED

VIII. APPOINTMENTS

None.

IX. CITY DEPARTMENT REPORTS & MINUTES FROM BOARDS & COMMISSIONS

Reports provided to Council.

X. GOOD OF THE ORDER/CITY COUNCILMEMBER COMMENTS

Brenda Cowling: Should consider re-establishing a Parks & Recreation Commission.

Tom Millard: Lots going on in the community right now.

Margot Cook: Thank you to council for approving the AC Development Site Condos.

Dawn Ketchum: Thank you for dinner during tonight's work session.

Mayor John Milewski: Pleased to announce that his son John has decided to attend MSU in the Fall.

XI. CLOSED SESSION

Councilmember Millard made a motion, seconded by Councilmember Cowling, to enter into closed session at 9:10 PM. The motion carried by Voice Vote. Once the council resumed following closed session, Ketchum made a motion, seconded by Councilmember Winters, to ratify the proposed collective bargaining agreement between the City and Ionia Dial-A-Ride, Chapter of Local Union 1910, AFSCEME Michigan, AFL-CIO as presented for the period July 1, 2024, through June 30, 2029.

XII. ADJOURNMENT

Councilmember Cowling made a motion, seconded by Councilmember Cook, to adjourn. The meeting was adjourned by Voice Vote at 8:28 PM.

Submitted by:

Mary Patrick
Ionia City Clerk