

Regular Meeting of the Mt. Pleasant City Commission
Monday, January 22, 2024
7:00 p.m.

AGENDA

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

LAND ACKNOWLEDGEMENT STATEMENT:

ROLL CALL:

PROCLAMATIONS AND PRESENTATIONS:

1. Introduction of new Water Distribution Operator Tucker Breasbois.
2. Presentation on the Aquatic Center by Lisa Diaz-Sytsema of the Mid-Michigan Aquatic Recreational Authority.
3. Presentation by City Manager on 2023 and 2024 Goals and Objectives.
4. Presentation by Isabella County Staff on February ballot proposal.

ADDITIONS/ DELETIONS TO AGENDA:

PUBLIC INPUT ON AGENDA ITEMS:

RECEIPT OF PETITIONS AND COMMUNICATIONS:

5. Year-end report on citizen group and complaint process.

CONSENT ITEMS:

6. Approval of the minutes from the regular meeting held January 8, 2024.
7. Consider setting a special meeting for discussion on goals and objectives for Monday, April 1, 2024, at 6:00 p.m.
8. Consider the additional allocation of \$8,114 in funding from the City's HODAG funds for the Michigan State Housing Development Authority (MSHDA) Neighborhood Enhancement Program.
9. Consider resolutions #1 and #2 to commence the proceedings for special assessment, tentatively determine the necessity and set a public hearing for February 12, 2024, regarding the necessity of Special Assessment District #1-2024.
10. Consider award of contract to Kawkawlin Roofing for the Water Treatment Plant Reroof project.

All interested persons may attend and participate. Persons with disabilities who need assistance to participate may call the Human Resources Office at 989-779-5313. A 48-Hour advance notice is necessary for accommodation. Hearing or speech impaired individuals may contact the City via the Michigan Relay Service by dialing 7-1-1.

City Commission Agenda

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11. Consider approval of a sole quote with American Fiberglass Tank Repair for repairs to the Sodium hypochlorite tank and approve a budget amendment for the same.
12. Consider approval of Payrolls and Warrants.

PUBLIC HEARINGS:

13. Public hearing on a Community Development Block Grant Housing Improving Local Livability (CHILL) Grant Application as required Michigan State Housing Development Authority (MSHDA) and consider resolution for the same.

NEW BUSINESS:

14. Consider the purchase of Aerial Ladder Truck and Rescue Pumper Truck with Halt Fire.
15. Consider a professional services agreement with Mannik Smith Group for quarterly groundwater testing and reporting.
16. Consider 2024 Food Assistance Fees for Farmers Market.
17. Consider 2024 PEAK Summer Camp proposed changes.
18. Appointment of City Officials to the applicable City boards and commissions.
19. Appointment of City Commissioners to City standing and special committees.
20. Consider appointment of City Commissioners to applicable City boards and commissions.

ANNOUNCEMENTS ON CITY-RELATED ISSUES AND NEW BUSINESS:

PUBLIC COMMENT ON AGENDA AND NON-AGENDA ITEMS:

RECESS:

WORK SESSION:

21. Discussion on tall grass, weeds, and natural gardens.

RECESS:

CLOSED SESSION:

22. Consider closed session pursuant to subsection 8(a) of the Open Meetings Act to consider a periodic personnel evaluation.

ADJOURNMENT:

All interested persons may attend and participate. Persons with disabilities who need assistance to participate may call the Human Resources Office at 989-779-5313. A 48-Hour advance notice is necessary for accommodation. Hearing or speech impaired individuals may contact the City via the Michigan Relay Service by dialing 7-1-1.

TO: MAYOR AND CITY COMMISSION

JANUARY 22, 2024

FROM: AARON DESENTZ, CITY MANAGER

SUBJECT: CITY MANAGER REPORT ON AGENDA ITEMS

Proclamations and Presentations:

3. Presentation by City Manager on 2023 and 2024 Goals and Objectives.
 - a. At the upcoming City Commission meeting I plan to review the 2023 goals and objectives. I will highlight items we completed and those that we will continue working on in 2024. I will also present the current plan for our 2024 goals and objectives.
4. Presentation by Isabella County staff on ballot proposal.
 - a. Isabella County staff will be at our upcoming City Commission meeting to discuss the county millage proposal on the February 2024 ballot. They will be available for any questions that the City Commission may have.

Receipt of Petitions and Communications:

Consent Items:

8. Consider the additional allocation of \$8,114 in funding from the City's HODAG funds for the Michigan State Housing Development Authority (MSHDA) Neighborhood Enhancement Program.
 - a. During the implementation of Round 8 Neighborhood Enhancement Program (NEP) several of the projects ran over budget due to higher material costs and the discovery of additional problems. Staff is asking that the City Commission approve the additional \$8,114 of HODAG funds to close out Round 8 per the City's NEP policy.
9. Consider resolutions #1 and #2 to commence the proceedings for special assessment, tentatively determine the necessity and set a public hearing for February 12, 2024, regarding the necessity of Special Assessment District #1-2024.
 - a. The City uses a special assessment levied on the Principal Shopping District (PSD) for the purpose of funding maintenance activities which are managed by the City. These activities include maintenance of grounds, hanging baskets, snow removal, and utilities for lighting. The City's PSD Board is recommending the special assessment provided for 2024 and 2025 to continue funding these activities. The special assessment rate is proposed to increase slightly from \$0.180217 to \$0.182981 to be levied on a per square foot basis within the district.

The City received a question late last year about the communication of the special assessment. Notifications related to the special assessment stated that taxes will increase several hundred dollars because of the special assessment.

At the end of the tax season the current special assessment is set to expire. If the special assessment were to expire, the tax rate would drop back to \$0. As the special assessment for the 24/25 year is considered "new" in the system, the letters that our tax software distributes will calculate the full increase from the \$0 mark. Therefore, a notice was sent

out indicating that several properties would increase in tax by hundreds of dollars. However, the special assessment will increase only by the amount in the far-right hand column of the excel spreadsheet attachment which contains the roll. Staff has responded to the inquiry at this time to ensure that this understanding is properly expressed to them.

To move forward, the City Commission will need to approve the attached Resolutions which state the interest in creating the special assessment, requires the notification of property owners in the district to be completed by staff, and sets a public hearing on the proposed assessment for February 12th.

10. Consider award of contract to Kawkawlin Roofing for the Water Treatment Plant Reroof project.
 - a. The City Commission is requested to award the 2024 Water Treatment Plant Reroof bid to Kawkawlin Roofing Company for \$188,216 as the low bidder for this project. The roof has been in place since the plant was built in 1994 and has reached the end of its useful life. The City has checked references for this company and has not found any issues.

11. Consider approval of a sole quote with American Fiberglass Tank Repair for repairs to the Sodium hypochlorite tank and approve a budget amendment for the same.
 - a. The City Commission is requested to approve a quote of \$31,660 from American Fiberglass Tank Repair for repairs to the sodium hypochlorite tank at the water treatment plant and approve a budget amendment of \$4,700. The tank has been in place since 1994 and needs repairs. Staff reached out to providers of this rehab service and the only firm that was interested in doing the work and responded with a quote was American Fiberglass Tank Repair.

Public Hearings:

13. Public hearing on a Community Development Block Grant Housing Improving Local Livability (CHILL) Grant Application as required Michigan State Housing Development Authority (MSHDA) and consider resolution for the same.
 - a. Staff is applying for a grant to support the City's Neighborhood Enhancement Program (NEP) using money from MSHDA's Community Development Block Grant (CDBG) funds. The \$500,000 grant would be matched by \$50,000 of City HODAG funds. Projects will be limited to \$10,000 per household.

Recommended Action: After holding the public hearing on the proposed project, the City Commission is asked to approve the attached Resolution authorizing staff to submit the grant application and authorizing the City Manager and Finance Director to sign the required paperwork.

New Business:

14. Consider the purchase of Aerial Ladder Truck and Rescue Pumper Truck with Halt Fire.
 - a. The Fire Department is in need of replacing its ladder truck and rescue truck. Replacement trucks were bid out and the City received several bids for these pieces of equipment. After analyzing the bid packages, staff is recommending the purchase of two (2) Pierce models to replace the current equipment. Staff is recommending that the replacement of the current rescue truck be done with a combined Rescue Pumper Truck. Doing so eliminates the need for a separate piece of equipment and saves the City \$1 million in future costs.

Fire Chief Doug Lobsinger will be at the next City Commission meeting to present the proposal and to answer any questions that the City Commission may have.

Recommended Action: A motion to approve the purchase of the Pierce Aerial Ladder Truck and the Pierce Rescue Pumper Truck through Halt Fire and prepay a total amount of \$2,738,675.

15. Consider a professional services agreement with Mannik Smith Group for quarterly groundwater testing and reporting.

- a. The City has been working with Mannik Smith Group (MSG) as a consultant to advise and complete work related to the City's old landfill site. After the 2023 test results were reviewed by the Michigan Department of Environment, Great Lakes, and Energy (EGLE), the City was asked to develop a plan for action. Staff consulted with MSG who is recommending further testing of the site in 2024 prior to considering any potential remedial action. Any remedial action is ill advised at this time as the City does not have enough data to determine if a remediation treatment will be successful without having further data on the contamination at the site. MSG is proposing a quarterly testing program that they will undertake at a cost of \$67,000. Representatives from MSG are here to present this proposal and to answer any questions you may have.

Recommended Action: A motion to approve a professional services agreement with Mannik Smith Group for \$67,000 for quarterly monitoring and testing of up to 18 wells at the former city landfill site and authorize staff to sign the Agreement.

16. Consider 2024 Food Assistance Fees for Farmers Market.

- a. The City imposes an administrative fee to cover the costs for the use of certain electronic payment forms. This includes certain benefits such as Supplemental Nutrition Assistance Program (SNAP) and Double Up Food Bucks (DUFEB). Both programs are State provided food cost assistance. SNAP and DUFEB users are charged a 5% fee. Credit card users are charged an 8% fee. The issue was raised at a previous City Commission meeting. Staff would like to receive input from the City Commission on what policy should be used at the Farmers Market. This could include the elimination of all fees, the elimination of some fees, or a standardizing of the fees as well. Another option is to increase vendor fees to cover the cost of these fees. Parks and Recreation Director Phil Biscorner will be at the next meeting to discuss the issue and to receive feedback on the program.

Recommended Action: Staff would like to receive guidance on the program from the City Commission.

17. Consider the 2024 PEAK Summer Camp proposed changes.

- a. Staff is requesting to extend the current 6-week PEAK Summer Camp program duration from 6 weeks to 8 weeks and discontinuing the Day Camp Program. The proposal combines the current 6-week summer program and the 2-week summer program into a single program. The benefits of the combination are that children will not need to change locations between the two programs, consolidation of resources for greater efficiency, and would allow more children to participate in the summer months. Parks and Recreation Director Phil Biscorner will be at our meeting to discuss the proposal and answer any questions.

Recommended Action: A motion to approve the proposed change of the PEAK Summer Camp from 6 to 8 weeks and discontinue the Day Camp program.

Work Session:

21. Discussion on tall grass, weeds, and natural gardens.

a. The City Commission discussed natural landscaping at its October 9th, 2023, meeting. Several city ordinances that consider natural landscaping are found in your City Commission packet. In an effort to come to consensus, I recommended that the City Commission discuss those parts of the provided ordinance that garner agreement from a majority of its members. This could include conditions of the ordinance such as:

- Discussion on definition of cultivation – what it means to cultivate.
- Height allowance for what the City Commission deems unacceptable.
- Any particular vegetation the City deems harmful or a nuisance.
- Exceptions (if any)
- Place and location of natural landscapes
 - Including any setback from property lines, sidewalks or driveways
- What to allow or not allow in the public right of way

Closed Session:

22. Consider closed session pursuant to subsection 8(a) of the Open Meetings Act to consider a periodic personnel evaluation.

a. The City Commission is requested to go into a closed session at my request to consider a periodic personnel evaluation.

Recommended Action: A motion to go into closed session pursuant to subsection 8(a) of the Open Meetings Act to consider a periodic personnel evaluation.



**DIVISION OF PUBLIC SAFETY
CITY OF MT. PLEASANT**



804 E. High Street, Mount Pleasant, MI 48858
Phone: (989) 779-5100 Fax: (989) 773-4020

MEMORANDUM

DATE: January 9, 2024
TO: Aaron Desentz, City Manager
FROM: Paul Lauria, Director of Public Safety
SUBJECT: 2023 Community Group Update and Summary

The Mt. Pleasant Police Department (MPPD) takes pride in our strong community relations, and are committed to maintaining valuable two-way dialogue, implementing new concepts, as well as assisting, and collaborating with other law enforcement agencies when able.

In 2023, the MPPD's commitment to consistent communication and involvement in various community outreach initiatives has continued as outlined below.

2023 Actions and Initiatives

- Monthly reports of Citizen Complaints against police officers were provided to the City Commission as well as posted to the City's website.
- I continued to meet with Joyce Hendricks of the Mount Pleasant Area Diversity Group (MPADG) throughout 2023. Arrest statistics were shared and analyzed. Discussion topics included policy, procedure, any citizen complaints that were received and the MPPD officer training/development program.
- I attended a majority of the monthly Human Rights Committee (HRC) meetings to address any questions or concerns. During these sessions, I had an opportunity to make a statement and/or answer questions from individual committee members. Update the HRC on any filed citizen complaints.
- For the fourth year, the MPPD co-sponsored and had officers participate in the HRC's annual, "Let Peace Reign" event held at Island Park.

- I continued to attend City/CMU Student Liaison Committee meetings to educate and strengthen relationships.
- As is standard department protocol, the MPPD continued to meet with any requesting individual, group, or organization.
- For the third year, the MPPD's "Use of Force" instructors continued to train and implement Force Science's "Realistic De-Escalation" training for all MPPD officers. The MPPD has two certified trainers on staff who not only train the MPPD, but the other law enforcement agencies in our area as well.
- The Division of Public Safety had another productive year partnering with Recovery, Independence, Safety and Empowerment (RISE). This program focuses on Domestic and Sexual Violence Response within the City limits.
- All MPPD officers received annual training in mental illness and drug overdose response and handling, de-escalation, cultural diversity, and homeless population encounters.

Minutes of the regular meeting of the City Commission held Monday, January 8, 2024, at 7:00 p.m., in the City Commission Room, 320 W. Broadway St., Mt. Pleasant, Michigan with virtual options.

City Clerk Heather Bouck called the meeting to order.

The Pledge of Allegiance was recited.

The Land Acknowledgment Statement was recited.

Commissioners Present: Mary Alsager, Liz Busch, Bryan Chapman, Maureen Eke, Amy Perschbacher, Grace Rollins & Boomer Wingard

Commissioners Absent: None

Others Present: City Manager Aaron Desentz and City Clerk Heather Bouck

City Clerk Bouck administered the Oath of Office to Bryan Chapman and Grace Rollins for the term January 1, 2024 through December 31, 2026.

City Clerk Bouck conducted the election of Mayor.

Election of Mayor and Vice Mayor

Nominations for Mayor were open.

Commissioner Alsager nominated Commissioner Perschbacher for Mayor. There being no other nominations, Commissioner Perschbacher was elected Mayor for 2024 unanimously.

Mayor Perschbacher opened nominations for Vice Mayor.

Commissioner Wingard nominated Commissioner Alsager for Vice Mayor. There being no other nominations for Vice Mayor, Commissioner Alsager was elected Vice Mayor for 2024 unanimously.

Set Time and Day of Regular Meetings

Moved by Commissioner Eke and seconded by Commissioner Busch to adopt the resolution setting time and day of regular meetings as presented.

WHEREAS, the City Charter requires the City Commission to set the day, time and place of its regular meetings,

NOW, THEREFORE, BE IT RESOLVED, that the City Commission shall meet during 2024 on the second and fourth Mondays of each month at 7:00 p.m. (except for May in which the second meeting of the month will be held on the fourth Tuesday of the month; October in which the first meeting of the month will be held on the third Tuesday

of the month and December in which the second meeting of the month will be held on the third Monday of the month), in the City Commission Room, City Hall, 320 W. Broadway St.

Motion unanimously adopted.

Proclamations and Presentations

Mayor Perschbacher read and presented a proclamation in support of Peacemaking Recognition Day “January 15, 2024” to Laura Gourlay of Mount Pleasant Public Schools. All are invited to attend the awards ceremony on January 15, 2024 at 6:00 p.m. in the Mt. Pleasant High School gymnasium.

Moved by Commissioner Eke and seconded by Commissioner Wingard to accept the agenda as presented. Motion unanimously adopted.

Receipt of Petitions and Communications

Received the following petitions and communications:

2. Traffic Control Committee September Meeting Minutes.
3. Downtown Development Authority September Meeting Minutes.
4. Planning Commission November Meeting Minutes.
5. Monthly report on police related citizen complaints received.
6. Resignation of Gavin Frody from the Downtown Development Authority.
7. Resignation of Peter Little from the Parks and Recreation Commission.
8. Listing of payrolls and warrants from December 14, 2023 through January 7, 2024.

Moved by Commissioner Eke and seconded by Commissioner Busch to approve the following items on the Consent Calendar:

9. Minutes of the regular meeting of the City Commission held December 11, 2023.
10. Set a public hearing for Monday, January 22, 2024 at 7:00 p.m. on a Community Block Grant Housing Improving Local Livability (CHILL) Grant Application as required by Michigan State Housing Development Authority (MSHDA).

Motion unanimously adopted.

Announcements on City-Related Issues and New Business

Commissioner Eke announced January 15th is Martin Luther King Day. CMU will offer a brunch and a march is scheduled to take place at 3:00 p.m. There will be weeklong activities in celebration of human rights, dignity and Dr. King. Additionally, she would like staff to revisit the community garden plans for 2024.

Commissioner Alsager announced that the Mid Michigan Aquatic Authority has a flier available providing information on the upcoming mileage proposal. Additionally, their website is midmichiganaquatics.com.

Commissioner Wingard announced the GI-TEC Center is holding an open house on February 1st.

Commissioner Busch requested a staff report on Downtown activities and the Civic Space in regard to the summer street closure. In addition, she would like to have a work session on scooters on a future agenda.

Moved by Vice Mayor Alsager and seconded by Commissioner Chapman to adjourn the meeting at 7:19 p.m. Motion unanimously adopted.

Amy Perschbacher, Mayor

Heather Bouck, City Clerk



City of Mount Pleasant, Michigan
DEPARTMENT OF PUBLIC SAFETY



DATE: January 5, 2024

TO: Aaron Desentz, City Manager

FROM: Paul Lauria, Director of Public Safety

SUBJECT: Neighborhood Enhancement Program Round 8 Grant

At the regular meeting of the City Commission on August 28th, 2023, an additional \$25,000 of Housing Development Action Grant (HODAG) funds were approved to be spent during Round 8 of the Michigan State Housing Development Authority's (MSHDA) Neighborhood Enhancement Program (NEP). As a quick reminder, this program assists city residents in completing exterior home improvements while enhancing property values and neighborhood aesthetics.

An additional \$25,000 was approved to repair two separate roof projects that were in dire need of replacement before the arrival of winter. At the same time, the city was also in the process of completing other previously selected projects. I am pleased to share that all ten projects have been completed, and Round 8 has ended.

However, multiple projects ran over budget due to higher material costs and the discovery of additional problems once the projects were started. Before proceeding further, all extra expenses were vetted and verified by myself, or Fire Chief Lobsinger. In total, \$8,114 over the approved amount was spent. This averages out to \$811.40 per project. The breakdown for this round is as follows:

MSHDA Funds	\$ 75,000
HODAG Funds	\$ 78,114
Owner Contributions	\$ 2,250
Total	\$ 155,364

I am requesting the City Commission approve an additional \$8,114 of HODAG funds to close out Round 8. If you have any questions, please do not hesitate to contact me.

Memorandum



TO: Aaron Desentz, City Manager

CC: Chris Saladine, Finance Director

FROM: Michelle Sponseller, Downtown Development Director

DATE: January 8, 2024

SUBJECT: Downtown Special Assessment 2024-2025
Consider resolutions #1 and #2 to commence the proceedings for special assessment, tentatively determine the necessity, and set a public hearing for February 12, 2024, regarding the necessity of special assessment district #1-24 for principal shopping district special assessment

Background

The City has utilized Public Act 120 of 1961 for a Principal Shopping District (PSD) Board and the resulting special assessment to provide funding for certain activities unique to the downtown area since 2003. From 2003-2006 special assessment funds were used for both maintenance and promotions. Since 2007, special assessment funds have only been used for maintenance type activities.

The maintenance activities funded include the following:

- Maintenance and care of the grounds and hanging baskets;
- Snow removal for the municipal parking lots and the adjacent sidewalks;
- Utilities for parking lot lighting;
- Power washing of the sidewalks (if snow removal is under budget).

The PSD Board must recommend a special assessment to the City Commission. The recommendation from the PSD Board for the 2024-2025 special assessment was approved on October 13, 2023. Additional information includes a map of the district and the history of the special assessment dating back to 2003. As indicated below, the fund balance in the Downtown Fund as of is \$141,618. It is always important to have some funds in the fund balance due to the inability to predict the amount of snow removal costs each year. Staff and the PSD Board believe that adequate funds exist to cover any of those overages, as well as utilize some of the funds over the next two years for replanting purposes. Therefore, the PSD recommends no change to the overall assessment funding level for the next two years. Additionally, the PSD recommends no changes to the special assessment formula areas.

According to City Charter, the special assessment process requires five resolutions and two public hearings.

- Resolution #1 indicates the City Commission tentatively believes there is interest in creating a special assessment.
- Resolution #2 indicates the City Commission tentatively believes the level of funding is appropriate and asks staff to notify property owners of the need for the special assessment and sets a public hearing for February 12, 2024 to obtain input.

It has been our practice to include the specific calculations by property of how the assessment would be spread and that information is attached for your review. The fourth column from the right on the attached spreadsheet labelled "Annual Per Year Charge" is the annual amount estimated per property for each year (2024 and 2025) based on a spread by square footage of the building. The estimated dollar amounts for

Memorandum

each property will be included in the notice of public hearing that is required to be mailed to all of the property owners in the district.

PSD Recommendation 2024-2025

The PSD recommends no change to the special assessment funding level for 2024-2025 with an annual revenue of \$104,700. Additionally, the PSD recommends no changes to the following special assessment formula areas except that of the maintenance rate from \$0.180217 to \$0.182981 per sq ft to produce the funding level of \$104,700. The maintenance rate change is due to the demolition of property and various parcel splits within the PSD district. A review of the 2003 – present is attached as well for context.

- **Length of special assessment = 2 years;**
 - Special assessment can be set for 1 to 5 years however, staff has found setting it for 2 years is optimal and provides the ability to address changes in costs.
- **Basis of calculation = per sq ft;**
 - Determined in 2003 when special assessment started.
- **Include all floors except the basement;**
 - Changed in 2006.
- **Provide a credit for parking spaces – yes;**
 - As the special assessment replaced a “parking fee” when parking meters were removed, a parking credit was established for those buildings that have private parking spaces.
- **Parking credit size = 200 sq ft.**
 - Parking spaces a 10’ x 20’
- **District map = no change;**
 - Determined in 2003 when special assessment started.
- **Tax exempt entities = no change;**
 - Changed in 2007 to remove the \$500 cap that had been in place at the start of the special assessment in 2003.
- **Promotions rate = no change;**
 - Eliminated in 2007 at the request of majority of property owners who did not see direct benefit to the special events the promotional funds were used for.
- **Maintenance rate = \$.182981**
 - Continues to cover costs property owners agreed to in 2007 that they could “see” the funds being spent on – groundskeeping, snow removal and utilities.

Recommended Action

Move to approve Resolutions #1 and #2 for Special Assessment District #1-2023 for the Principal Shopping District as presented and set a public hearing for February 12, 2024.

Attachments

- Downtown Special Assessment Review 2003 – Proposed 2024-2024
- Downtown PSD Special Assessment Roll for 2024-2025
- Principal Shopping District Map

Resolution No. 1

Principal Shopping District 1-24

WHEREAS, pursuant to provisions of the City Charter of the City of Mt. Pleasant; Chapter 33: TAXATION, Section 33.17 "Authority to Assess", of the Code of Ordinances, and Public Act 120 of 1961 "Redevelopment of Shopping Areas", the City Commission of the City of Mt. Pleasant may commence proceedings to provide funding for the operations of the Principal Shopping District within the City and determine the tentative necessity thereof,

AND, WHEREAS, the City Commission has tentatively deemed it to be in the public's interest, health and welfare to provide funding for the operations of the Principal Shopping District in the City, Special Assessment District No. 1-24

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Manager is directed to cause to be prepared a report which shall include all analysis and information required by Section 33.20 "Survey and Report", of the Code of Ordinances,

2. When the aforesaid report is completed, the City Manager shall file the same with the City Clerk for presentation to the Commission.

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

Resolution No. 2

Principal Shopping District 1-24

WHEREAS, the City Manager has prepared a report concerning funding for the Principal Shopping District in Special Assessment District No. 1-24, which includes all of the information to be included by Section 33.20 "Survey and Report" of the City's Code of Ordinances;

AND, WHEREAS, the City Commission has reviewed said report;

AND, WHEREAS, the City Commission of the City of Mt. Pleasant determines that it is tentatively necessary to provide funding for the Principal Shopping District in the City of Mt. Pleasant more particularly hereinafter described in this resolution;

NOW, THEREFORE, BE IT RESOLVED, THAT:

1. The City Commission hereby tentatively determines that providing funding for the Principal Shopping District described more particularly hereinafter provided for are necessary.

2. The total funding for the Principal Shopping District for the next two years (2024 and 2025) is estimated to be \$104,700 per year. \$104,700 shall be spread over the special assessment district per year as hereinafter described as a result of benefits to be received by the affected properties in the special assessment district.

3. Said special assessment district shall consist of all the lots and parcels of land as follows: all lots in the Principal Shopping District as established by the City Commission at the February 24, 2003 meeting and amended at the November 14, 2005 meeting.

4. The duration of the special assessment shall be two years.

5. The affected properties in the special assessment district shall be assessed in accordance with the relative portion of the sum to be levied in the district, as the benefit to the parcel of land bears to the total benefit to all parcels.

6. The aforesaid report shall be placed on file in the office of the City Clerk where the same shall be available for public examination.

7. The City Commission shall meet on February 12, 2024 at 7:00 p.m., Daylight Savings Time, as part of the regularly scheduled City Commission meeting for the purpose of hearing objections to providing funding to the "Principal Shopping District". The meeting link will be available on the City's website at <http://www.mt-pleasant.org>.

8. The City Clerk is hereby directed to cause notice of said hearing to be published and mailed in accordance with applicable statutory and ordinance provisions.

9. All resolutions and parts of resolutions conflicting with the provisions of this resolution are hereby rescinded.

Special Assessment Overview 2003-2025

	Proposed 2024-2025	2022-2023	2020-2021	2018-2019	2016-2017	2015	2012-2014	2009-2011	2007-2008	2006	2003-2005
Length of Special Assessment	2 years	2 years	2 years	2 years	2 years	1 year	3 years	3 years	2 years	1 year	3 years
Basis Of Calculation	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	Square feet
Include All Floor Sq Ft	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	Yes	No calculated on first two floors only	Yes
Include Basement Sq Ft	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	No	Yes
Provide Parking Credit	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	Yes
Parking Credit Size	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	200 sq ft per space
District Map	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	As determined by city commission
Tax Exempt (701 class) Entities	N/C	N/C	N/C	N/C	N/C	N/C	N/C	N/C	Cap removed, tax- exempt entities assessed as all others.	N/C	Calculate Sq Ft or cap at \$500, whichever less.
Promotions Rate	\$0.00	N/C	N/C	N/C	N/C	N/C	N/C	N/C	\$0.0 Eliminated.	\$0.0451	\$0.05
Maintenance Rate	\$0.182981	\$0.180217	\$0.228626	\$0.221	\$0.218592	\$0.160869	\$0.1532	\$0.1532	\$0.1646	\$0.1075	\$0.10
Total Annual Rate	\$0.182981	\$0.180217	\$0.228626	\$0.221	\$0.218592	\$0.160869	\$0.1532	\$0.1532	\$0.1646	\$0.1526	\$0.15
Promotions Revenue	\$0.00	N/C	N/C	N/C	N/C	N/C	N/C	N/C	\$0.00	\$30,540.66	\$43,685.96
Maintenance Revenue	\$104,700	\$104,700	\$123,500	\$115,000	\$115,500	\$85,000	\$85,000	\$85,000	\$85,000	\$53,789.34	\$69,010.82
Total Annual Special Assessment	\$104,700	\$104,700	\$123,500	\$115,000	\$115,500	\$85,000	\$85,000	\$85,000	\$85,000	\$84,330	\$112,696.78

Special Assessment Funding Use:

- Grounds Care
 - Mowing & weeding, trash pick-up, plantings and maintenance, and watering/fertilizing of the hanging baskets;
 - Power washing conducted only if snow removal is under budget;
- Parking Lot Care
 - Snow Removal/Salting – within the 12 municipal lots and sidewalks adjacent to them;
 - Utilities for lighting within and surrounding the 12 municipal lots.

Questions of the PSD Special Assessment?

Contact Michelle Sponseller, Downtown Development Director at
989-779-5348 or msponseller@mt-pleasant.org

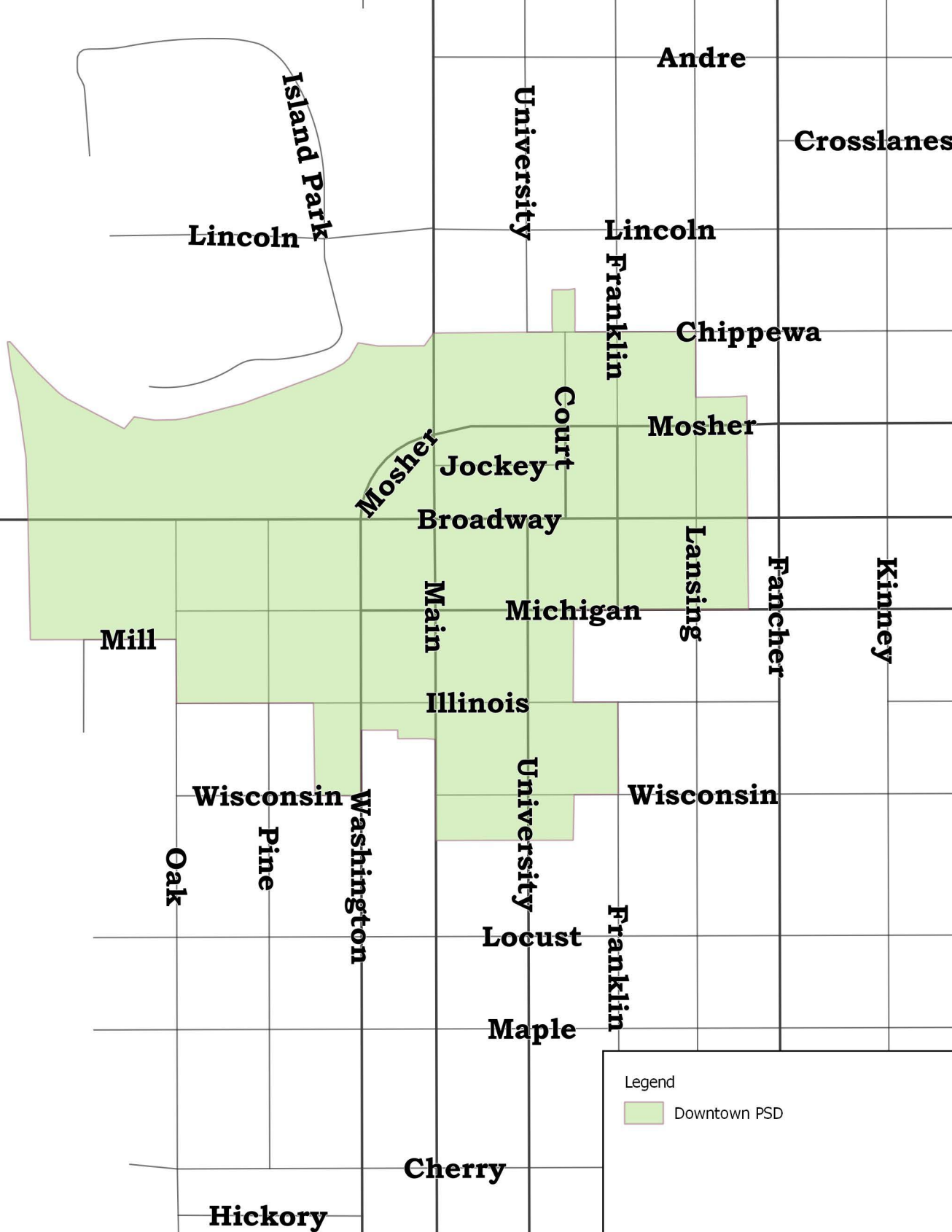
Special Assessment Project Principal Shopping District 2024-2025																		
Updated October 30, 2023		S.A.. Prepared By: City Assessor's Office																
Parcel Number		Address		Owners Name		Mailing Address		Type	Class	%	Total Square Footage	Parking Credits 200 sq'	Sq. Foot.	Proposed Annual Charge \$0.182981	Prior Both Years 2024 & 2025 Charge	Prior Annual Charge 2022 & 2023	Increase (Decrease)	
122	17-000-00588-00	209 / 207 E Broadway	Corporate Settlement Solutions	25221 Country Club Blvd, Ste 235, North Olmsted, OH, 440	T	201	100%	2,605	0	2,605.0	0	2,605.0	2,605.0	476.67	953.34	472.07	4.60	
123	17-000-00594-00	201/203 E Broadway	Norm's Flower Petal	201 E. Broadway, Mt. Pleasant, MI 48858	T	201	100%	5,296	0	5,296.0	0	5,296.0	5,296.0	969.07	1,938.14	959.71	9.36	
124	17-000-00596-00	106 Court/205 E Broadway	The Pub Bar	106 Court St., Mt. Pleasant, MI, 48858	T	201	100%	3,241	0	3,241.0	0	3,241.0	3,241.0	593.04	1,186.08	587.32	5.72	
125	17-000-00599-00	108 Court St.	Swindlehurst, Richard	106 Court St., Mt. Pleasant, MI, 48858	T	201	100%	5,166	0	5,166.0	0	5,166.0	5,166.0	945.28	1,890.56	936.16	9.12	
126	17-000-00601-00	112 Court St	Court St Professional Bldg LLC	10700 Deer Ridge, Holly, MI 48442	T	201	100%	3,013	0	3,013.0	0	3,013.0	3,013.0	551.32	1,102.64	546.00	5.32	
127	17-000-00603-00	114 Court St	Alexander Limited Partnership	116 Court St., Mt. Pleasant, MI, 48858	T	201	100%	5,105	0	5,105.0	0	5,105.0	5,105.0	934.12	1,868.24	925.10	9.02	
128	17-000-00605-00	207 N Franklin	Thomas & Donna Murphy Trust	204 Court St., Mt. Pleasant, MI, 48858	T	201	100%	6,397	10	6,397.0	10	6,397.0	4,397.0	804.57	1,609.14	796.80	7.77	
129	17-000-00611-00	204 - 210 Court St	210 Court Street Group LLC	210 Court St., Mt. Pleasant, MI, 48858	T	201	100%	8,060	34	8,060.0	34	8,060.0	1,260.0	230.56	461.12	228.33	2.23	
130	17-000-02501-02	322/324 W Broadway	Central Michigan Developers	1550 E Virginia Dr, Midland, MI 48642	T	201	100%	9,087	5	9,087.0	5	9,087.0	8,087.0	1,479.77	2,959.54	1,465.49	14.28	
131	17-000-05051-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	694	0	694.0	0	694.0	694.0	126.99	253.98	125.76	1.23	
132	17-000-05052-00	108 S University	Smith, Judy F Revocable Trust	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	629	0	629.0	0	629.0	629.0	115.10	230.20	113.98	1.12	
133	17-000-05053-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	643	0	643.0	0	643.0	643.0	117.66	235.32	116.52	1.14	
134	17-000-05054-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	618	0	618.0	0	618.0	618.0	113.08	226.16	111.99	1.09	
135	17-000-05055-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	1,314	0	1,314.0	0	1,314.0	1,314.0	240.44	480.88	238.12	2.32	
136	17-000-05056-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	383	0	383.0	0	383.0	383.0	70.08	140.16	69.41	0.67	
137	17-000-05057-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	1,227	0	1,227.0	0	1,227.0	1,227.0	224.52	449.04	222.35	2.17	
138	17-000-05058-00	128 E Broadway	Perry, Lural S.	128 E Broadway St, Ste 8, Mt Pleasant, MI 48858	T	201	100%	2,824	0	2,824.0	0	2,824.0	2,824.0	516.74	1,033.48	511.75	4.99	
139	17-000-05059-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	1,739	0	1,739.0	0	1,739.0	1,739.0	318.20	636.40	315.13	3.07	
140	17-000-05060-00	120/122 E Broadway	Smith J Asset Holdings LLC	108 S. University St., Suite 6, Mt. Pleasant, MI, 48858	T	201	100%	898	0	898.0	0	898.0	898.0	164.32	328.64	162.73	1.59	
141	17-000-15822-00	502 W. Broadway	Loche Raven LLC	502 W. Broadway, Mt Pleasant, MI 48858	T	201	100%	2,560	0	2,560.0	0	2,560.0	2,560.0	468.43	936.86	463.91	4.52	
142	17-000-15824-00	506 W. Broadway	Holton Investments LLC	506 W. Broadway, Mt Pleasant, MI 48858	T	201	100%	10,795	135	10,795.0	135	10,795.0	-	-	-	-	-	
143	17-000-15826-00	320 W Broadway	Central Michigan Developers	1550 E Virginia Dr, Midland, MI 48642	T	201	100%	-	0	-	0	-	-	-	-	-	-	
144	17-000-15827-00	410 W Broadway-Land	MCC Parcel B Title Holding Company	507 S. Grand Avenue, Lansing, MI 48933	T	709	100%	-	0	-	0	-	-	-	-	-	-	
145	17-000-15857-00	319 W Broadway	Consumers Power Co-regional control	One Energy Plaza, Jackson, MI 49201	T	301	100%	800	0	800.0	0	800.0	800.0	146.38	292.76	144.97	1.41	
146	17-000-15899-00	104 & 110 Walnut St	Walnut Apts LLC	118 S Main St, Mt Pleasant, MI 48858	T	201	100%	6,000	21	6,000.0	21	6,000.0	1,800.0	329.37	658.74	326.19	3.18	
147	17-000-15900-00	401 W. Broadway	Gratiot Real Estate LLC	PO Box 173, Alma, MI 48801	T	201	100%	7,936	0	7,936.0	0	7,936.0	7,936.0	1,452.14	2,904.28	1,438.12	14.02	
148	17-000-15900-01	105 Walnut St	McGuire Family Investment LLC	416 S Washington, Mt. Pleasant, MI, 48858	T	701	100%	7,936	10	7,936.0	10	7,936.0	5,936.0	1,086.17	2,172.34	1,075.68	10.49	
149	17-000-15901-00	W Broadway	C&M Properties, Norm Curtiss III	1414 E Broadway, Mt Pleasant, MI 48858	T	201	100%	1,056	9	1,056.0	9	1,056.0	-	-	-	-	-	
150	17-000-15902-00	120 Walnut	C&M Properties, Norm Curtiss III	1414 E Broadway, Mt Pleasant, MI 48858	T	201	100%	1,800	9	1,800.0	9	1,800.0	-	-	-	-	-	
151	17-993-15827-00	410 West Broadway-CFT	Michigan Community Capital	507 S. Grand Avenue, Lansing, MI 48933	T	201	100%	50,871	50	50,871.0	50	50,871.0	40,871.0	7,478.62	14,957.24	-	7,478.62	
152																		-
153																		-
154	17-000-00328-00	216 E Broadway	Friends of the Broadway	PO Box 823, Mt Pleasant, MI 48804-0823	TE	701	100%	5,192	0	5,192.0	0	5,192.0	5,192.0	950.04	1,900.08	940.87	9.17	
155	17-000-00386-00	408 E Broadway	Women's Aid Service Inc	PO Box 743, Mt Pleasant, MI 48804-0743	TE	701	100%	2,112	2	2,112.0	2	2,112.0	1,712.0	313.26	626.52	310.24	3.02	
156	17-000-00418-00	209 S Main	Crisis Center Inc.	107 E. Illinois St., Mt Pleasant, MI 48858	TE	701	100%	3,960	0	3,960.0	0	3,960.0	3,960.0	724.60	1,449.20	717.61	6.99	
157	17-000-00420-00	211 S Main	Crisis Center Inc.	107 E. Illinois St., Mt Pleasant, MI 48858	TE	701	100%	3,960	0	3,960.0	0	3,960.0	3,960.0	724.60	1,449.20	717.61	6.99	
158	17-000-00432-00	227 S Main	Listening Ear Crisis Center	107 E. Illinois St., Mt Pleasant, MI 48858	TE	701	100%	4,694	0	4,694.0	0	4,694.0	4,694.0	858.91	1,717.82	850.62	8.29	
159	17-000-00435-00	218 S Main	The Young Church	1217 S Mission St, Mt Pleasant, MI 48858	TE	701	100%	7,369	0	7,369.0	0	7,369.0	7,369.0	1,348.39	2,696.78	1,335.37	13.02	
160	17-000-00463-00	209 Oak	American Legion	209 Oak, Mt Pleasant, MI 48858	TE	701	100%	2,521	9	2,521.0	9	2,521.0	721.0	131.93	263.86	130.66	1.27	
161	17-000-00500-00	306 S University	Mt Pleasant Area Community Foundation	PO Box 1283, Mt Pleasant, MI 48804-1283	TE	701	100%	3,265	6	3,265.0	6	3,265.0	2,065.0	377.86	755.72	374.21	3.65	
162	17-000-00503-00	305 S Main	GTE Telephone Operations	PO Box 2629, Addison, TX, 75001	TE	701	100%	8,800	38	8,800.0	38	8,800.0	1,200.0	219.58	439.16	217.46	2.12	
163	17-000-00504-00	S Main	GTE Telephone Operations	PO Box 2629, Addison, TX, 75001	TE	701	100%	-	0	-	0	-	-	-	-	-	-	
164	17-000-00505-00	S Main- park lot	First United Methodist Church	400 S. Main, Mt Pleasant, MI 48858	TE	202	100%	-	0	-	0	-	-	-	-	-	-	
165	17-000-00513-00	319 S University	Unitarian Universalist Fellowship *	PO Box 41, Mt Pleasant, MI 48804-0041	TE	701	100%	3,200	25	3,200.0	25	3,200.0	-	-	-	-	-	
166	17-000-00586-00	215 E Broadway	Gallagher Investments, LLC	PO Box 1800, East Lansing, MI 48826	TE	701	100%	2,960	0	2,960.0	0	2,960.0	2,960.0	541.62	1,083.24	536.40	5.22	
167																		
168	Exempt Property Types																	
169	T	Taxable																
170	TE	Ad Volorem Tax Exempt																
171													705,033.40	572,191.40	\$ 104,700.17	\$ 209,400.34	\$ 97,293.65	\$ 7,406.52
172	grey shading-on spreadsheet twice due to split type																	
173																		

	A	B	C	D	F	G	H	K	L	M	N	O	P	Q	R	S
1	Special Assessment Project Principal Shopping District 2024-2025															
2																
3	Updated	October 30, 2023														
4	S.A.. Prepared By: City Assessor's Office												Proposed	Prior		
5								Total	Parking			Sq. Foot.	Annual	Both Years	Annual	
6	Parcel						Square	Credits				Less 200 sq	Charge	2024 & 2025	Charge	Increase
7	Number	Address	Owners Name	Mailing Address	Type	Class	%	Footage	200 sq'	Sq. Foot.	ft Pkg Credit	\$0.182981	Charge	2022 & 2023	(Decrease)	
174	Exempt Properties															
175																
176	Government/Principal Residence Exempt															
177	17-000-00069-00	401 E Broadway	Dahman, Daniel	401 E Broadway	P	201	100%	1,469	5							
178	17-000-00072-00	Mosher	City of Mt, Pleasant	320 W Broadway	G	701	100%	-	0							
179	17-000-00080-00	121 N Lansing	theisen, Amylynn & Timothy	121 N Lansing, Mt Pleasant, MI 48858	P	401	100%	2,974	2							
180	17-000-00081-00	Mosher	City of Mt, Pleasant	320 W Broadway	G	701	100%	-	0							
181	17-000-00082-00	207 N Lansing	Schelke, Robert	207 N Lansing #4	P	401	50%	1,742	6							
182	17-000-00083-00	211 N Lansing	Campbell, Charles & Elizabeth	211 N Lansing	P	401	100%	1,418	3							
183	17-000-00085-00	219 N Lansing	Kilmer, Bruce & Cynthia	219 N Lansing	P	401	100%	1,942	2							
184	17-000-00086-00	302 E Chippewa	Pulver, Daniel & Kari	302 E Chippewa	P	201	42%	3,568	4							
185	17-000-00090-00	Mosher	City of Mt, Pleasant	320 W Broadway	G	701	100%	-	0							
186	17-000-00091-00	Franklin	Mt. Pleasant TIFA	320 W Broadway	G	701	100%	-	0							
187	17-000-00092-00	301 E Broadway St	Mt Pleasant TIFA	320 W Broadway	G	701	100%	-	0							
188	17-000-00093-00	301 E Broadway St	Mt Pleasant TIFA	320 W Broadway	G	701	100%	-	0							
189	17-000-00165-00	W Broadway & Main	City of Mt, Pleasant	320 W Broadway	G	701	100%	-	0							
190	17-000-00188-00	201/205 N Main	Isabella County	200 N. Main	G	701	100%	10,080	27							
191	17-000-00190-00	N Main	Isabella County - parking	200 N. Main	G	701	100%	-	0							
192	17-000-00257-00	S Washington- park lot	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
193	17-000-00322-00	E Michigan	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
194	17-000-00361-00	E Michigan	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
195	17-000-00362-00	E Michigan	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
196	17-000-00363-00	E Broadway	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
197	17-000-00364-00	E Broadway	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
198	17-000-00396-00	S University	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
199	17-000-00397-00	E Illinois	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
200	17-000-00424-00	217 S Main	Molesworth, Zach	217 1/2 S Main	P	201	50%	3,960	2							
201	17-000-00438-00	204 S Main & Michigan	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
202	17-000-00439-00	115 W Michigan	Mt Pleasant TIFA	320 W Broadway	G	701	100%	-	0							
203	17-000-00442-00	S Washington & Ill.	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
204	17-000-00452-00	206 W Illinois	Ackerman, Jimmy & Sandra	206 W. Illinois St.	P	401	100%	660	2							
205	17-000-00466-00	310 W. Illinois	Thorntwaite, Gregory & Nicole	310 W Illinois, Mt Pleasant, MI 48858	P	401	100%	1,621	2							
206	17-000-00467-00	217 Oak	Cornett, Robert D	217 Oak	P	401	100%	1,261	2							
207	17-000-00483-00	318 S Washington	Stevenson, Blain W & Sharon	318 S Washington	P	401	100%	1,650	3							
208	17-000-00484-00	314 S Washington	Urban, Jill K	314 S Washington	P	401	60%	1,956	2							
209	17-000-00506-00	208 E Illinois	Chippewa River District Library *	301 S. University	G	701	100%	-	25							
210	17-000-00511-00	301 S University	Chippewa River District Library	301 S. University	G	701	100%	-	0							
211	17-000-00546-00	409 S. University	Williams, Kenneth	409 S. University	P	401	100%	2,468	4							
212	17-000-00552-00	404 S. University	Quick, Geoffrey & Mariana	404 S. University	P	401	100%	2,011	3							
213	17-000-00554-00	401 S. Main	Woelfert, Penny L	401 S Main St, Mt Pleasant, MI 48858	P	401	100%	2,808	6							
214	17-000-00555-00	405 S. Main	Bechtold Brigitte	405 S Main St, Mt. Pleasant, MI 48858	P	401	100%	2,736	5							
215	17-000-00600-00	E Broadway & Franklin	City of Mt, Pleasant	320 W Broadway	G	701	100%	-	0							
216	17-000-00604-00	Court & Franklin	City of Mt, Pleasant	320 W Broadway	G	701	100%	-	0							
217	17-000-00613-00	200 N Main	Isabella County Courthouse	200 N. Main	G	701	100%	40,696	232							
218	17-000-08605-00	Mosher	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
219	17-000-08606-00	121 N Fancher	Niec, Larissa N	121 N Fancher	P	401	100%	2,616	5							
220	17-000-08607-00	117 N Fancher	Hernandez, Laura & Gutierrez, Itzel	117 N Fancher	P	401	100%	2,160								
221	17-000-08672-00	412 E Broadway	Allen, Judith	412 E Broadway, Mt. Pleasant, MI 48858	P	201	100%	2,095	0							
222	17-000-15828-00	W Broadway	City of Mt Pleasant	320 W Broadway	G	709	100%	-	0							
223	17-000-15831-00	1 Mosher	Riverview Apts-Mt Pleas Housing	One Mosher St., Mt Pleasant, MI 48858	G	701	100%	-								
224	17-000-15835-00	W Broadway	Mt. Pleasant Econ Devel Corp	320 W Broadway	G	709	100%	-								
225	17-000-15858-00	W Broadway- park lot	Mt Pleasant City of	320 W Broadway	G	701	100%	-	0							
226																


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6	Parcel						Square	Credits				Less 200 sq	Charge	2024 & 2025	Charge	Increase
7	Number	Address	Owners Name	Mailing Address	Type	Class	%	Footage	200 sq'	Sq. Foot.	ft Pkg Credit	\$0.182981	Charge	2022 & 2023	(Decrease)	
227																
228	Residential Rentals Class 401															
229	17-000-00068-01	407 E Broadway St	Dahman, Daniel	401 E Broadway St, Mt. Pleasant, MI 48858	R	401	100%	1,435	1							
230	17-000-00070-00	114 N Lansing	Petrash, Ashley A Estate	114 N Lansing, Mt Pleasant, MI 48858	R	401	100%	1,450	2							
231	17-000-00073-00	206 N Lansing	Zamarron, Joshua & Patricia	206 N Lansing, Mt Pleasant, MI 48858	R	401	100%	1,778	0							
232	17-000-00079-00	115 N Lansing	Finegan, Timothy & Joana	115 N Lansing, Mt Pleasant, MI 48858	R	401	100%	1,320	1							
233	17-000-00082-00	207 N Lansing	Schelke, Robert	207 N Lansing, #4	R	401	50%	1,742	6							
234	17-000-00084-00	215 N Lansing	GroCo, Inc	PO Box 83	R	401	100%	1,776	2							
235	17-000-00382-00	401 E Michigan	B&E Michiana Rentals, LLC	619 S Mission St, Mt Pleasant, MI 48858	R	401	100%	1,761	9							
236	17-000-00383-00	407 E Michigan	B&E Michiana Rentals, LLC	619 S Mission St, Mt Pleasant, MI 48858	R	401	100%	906	5							
237	17-000-00444-00	204 W Illinois	Kaur, Satwant	4455 Spicebush Dr, Sagnaw, MI 48603	R	401	100%	1,512	0							
238	17-000-00449-00	209 W Michigan	Duba, Dave	219 W. Cherry	R	401	100%	2,340	0							
239	17-000-00451-00	215 Pine	Otterbine, Tyler	215 S Pine St, Mt. Pleasant, MI, 48858	R	401	100%	1,910	2							
240	17-000-00453-00	221 Pine	Bestro LLC	49730 Verschave St, New Baltimore, MI 48047	R	401	100%	1,972	8							
241	17-000-00454-00	304 W. Illinois	Everts, Landon	304 W Illinois, Mt. Pleasant, MI, 48858	R	401	100%	1,516	2							
242	17-000-00455-00	222 Pine	Fisher, Paul & Jodie Brookens	4851 S Vandecar Rd.	R	401	100%	2,001	3							
243	17-000-00456-00	214 Pine	Feister, Andrea L	214 Pine, Mt. Pleasant, MI, 48858	R	401	100%	1,352	4							
244	17-000-00457-00	204 & 206 Pine	Griffin, Kenneth	204 Pine B, Mt. Pleasant, MI, 48858	R	401	100%	1,444	2							
245	17-000-00458-00	301 W Michigan	Mondeau, Kara M & Matthew R	7531 Five Lakes Dr, Farwell, MI 48622	R	401	100%	2,411	5							
246	17-000-00465-00	213 Oak	Baker, Bessheen LLC	503 E Broadway St, Mt Pleasant, MI 48858	R	401	100%	2,392	6							
247	17-000-00484-00	314 S Washington	Urban, Jill K	314 S Washington	R	401	40%	1,956	2							
248	17-000-00485-00	304 S Washington	Mumford Mark & Kathleen	619 E Chippewa, Mt. Pleasant, MI 48858	R	401	100%	2,382	4							
249	17-000-00493-00	304 S Main	Pilot Family Properties LLC	1851 Hampden Rd, Flint, MI 48503	R	401	100%	3,574	4							
250	17-000-08604-00	207 N Fancher	Campbell, Hunter	207 N Fancher Ave,	R	401	100%	1,448	0							
251	17-000-08673-00	E Michigan	Mt. Pleasant Investments	120 S. Fancher St. Mt Pleasant, MI 48858	R	402	100%	-	0							
252	17-000-15873-00	410 Mill	McGuire Family Investments	416 S Washington, Mt Pleasant, MI 48858	R	401	100%	2,638	23							
253	17-000-15874-00	406 Mill	Curtiss, Norman III	1414 E Broadway, Mt Pleasant, MI 48858	R	401	100%	2,027	11							
254	17-000-15875-00	116 Oak	Curtiss, Norman III & Joanne	1414 E Broadway, Mt Pleasant, MI 48858	P	401	100%	3,161	2							
255	17-000-15876-00	114 Oak	Curtiss, Norman III & Joanne	1414 E Broadway, Mt Pleasant, MI 48858	R	401	100%	1,301	7							
256	17-000-15877-00	108 Oak	Curtiss, Joanne	1414 E Broadway, Mt Pleasant, MI 48858	R	401	100%	3,236	4							
257	17-000-00071-00	122 N Lansing	Theisen, Timothy & Amylynn	121 N Lansing, Mt Pleasant, MI 48858	P	401	100%	1,467	2							
258																
259																
260	Exempt Property															
261	G	Government Exempt by Statute														
262	P	Principal Residence Exempt by Statute														
263	R	Residential Rental Property "401"														
264																
265																
266	All non-exempt propeties pay based on total square foot. Square foot is credited 200 square foot for each parking space provided.															

Downtown Principal Shopping District

City of Mt. Pleasant



Legend

 Downtown PSD



Memorandum



TO: Aaron Desentz, City Manager
FROM: Jason Moore, DPW Director
DATE: January 5, 2024
SUBJECT: Award Contract for 2024 WTP Reroof Bid

Request

The City Commission is requested to award the 2024 Water Treatment Plant Reroof bid to Kawkawlin Roofing Company for \$188,216.

Reason

The 2024 WTP Reroof bid is part of the 2024 Operating Budget. The roof has been in place since the plant was built in 1994 and has reached the end of its useful life. The project's scope includes the removal and replacement of the existing roof system, including the membrane, degraded portions of the deck and insulation, flashing and counterflashing.

On December 5, 2023, the following bids were received.

Kawkawlin Roofing Co., Kawkawlin, MI	\$188,215.10
Advanced Construction Group, Temperance, MI	\$200,000.00
Quality Roofing, Whitmore Lake, MI	\$504,901.00

Kawkawlin Roofing is the low bidder. Since the City has not previously worked with this company, a thorough check of their references was completed and revealed no issues.

Recommendation

I recommend the City Commission award the 2024 Water Treatment Plant Reroof bid to Kawkawlin Roofing for \$188,216. Funds are available in the 2024 Water Department budget.

Memorandum

TO: Aaron Desentz, City Manager
FROM: Jason Moore, DPW Director
DATE: December 28, 2023
SUBJECT: Approve Quote for Chemical Tank Repairs and Budget Amendment

Request

The City Commission is requested to approve a quote of \$31,660 from American Fiberglass Tank Repair, of Plymouth, NH, for repairs to the sodium hypochlorite tank at the water treatment plant, and a budget amendment of \$4,700.

Reason

During construction of the water treatment plant in 1994, fiberglass storage tanks were installed to store bulk chemicals used in the water treatment process. Inspection of each tank's structural integrity are performed every five years. The plant has two sodium hypochlorite storage tanks. The first tank was repaired in 2019. Repairs to the second tank and replacement of three nozzles is a scheduled project and included in the 2024 budget.

Public Works requested quotes from qualified tank repair companies who possess the knowledge and experience with repairing chemical tanks; American Fiberglass Tank Repair was the sole respondent.

American Fiberglass Tank Repair – Plymouth, NH

Mobilization Crew, equipment and materials to work site	\$1,200.00
Replace Nozzles (3) Remove existing, clean and prep connection area and replace	\$5,300.00
Tank Repair Grind interior tank walls and floor, install new floor pan to tank floor and extend up cylinder wall, install corrosion barrier from floor to top of cylinder wall, flood coat, wax coat	\$25,160.00
TOTAL	\$31,660.00

The budget for this project is \$27,000. The Commission is requested to approve a budget amendment of \$4,700 for this work.

Recommendation

I recommend the City Commission approve the sole quote received from American Fiberglass Tank Repair for \$31,660 for the repairs to the sodium hypochlorite tank and replacement of three nozzles, and a budget amendment of \$4,700.

01/18/2024

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 12/29/2023 - 01/11/2024

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
01/09/2024	DTE ENERGY	UTILITIES	16,352.70
01/09/2024	WRIGHT EXPRESS FINANCIAL SERVICES		79,856.76
01/11/2024	TRAVIS WELSH	REIMBURSEMENT	34.58
01/11/2024	CDW GOVERNMENT, INC	SUPPLIES	3,779.11
01/11/2024	CENTRAL MICHIGAN PROFESSIONAL	CONTRACT SVCS	4,275.00
01/11/2024	CHARTER TOWNSHIP OF UNION	UTILITIES	171.36
01/11/2024	CINTAS CORP	SUPPLIES	218.13
01/11/2024	COYNE OIL CORPORATION	FUEL	5,378.69
01/11/2024	ELECTIONSOURCE	CONTRACT SVCS	3,930.00
01/11/2024	FIDELITY SECURITY LIFE INSURANCE CO	INSURANCE PREMIUMS	1,168.74
01/11/2024	FLEX ADMINISTRATORS	FSA ADMINISTRATIVE FEE	243.60
01/11/2024	GALLS, LLC	UNIFORMS	292.19
01/11/2024	GILBOE'S LOCK & SAFE LLC	CONTRACT SVCS	124.00
01/11/2024	IDEXX DISTRIBUTION, INC.	SUPPLIES	7,492.92
01/11/2024	LEXIPOL, LLC	CONTRACT SVCS	15,236.80
01/11/2024	MICHIGAN MUNICIPAL TREASURERS ASSOC	CONTRACT SVCS	198.00
01/11/2024	MID MICHIGAN AREA CABLE	CONTRACT SVCS	450.00
01/11/2024	O'NEIL & DUSO PLLC	CONTRACT SVCS	7,785.98
01/11/2024	ORKIN	CONTRACT SVCS	119.99
01/11/2024	RENT-RITE, INC - ALMA	EQUIPMENT RENTAL	303.46
01/11/2024	SUNRISE ASSESSING SERVICES, LLC	CONTRACT SVCS	7,955.00
01/11/2024	UNIFIRST CORPORATION	CONTRACT SVCS	68.09
01/11/2024	YEO & YEO TECHNOLOGY	CONTRACT SVCS	<u>5,022.50</u>
COMM TOTALS:			
Total of 41 Checks:			160,457.60
Less 18 Void Checks:			<u>0.00</u>
Total of 23 Disbursements:			<u>160,457.60</u>

01/18/2024

CHECK REGISTER FOR CITY OF MT PLEASANT
CHECK DATE FROM 01/12/2024 - 01/18/2024

Check Date	Vendor Name	Description	Amount
Bank COMM COMMON CASH			
01/15/2024	CITY TREASURER - UTILITIES	UTILITIES	4,410.84
01/18/2024	CHRISTINE WITMER	REIMBURSEMENT	50.00
01/18/2024	ISABEL HASS	REIMBURSEMENT	150.00
01/18/2024	21ST CENTURY MEDIA - MICHIGAN	CONTRACT SVCS	1,116.22
01/18/2024	7038 W BLANCHARD LLC	REFUND	13.91
01/18/2024	AIRGAS USA, LLC	SUPPLIES	138.02
01/18/2024	AMERICAN LEGAL	CONTRACT SVCS	830.17
01/18/2024	BILL BRICKNER	REIMBURSEMENT	50.00
01/18/2024	BLACK DIAMOND BROADCAST	CONTRACT SVCS	435.00
01/18/2024	BLUE BAY CAPITAL	REFUND	1.57
01/18/2024	BOUND TREE MEDICAL, LLC	SUPPLIES	759.19
01/18/2024	BRUCE JORCK	REIMBURSEMENT	153.80
01/18/2024	CDW GOVERNMENT, INC	SUPPLIES	202.69
01/18/2024	CENTRAL MICH UNIV - MAILROOM	POSTAGE	14,389.72
01/18/2024	CHARTER TOWNSHIP OF UNION	UTILITIES	171.36
01/18/2024	CINTAS CORP	SUPPLIES	362.09
01/18/2024	CITY TREASURER-CONTR RETAINAGE	CONTRACT SVCS	56,198.70
01/18/2024	CITY TREASURER-CONTR RETAINAGE	CONTRACT SVCS	30,951.30
01/18/2024	CLARE COUNTY SEPTIC, LLC	CONTRACT SVCS	130.00
01/18/2024	CLARK HILL P.L.C.	CONTRACT SVCS	197.00
01/18/2024	CLARK TROMBLEY RANDERS	CONTRACT SVCS	4,200.00
01/18/2024	CMP DISTRIBUTORS, INC.	SUPPLIES	999.00
01/18/2024	CORE TECHNOLOGY CORPORATION	CONTRACT SVCS	29,000.00
01/18/2024	COYNE OIL CORPORATION	FUEL	8,447.24
01/18/2024	D. CLARE SERVICES	CONTRACT SVCS	560.00
01/18/2024	DAWSON, ELEANOR	REFUND	36.35
01/18/2024	DELYNN GROUP	REFUND	3.99
01/18/2024	DEWITT LUMBER	SUPPLIES	990.00
01/18/2024	DINGES FIRE COMPANY	SUPPLIES	18,009.76
01/18/2024	FISHBECK - ENGINEERS/ARCHITECTS/	CONTRACT SVCS	30,606.38
01/18/2024	FLEX ADMINISTRATORS	FSA ADMINISTRATIVE FEE	243.60
01/18/2024	FRONT LINE SERVICES, INC	CONTRACT SVCS	5,744.94
01/18/2024	GALLS, LLC	UNIFORMS	99.99
01/18/2024	GRAYMONT WESTERN LIME INC.	SUPPLIES	8,217.48
01/18/2024	GROSS, THOMAS	REFUND	340.97
01/18/2024	HYDROCORP, INC.	CONTRACT SVCS	4,829.50
01/18/2024	INFOSEND, INC	CONTRACT SVCS	3,149.93
01/18/2024	ISABELLA COUNTY	RECYCLING	4,731.97
01/18/2024	ISABELLA COUNTY	REIMBURSEMENT	2,944.72
01/18/2024	ISABELLA COUNTY	REFUND	50.96
01/18/2024	ISABELLA COUNTY TREASURER	REFUND	30,375.63

01/18/2024	JOHNE' DATEMA	REFUND	210.00
01/18/2024	KIEFF'S ROOFING, INC	CONTRACT SVCS	15,000.00
01/18/2024	KRAPOHL FORD LINCOLN MERC	CONTRACT SVCS	1,865.77
01/18/2024	KSA MANAGEMENT LLC	REFUND	2.31
01/18/2024	LAURA FOX	TRANSPORTATION	26.15
01/18/2024	MANNIK SMITH GROUP	CONTRACT SVCS	531.00
01/18/2024	MCLAREN CENTRAL MICHIGAN	CONTRACT SVCS	1,278.00
01/18/2024	METRON-FARNIER, LLC	CONTRACT SVCS	28.50
01/18/2024	MICHIGAN CAT	SUPPLIES	138.68
01/18/2024	MID-MICHIGAN INDUSTRIES	CONTRACTED SVCS	8,810.80
01/18/2024	MIKA MEYERS	CONTRACT SVCS	1,250.00
01/18/2024	MOREY'S LOGO	SUPPLIES	384.00
01/18/2024	MOTZ MANAGEMENT	REFUND	23.59
01/18/2024	MT. PLEASANT FENCE SASH & DOOR	CONTRACT SVCS	175.56
01/18/2024	MUNICIPAL EMERGENCY SERVICES INC.	SUPPLIES	2,524.91
01/18/2024	ODP BUSINESS SOLUTIONS LLC	SUPPLIES	286.60
01/18/2024	PARTLO PROPERTY MGMT	REFUND	1.44
01/18/2024	PEERLESS MIDWEST, INC.	CONTRACT SVCS	3,000.00
01/18/2024	PHILIP BISCORNER	REIMBURSEMENT	50.00
01/18/2024	PHOENIX SAFETY OUTFITTERS	UNIFORMS	656.48
01/18/2024	PLEASANT GRAPHICS, INC	SUPPLIES	585.00
01/18/2024	PRO COMM, INC	SUPPLIES	12.00
01/18/2024	PURITY CYLINDER GASES INC	SUPPLIES	970.06
01/18/2024	PVS TECHNOLOGIES, INC	CHEMICALS	9,606.41
01/18/2024	QUICK, GEOFFREY	REFUND	142.25
01/18/2024	RCL CONSTRUCTION CO. INC	CONTRACT SVCS	938,881.80
01/18/2024	ROMANOW BUILDING SERVICES	SUPPLIES	7,111.68
01/18/2024	ROOFTOP REINDEER, LLC	CONTRACT SVCS	1,200.00
01/18/2024	STERICYCLE, INC.	CONTRACT SVCS	364.18
01/18/2024	T.H. EIFERT, LLC	CONTRACT SVCS	45,753.62
01/18/2024	THROTTLE FIREARMS, LLC	SUPPLIES	3,796.00
01/18/2024	TYLER LOOMIS	COMMUNICATIONS	50.00
01/18/2024	UNIFIRST CORPORATION	CONTRACT SVCS	575.08
01/18/2024	WIELAND TRUCKS	CONTRACT SVCS	821.50
01/18/2024	WSG ARCHITECT	CONTRACT SVCS	3,400.00
01/18/2024	YEO & YEO TECHNOLOGY	CONTRACT SVCS	356.50

COMM TOTALS:

Total of 77 Checks:	1,314,163.86
Less 0 Void Checks:	0.00
Total of 77 Disbursements:	<u>1,314,163.86</u>

WRIGHT EXPRESS -01/09/24

<u>MERCHANT NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u># OF INVOICES</u>
ADOBE SYSTEMS, INC	SUPPLIES	54.99	1
ADVANCE AUTO PARTS	SUPPLIES	101.13	1
AED SUPERSTORE	SUPPLIES	1,402.38	6
AMAZON.COM	SUPPLIES	3,369.17	35
AUDIOBOOKS.COM	TRAINING	29.90	2
AUTOZONE, INC.	SUPPLIES	54.96	2
BATTERIES PLUS	SUPPLIES	98.47	2
BATTERIES PLUS	SUPPLIES	14.99	1
BIG APPLE BAGELS BAKERY & CAFE	SUPPLIES	19.99	1
BILL'S CUSTOM FAB, INC	SUPPLIES	82.80	1
BLUE WATER MANAGEMENT SOLUTIONS	TRAINING	165.00	1
BRASS CAFE & SALOON	MISCELLANEOUS	20.96	1
BRASS CAFE & SALOON	SUPPLIES	100.00	1
C & C ENTERPRISES, INC	SUPPLIES	127.72	2
C & C ENTERPRISES, INC	UNIFORM	88.50	1
C & O SPORTSWEAR	SUPPLIES	785.00	1
CAR WASH PARTNERS, INC.	CONTRACTED SVCS	59.97	3
CENTRAL MOTOR SPORTS	SUPPLIES	15.80	1
CHARTER COMMUNICATIONS	CONTRACTED SVCS	647.84	1
CHARTER COMMUNICATIONS	UTILITIES	164.40	1
COPS & DOUGHNUTS LLC	SUPPLIES	44.66	1
DASH MEDICAL GLOVES	SUPPLIES	101.90	1
DEWITT LUMBER	SUPPLIES	22.53	1
DOLLARTREE	SUPPLIES	12.50	2
DOUG'S SMALL ENGINE REPAIR	SUPPLIES	959.81	4
DREAMSTIME.COM	SUPPLIES	39.00	1
DUNHAMS SPORTS	SUPPLIES	169.29	1
EPOLICESUPPLY.COM	UNIFORM	338.64	2
ETNA SUPPLY	SUPPLIES	75.20	1
FACEBOOK ADS	CONTRACTED SVCS	50.00	1
FASTENAL COMPANY	SUPPLIES	105.84	2
FRONTIER COMMUNICATONS	COMMUNICATIONS	70.98	1
GEIGER CENTRAL	SUPPLIES	521.98	1
GILL-ROY'S HARDWARE	SUPPLIES	202.69	11
GINKGO TREE INN	SUPPLIES	621.00	1
GORDON FOOD SERVICE	SUPPLIES	1,322.68	10
GOTOMYPC.COM	CONTRACTED SVCS	88.00	2
GRAINGER	CONTRACTED SVCS	76.68	1
GREAT LAKES PARK TRAINING INSTITUTE	TRAINING	390.00	3
GREAT LAKES SAFETY TRAINING CENTER	TRAINING	130.00	1
GREENTREE COOPERATIVE GROCERY	SUPPLIES	50.00	1
HARBOR FREIGHT TOOLS	SUPPLIES	61.94	1
HOBBY LOBBY	SUPPLIES	10.98	1

<u>MERCHANT NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u># OF INVOICES</u>
HOLIDAY INN CREDIT CARD	TRAINING	334.95	2
HOME DEPOT	SUPPLIES	3,805.97	29
HUTSON, INC	SUPPLIES	258.39	2
IDLHTE TECHNOLOGY LLC	CONTRACTED SVCS	12.00	1
INDIANA UNIVERSITY	TRAINING	680.00	2
INTERNATIONAL CODE COUNCIL	TRAINING	100.00	1
JO-ANN FABRICS & CRAFTS	SUPPLIES	13.96	1
KOHL'S - MT PLEASANT	SUPPLIES	10.00	1
KRAPOHL FORD LINCOLN MERC	SUPPLIES	93.73	2
LITTLE CAESARS	SUPPLIES	27.16	1
LOGOS GALORE/MORDICA SALES	SUPPLIES	262.00	1
MACEO	TRAINING	150.00	2
MAMC	MISCELLANEOUS	75.00	1
MARKSMANSHIP TRAINING CENTER	TRAINING	375.00	1
MAX & EMILY'S EATERY	SUPPLIES	50.00	1
MCGUIRK SAND & GRAVEL	SUPPLIES	11.61	1
MCMASTER-CARR SUPPLY CO.	SUPPLIES	581.50	5
MEDLER ELECTRIC COMPANY	SUPPLIES	65.58	1
MEIJER INC	SUPPLIES	288.56	9
MENARDS - MT. PLEASANT	SUPPLIES	5,405.06	17
MICHIGAN ASSESSORS ASSOCIATION	MISCELLANEOUS	97.38	1
MICHIGAN CAT	SUPPLIES	1,174.59	1
MICHIGAN FIRE INSPECT SOCIETY	MISCELLANEOUS	67.62	2
MICHIGAN KENWORTH	SUPPLIES	1,061.63	1
MICHIGAN MUNICIPAL LEAGUE	TRAINING	95.00	1
MOUNTAIN TOWN STATION	SUPPLIES	50.00	1
MT PLEASANT AREA CHAMBER OF COMMERCE	MISCELLANEOUS	5.00	1
MT PLEASANT AUTOMOTIVE SUPPLY	SUPPLIES	1,091.77	3
MUMFORD OIL & GAS SUPPLY, LLC	SUPPLIES	77.21	1
MWEA	TRAINING	365.00	1
NAPA AUTO PARTS	SUPPLIES	943.68	11
NORM'S FLOWER PETAL	SUPPLIES	50.00	1
OLSON TIRE SERVICE	CONTRACTED SVCS	1,674.35	3
OLSON TIRE SERVICE	SUPPLIES	240.50	1
OPENAI	SUPPLIES	20.00	1
PICKARD STREET CITGO	SUPPLIES	21.61	1
PISANELLO'S PIZZA	SUPPLIES	50.00	1
PLEASANT CITY COFFEE	SUPPLIES	50.00	1
PONDER COFFEE COMPANY	SUPPLIES	100.00	1
POTAWATOMI INN	TRAINING	316.29	2
PRINTING SYSTEMS, INC	SUPPLIES	98.65	1
PRO COMM, INC	SUPPLIES	44.00	1
PURE VITALITY SPA LLC	SUPPLIES	50.00	1
PURITY CYLINDER GASES	SUPPLIES	405.35	2
REPUBLIC SERVICES #239	CONTRACTED SVCS	30,192.91	6
RIC'S FOOD CENTER	SUPPLIES	554.90	2

<u>MERCHANT NAME</u>	<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u># OF INVOICES</u>
S & S WORLDWIDE, INC.	SUPPLIES	27.39	1
SALON BLU	SUPPLIES	220.00	1
SAM'S CLUB #4982	SUPPLIES	33.64	2
SAM'S CLUB #4982	SUPPLIES	1,785.76	7
SCHOOLCRAFT COLLEGE	CONTRACTED SVCS	390.00	2
SCIENTIFIC BRAKE & EQUIPMENT CO	SUPPLIES	7,192.42	5
SIMPLY ENGRAVING	MISCELLANEOUS	75.00	1
SINGLESOURCE	SUPPLIES	21.70	1
SLEEPY DOG BOOKS	SUPPLIES	200.00	1
STAPLES - MP	SUPPLIES	670.17	12
STATE OF MICHIGAN DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS	CONTRACTED SVCS	150.00	1
STATE OF MICHIGAN EGLE	TRAINING	95.00	1
STU'S ELECTRIC MOTOR	CONTRACTED SVCS	80.00	1
TARGET	SUPPLIES	83.53	1
TLO ONLINE	CONTRACTED SVCS	75.00	1
TRACTOR SUPPLY	CONTRACTED SVCS	160.86	2
TRACTOR SUPPLY	SUPPLIES	163.16	3
TRILLIUM	SUPPLIES	50.00	1
U S POSTMASTER	MISCELLANEOUS	166.00	1
U S POSTMASTER	SUPPLIES	5.50	1
USPS.COM	SUPPLIES	26.40	1
VERIZON WIRELESS	COMMUNICATIONS	50.02	1
VERMONT SYSTEMS, INC	CONTRACTED SVCS	0.09	8
WAL-MART	SUPPLIES	208.09	4
WAL-MART COMMUNITY	SUPPLIES	102.37	1
WASTE MANAGEMENT	CONTRACTED SVCS	1,346.33	3
WATER WORKS SALON AND SPA	SUPPLIES	103.00	1
WINN TELECOM	CONTRACTED SVCS	300.00	1
WINN TELECOM	TELEPHONE	1,855.53	5
YBA SHIRTS	SUPPLIES	-216.36	1
ZERO9 SOLUTIONS LLC	SUPPLIES	51.99	1
ZOOM, INC.	CONTRACTED SVCS	15.99	1
TOTALS		\$ 79,856.76	320

Memorandum



TO: Aaron Desentz, City Manager

FROM: Michelle Sponseller, Downtown Development Director

CC: Chris Saladine, Finance Director

DATE: January 11, 2024

SUBJECT: Public Hearing - 2024 Michigan State Housing Development Authority (MSHDA) Community Development Block Grant Housing Improving Local Livability (CHILL) Grant Application and Authorizing Resolution

The Downtown Development Department is intending to apply for a Michigan State Housing Development Authority (MSHDA) Community Development Block Grant Housing Improving Local Livability (CHILL) grant to assist low to moderate income families. MSHDA CHILL requires holding a public hearing and approval of a resolution as part of the application process.

Highlights of the grant application include:

- \$50,000 City match for grant;
- \$423,500 to assist households in Mt. Pleasant, enhancing living standards and contributing to community vitality. This initiative will provide crucial support to low to moderate-income families (LMI), ensuring access to necessary home improvements. We plan to distribute funds specifically for the reconstruction or improvement of permanent, single-family residential structures. These efforts will target qualified households with incomes at or below 80% of the Area Median Income (AMI);
- Projects will not exceed \$10,000 so funds can be offered as a grant with no requirement of repayment;
- The service area for this program will be the entirety of the city of Mt. Pleasant;
- \$76,230 (18%) for grant administration and program management.

The pursuit of grants continues to be a resource to help provide additional funds for capital projects and programs to assist our citizens. Staff looks at upcoming projects and analyzes the best funding opportunities for proposed projects and programs.

The application deadline for the MSHDA CHILL grant is February 12, 2024 and awards are announced on March 1, 2024.

Staff requests the attached resolution be approved after holding the public hearing.

REQUESTED ACTION

Staff requests that the City Commission holds the MSHDA CHILL grant public hearing on January 22, 2024 and approve the following resolution as required.

ATTACHMENTS

- Resolution for MSHDA CHILL grant

MSHDA CHILL GRANT AUTHORIZING RESOLUTION

WHEREAS, the Michigan State Housing Development Authority (MSHDA) has invited Units of General Local Government to apply for its Community Development Block Grant Housing Improving Local Livability (CHILL) Competitive Funding Round; and

WHEREAS, the City of Mt. Pleasant desires to request \$499,730 in MSHDA CDBG funds for a housing improvement program, of which \$76,230 will be utilized for program and grant administration; and

WHEREAS, the City of Mt. Pleasant commits funds in the amount of \$50,000; and

WHEREAS, the proposed project is consistent with the local Community Development Plan as described in the Application; and

WHEREAS, at least 51% of the beneficiaries of the proposed project will be low and moderate income persons;

WHEREAS, no project costs (CDBG and non-CDBG) will be incurred prior to a formal grant award, completion of the environmental review procedures and formal, written authorization to incur costs has been provided by your CDBG Project Manager;

WHEREAS, local funds and any other funds to be invested in the project have not been obligated/incurred and will not be obligated/incurred prior to a formal grant award, completion of the environmental review procedures and a formal written authorization to obligate/incur costs from the Michigan State Housing Development Authority.

NOW, THEREFORE, BE IT RESOLVED that the City of Mt. Pleasant hereby designates the following staff related to the MSHDA CHILL grant:

- Authorized to sign the application and attachments - Aaron Desentz, City Manager
- Authorized to sign the grant agreement, amendments, attachments and any additional documents required to carry out and complete the grant - Aaron Desentz, City Manager
- Authorized to sign payment requests – Chris Saladine, Finance Director



**DIVISION OF PUBLIC SAFETY
CITY OF MT. PLEASANT**



804 E. High Street, Mount Pleasant, MI 48858
Phone: (989) 779-5100 Fax: (989) 773-4020

MEMORANDUM

DATE: January 11, 2024
TO: Aaron Desentz, City Manager
FROM: Doug Lobsinger, Fire Chief
SUBJECT: Aerial Ladder and Rescue Pumper Truck Replacement

As you are aware, the Mt. Pleasant Fire Department (MPFD) currently has two trucks in need of replacement. The **Aerial Ladder Truck** and the **Rescue Pumper Truck** were both purchased in 1997. For more than 26 years, these trucks have been serving the needs of the fire department, city, and Union Township. The service life of these trucks is nearing its end, and they need to be replaced.

Over the past few years, members of the MPFD have researched vendors, talked to industry experts, and have tested various pieces of equipment. This due diligence was completed so both trucks could be "built" to meet the MPFD's current and future needs.

It is assumed that the **Aerial Ladder Truck** is only used to fight fires and make rescues in taller buildings and structures. However, this truck is also used to attack a fire from an elevated position, when warranted.

The **Rescue Pumper Truck** is a multi-purpose response truck carrying a vast array of specialized equipment. Examples include but are not limited to; the "jaws of life", an air bottle cascade system (which refills on-scene firefighter air bottles), generators, ventilation fans and on-scene lights.

A Request for Proposal (RFP) was sent to eight manufacturers of Aerial and Rescue Trucks. Halt Fire and Front-Line Services were the only two vendors to submit bids that met the RFP specifications. After thorough review, each bid was scored. Halt Fire rated the highest for both the Aerial Ladder and Rescue Pumper Trucks.

Halt Fire has been a Pierce Truck Manufacturing representative since 1972. Pierce, a leader in fire truck manufacturing, has existed since 1939. The MPFD currently has three Pierce trucks in its fleet and has found the workmanship and customer service to

be stellar. Pierce's proposed trucks possess the latest advancements in ladder and pump technology, handling, stability, improved safety features and increased operational efficiency. In addition, Halt Fire (Pierce's manufacturing representative) offers substantial savings when purchasing multiple trucks and prepaying at the time of ordering.

Another benefit of the Pierce Rescue Pumper Truck is it can be built as a dual-purpose Rescue Pumper Truck. This enables the MPFD to reduce its current fleet of Engines (Pumpers) from three to two. This change not only enhances the MPFD's response and abilities at incidents, but results in substantial maintenance and truck replacement cost savings.

The cost for each truck, including the prepayment discount, is as follows:

	Cost	Discount if prepaid	Total
Aerial Ladder Truck	\$ 1,744,592	\$ 190,567	\$ 1,554,025
Rescue Pumper Truck	\$ 1,358,339	\$ 173,689	\$ 1,184,650
	\$ 3,102,931	\$ 364,256	\$ 2,738,675

The MPFD has received \$ 440,000 from the Saginaw Chippewa Indian Tribe's 2% Revenue Sharing Fund for the purchase of these trucks. The remaining \$ 2,298,675 is available in the city's Fire Truck Reserve Account.

I recommend the City Commission approve the purchase of the Pierce Aerial Ladder Truck and the Pierce Rescue Pumper Truck through Halt Fire and prepay a total amount of \$ 2,738,675 for both trucks.

Additional note: The delivery of these trucks is 36 to 48 months (about 4 years) from the time of ordering. Our current Aerial Ladder and Rescue Pump trucks will be sold once the new ones are put into service. It is difficult to estimate the value of the current trucks due to their age and part availability.

If you have any questions or concerns, please do not hesitate to contact me.

Memorandum



TO: Aaron Desentz, City Manager
FROM: Jason Moore, DPW Director
DATE: January 10, 2024
SUBJECT: Request for Approval - Professional Services Agreement for Quarterly Groundwater Testing and Reporting

Request

The City Commission is requested to approve a professional services agreement with Mannik Smith Group (MSG) for \$67,000 for quarterly groundwater testing and reporting at the former city landfill, and authorize staff to sign the Agreement.

Reason

Late last year the City met with representatives from the Michigan Department of Environment, Great Lakes, and Energy (EGLE), the Saginaw Chippewa Indian Tribe (SCIT) and MSG, our environmental consultant, to determine next steps regarding the former city landfill at 1303 N. Franklin. It was agreed that further testing is needed to properly characterize subsurface site conditions. The City requested that our environmental consultant prepare a proposal for quarterly testing at the site for 2024.

Upon approval of this Agreement, MSG will test the groundwater at up to 18 wells at the site on a quarterly basis, prepare and submit reports to the City based on the collected data, and make recommendation for any necessary corrective actions based on the findings. It is anticipated the sampling events will occur in January, April, July and October, depending on weather and scheduling. This work is necessary for proper remediation in the future.

The fee schedule is as follows.

Project Fee	\$39,271.00
Analysis	<u>\$27,720.00</u>
Total	\$66,991.00

A representative from Mannik Smith Group will attend the meeting to address any questions.

Recommendation

I recommend the City Commission approve a professional services agreement with Mannik Smith Group for \$67,000 for quarterly monitoring and testing of up to 18 wells at the former city landfill site, and authorize staff to sign the Agreement. This amount is within the 2024 budget for work at the site with funds available in the General Fund.

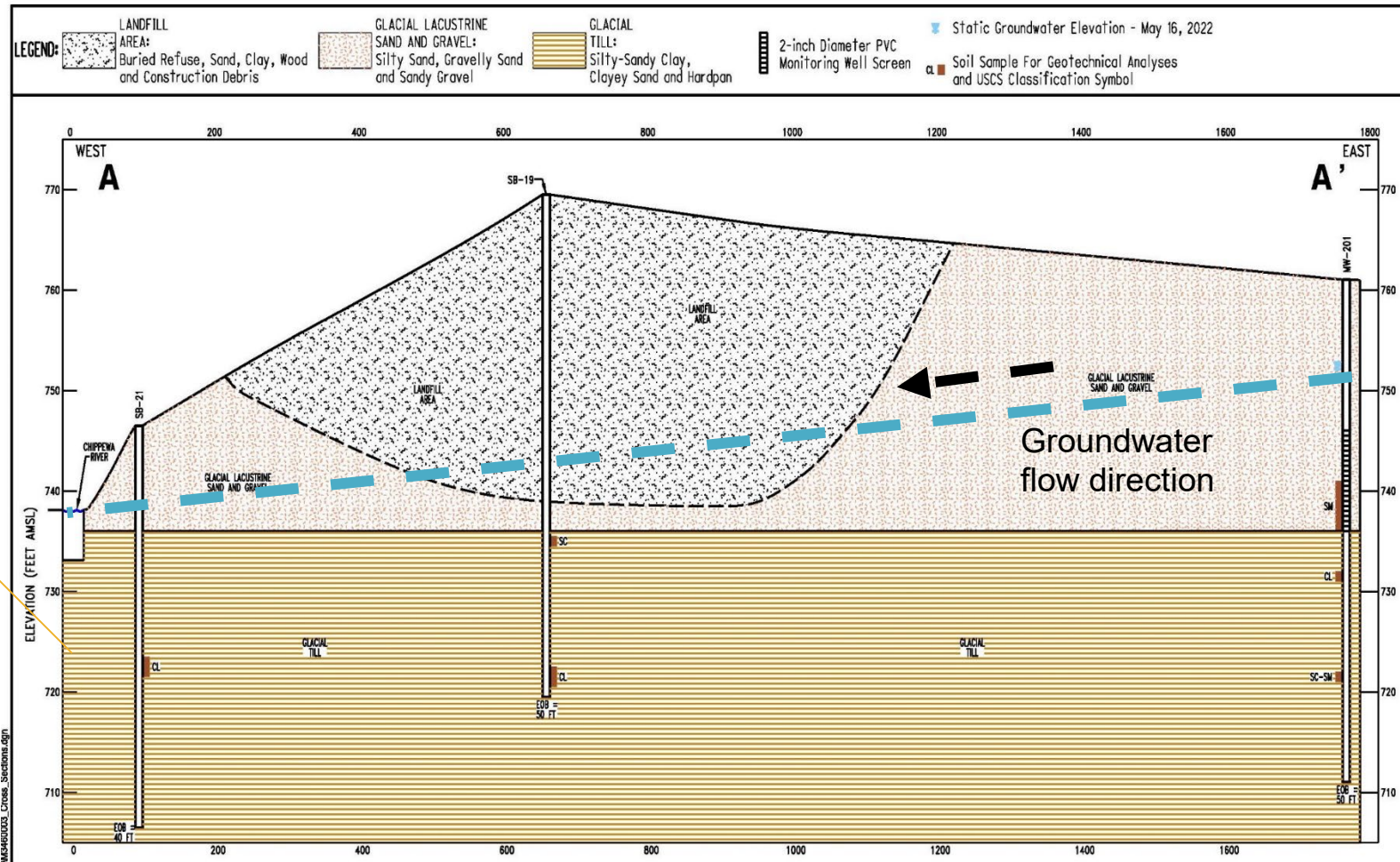


Regulatory Compliance

FORMER MOUNT PLEASANT LANDFILL

Landfill Construction

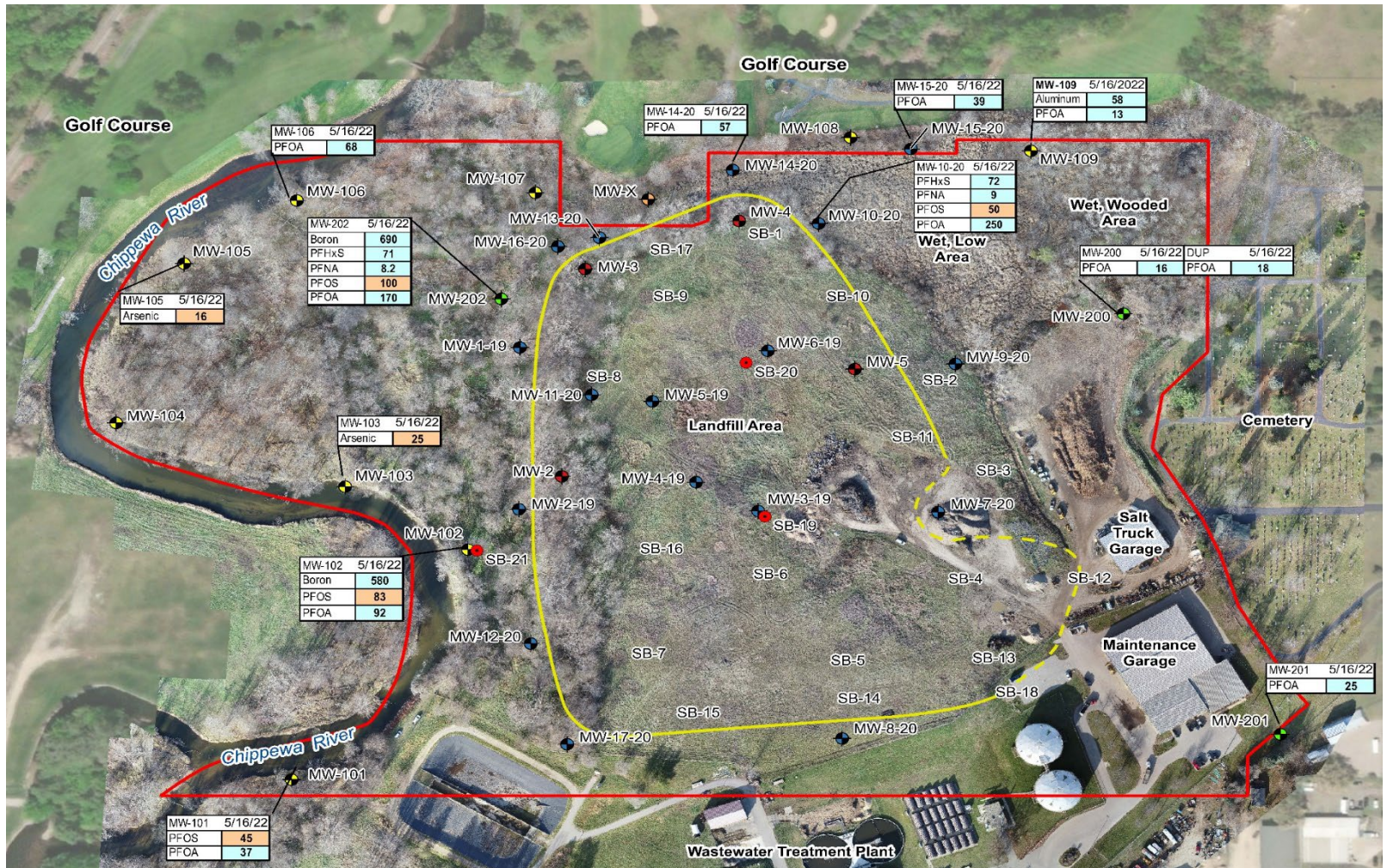
- **Landfill originally constructed without a clay cap, side slope liners, or bottom liner**
- **No leachate management system**
- **No gas control mechanisms**
- **Two foot thick compacted clay cap added later as a retrofit to minimize water infiltration**



Site Geology



Shallow Groundwater Flow to Chippewa River



Shallow Groundwater Exceedances

Conceptual Site Model

GROUNDWATER MONITORING PLAN

- Groundwater Surface water Interphase (GSI) is the primary contaminant migration pathway to the Chippewa River
- Low permeability glacial till prevents vertical migration of shallow groundwater into deeper aquifers
- Till is extensive both laterally and vertically
- Drinking water pathway has been evaluated through the deep exploratory borings and site hydrogeology characterization

Goals

GROUNDWATER MONITORING PLAN

- Comply with Part 201 and other EGLE regulations
- Collect groundwater information to prepare a Feasibility Analysis to evaluate remedial alternatives.

Mount Pleasant Landfill – MSG Project Number 401.M3460004.000 (M3460004)

Client: The City of Mount Pleasant, Michigan

Client Contact: Jason, Moore, City of Mount Pleasant Public Works Director, 989 779 5405, jmoore@mt-pleasant.org;

Site Contact: Matt Weaver, City of Mount Pleasant Streets and Motor Pool Superintendent, 989 506 4567, mweaver@mt-pleasant.org

Current Status (as of 8-21-2023): Completed in June 2023 (letter report dated June 23, 2023). No current assignments for this project.

EGLE PM: Larry Engelhart, EGLE RRD Bay District, 989 891 6946, ENGELHARTL@michigan.gov

Site Location: 1301-1303 North Franklin Street, Mount Pleasant, Michigan. The site is located adjacent to the City of Mount Pleasant vehicle maintenance garage and wastewater treatment plant. The Chippewa River borders the site on the west and northwest sides. The former Roosevelt Refinery site is located on the opposite (west) side of the river. A golf course is located adjacent to the site on the north and northwest sides. A cemetery is located directly east of the site. The central portion of the site is occupied by an area that was formerly used by the City as a landfill.

Project Background: The site is a former Act 87/pre-Act 87 landfill that was owned and operated by the City of Mount Pleasant. The site is currently owned by the City. The landfill reportedly operated from the 1950s until approximately 1975. The original construction of the landfill did not include a bottom liner, side slope liners, an engineered cap, a leachate collection system, or a gas collection system. The landfill was subsequently retrofitted with a compacted clay cap. The clay cap appears to cover the entire landfill area (approximately 17 acres) and is generally in conformance with current standards for Type II solid waste landfills, based on limited clay cap sampling and lab testing by MSG (MSG project number M3460002).

There are low-lying wet areas located north and northeast of the former landfill area. A wooded area with numerous patches of wet ground is located east and northeast of the landfill area. Most of the western and northwestern portions of the site, including the area of the site located along the Chippewa River, are heavily wooded and vegetated. **Access to most of the wooded/wet areas located to the north, west, and northeast of the former landfill area is very limited.**

In late 2018 (prior to MSG's involvement), a clay tile pipe located on the riverbank at the site was identified to be draining into the Chippewa River. Further investigation by City personnel found four additional pipes near the former landfill area. Water being discharged by the clay pipes was sampled and analyzed. Subsequent investigation by the City and an environmental services provider contracted by the City (AKT Peerless) found elevated levels of regulated substances in the discharge water, including elevated levels of per and polyfluoroalkyl substances (PFAS). Initial investigation of groundwater at the site conducted by AKT in 2019 indicated that PFAS concentrations in site-specific shallow groundwater samples exceeded Part 201 Generic Cleanup Criteria (GCC) for both the drinking water (DW) and groundwater surface water interface (GSI) exposure pathways.

Additional monitoring wells were installed at the site in 2019-2020 by AKT and additional groundwater samples were collected and analyzed. The groundwater sample analytical results indicated that PFAS concentrations and concentrations of other analytes (metals, volatile organic compounds, semivolatile organic compounds, and polychlorinated biphenyls) exceeded Part 201 residential and/or nonresidential GCC. The site-specific shallow groundwater flow direction was not determined. Deeper groundwater underlying the site was not investigated.

The City of Mt. Pleasant has been working with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) Remediation and Redevelopment Division (RRD) since the discharge into the Chippewa River was first discovered. Seventeen groundwater monitoring wells were installed in and around the landfill area at the site in 2019-

2020 by AKT. Groundwater samples were collected from most of the wells and were analyzed for an extensive parameter list. The clay pipes have reportedly been grouted and capped.

MSG conducted Ground Water Testing Project Number 3 for the City in November and December 2020 under the scope of work specified in the August 2020 Request for Proposals issued by the City (MSG project number M3460001). Nine additional shallow groundwater monitoring wells were installed by MSG in November 2020. Six of the nine monitoring wells installed by MSG (MW-101 through MW-106 – see attached site plan figure) are located in close proximity to the Chippewa River. The remaining three monitoring wells (MW-107 through MW-109) were installed at or near the northern site boundary near the golf course. Groundwater samples were collected by MSG in November 2020 from the nine new monitoring wells and from four of the previously installed monitoring wells. The November 2020 groundwater samples were analyzed for an extensive suite of analytes including PFAS compounds.

The results of Ground Water Testing Project Number 3 (MSG project M3460001) were documented in a report by MSG dated December 22, 2020. The results indicated that the shallow groundwater at some of the onsite monitoring well locations, including monitoring wells located in close proximity to the Chippewa River, contained concentrations of PFAS compounds and dissolved phase metals (dissolved boron and dissolved arsenic) that exceeded Part 201 GCC for the DW and/or GSI exposure pathways. No PCBs were detected in the November 2020 groundwater samples collected by MSG and analyzed by ALS. None of the November 2020 groundwater samples contained volatile organic compounds or semi-volatile organics at concentrations that exceeded Part 201 GCC.

A meeting with City of Mount Pleasant, EGLE RRD, and MSG personnel was convened on February 22, 2021 to review the results of Ground Water Testing Project Number 3 (MSG project M3460001). During the meeting, EGLE RRD personnel outlined additional site characterization measures necessary for regulatory compliance under Part 201. As requested by the City of Mt. Pleasant, MSG developed a scope of work to complete the next phase of site characterization required by EGLE (MSG Proposal No. OP 210419 dated March 2, 2021). Following a request by EGLE RRD personnel, the scope of work was revised to include a shallow groundwater monitoring event. The revised MSG proposal No. OP 210419 was reissued to the City on March 24, 2021 and was authorized by the City on April 14, 2021. The investigation conducted by MSG in 2021 (MSG project number M3460002) included:

- Determining the exact locations, ground surface elevations, top of well casing elevations, total depths, and overall condition of the site monitoring wells. Seventeen monitoring wells were installed at the site by AKT in 2019-2020. Nine additional monitoring wells were installed at the site by MSG in 2020. In addition, 6 monitoring wells were reportedly installed at the site by Keck Consulting Services, Inc. (Keck) in 1977.
- Measuring and recording static groundwater levels in each of the site monitoring wells, referenced to the respective well top of casing elevations.
- Determining the site-specific groundwater flow direction for the shallow groundwater zone.
- Conducting a groundwater monitoring event utilizing existing shallow groundwater monitoring wells located near the Chippewa River and the wet areas in the northern and northeast portions of the site.
- Investigating the lateral and vertical extent of buried refuse at the site and the composition of the refuse.
- Determining the thickness of the landfill cover (clay cap).
- Collecting samples of the landfill cover materials and testing selected samples for relevant engineering properties.
- Preparing a technical report documenting the investigative methods and findings.
- Developing a work plan (Response Action Plan) for additional investigation, as necessary and appropriate based on the available data and information and EGLE RRD regulatory requirements under Part 201.

The results of the 2021 investigation (MSG project number M3460002) indicated that the site-specific shallow groundwater flows to the west/northwest towards the Chippewa River with a flow velocity of 3.2-7.8 feet/day (1168- 2847 feet/year) and an average hydraulic conductivity of 0.033 cm/sec (93.5 feet/day). The area of buried refuse at the site is approximately 17 acres. The known maximum depth of buried refuse is on the order of approximately 26-30 feet below the ground surface (bgs). The observed buried refuse consists primarily of paper (including decomposing newspaper); metal (including

aluminum cans); wood; glass fragments; metal fragments; construction and demolition debris including wood, concrete and asphalt debris, roofing materials, and brick debris; cloth/fabric; and fibrous materials of uncertain origin. The buried refuse was most commonly mixed with soil including sand, clayey sand, and sandy clay. In general, there was more soil and wood than refuse present in the observed soil/refuse mixture.

The results of the May 2021 shallow groundwater monitoring event indicated that PCBs and SVOCs were not detected in the shallow groundwater samples. One VOC was detected in one shallow groundwater sample at a concentration below residential and nonresidential GCC. The reported dissolved arsenic, dissolved aluminum, and dissolved boron concentrations of some of the May 2021 shallow groundwater samples exceeded the respective GCC for the drinking water exposure pathway. The dissolved arsenic concentrations for two of the shallow groundwater samples exceeded the respective GSI GCC. The reported PFAS concentrations for the groundwater samples from 6 of the shallow groundwater monitoring wells were above the respective DW GCC. The reported PFOS concentrations for the groundwater samples from 4 of the shallow monitoring wells were above the GSI GCC for PFOS.

The buried refuse at the site is covered by a clay cap that is at least two feet thick. The results of geotechnical engineering tests completed on samples of the clay cap materials indicate that the clay cap is generally suitable for landfill cover purposes.

A Response Action Plan (RAP) dated September 8, 2021 was formally submitted to EGLE RRD on December 6, 2021 and was approved with conditions by EGLE via correspondence dated December 14, 2021. The RAP was implemented as MSG project number M3460003 in April 2022. The primary objective of the work described in the RAP was to investigate and characterize site-specific hydrogeologic conditions at depths below the base of the former landfill and below the shallow groundwater zone at the site. The base of the former landfill is at elevations generally on the order of 740-750 feet, assuming that buried refuse extends to a maximum depth of 26 feet bgs as noted on the AKT logs. Therefore, the RAP implementation activities included characterizing site-specific hydrogeologic conditions at depths below an approximate elevation of 745 feet.

The investigation of deep groundwater conditions at the site (MSG project number M3460003) included five primary tasks:

1. Deep exploratory borings
2. Installation of deep groundwater monitoring wells
3. Soil laboratory testing
4. Deep monitoring well sampling and analysis
5. Shallow groundwater sampling and analysis
6. Data review, evaluation, and technical report preparation

The RAP implementation/deep groundwater field investigation (MSG project number M3460003) was conducted in Spring 2022. There were no granular or water bearing zones encountered below the base of the near surface unconfined glacial outwash aquifer. The base of the glacial outwash aquifer occurs at a depth of 25 feet below the ground surface in the higher elevations upgradient of the landfill area at a depth of approximately 10 feet below the ground surface at lower elevation locations downgradient of the landfill and closer to the Chippewa River. Therefore, 3 new monitoring wells (MW-200, MW-201 and MW-202) were installed at the base of the unconfined glacial outwash aquifer. MW-200 and MW-201 were installed at higher elevation, upgradient locations. Monitoring well MW-202 was installed at a lower elevation downgradient of the landfill and closer to the Chippewa River. The attached groundwater elevation contour map shows the locations of the site monitoring wells and the approximate groundwater flow direction for the unconfined glacial outwash aquifer.

The results of the 2022 deep groundwater investigation (M3460003 MSG report dated Sept. 28, 2022) indicated the following:

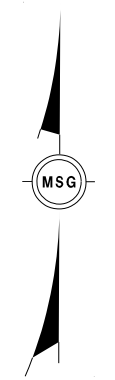
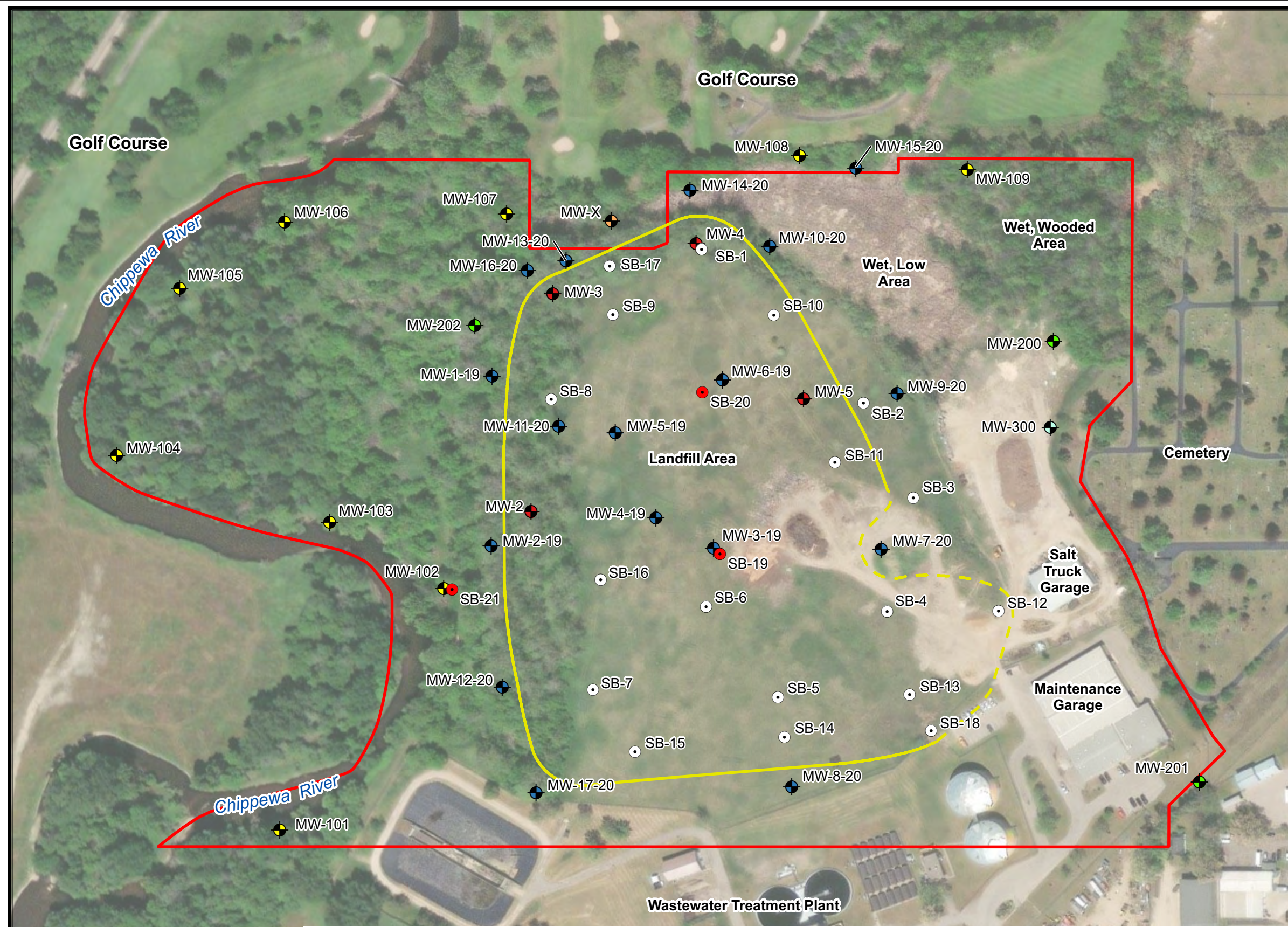
- The site is underlain by a near surface granular glacial lacustrine deposit that is on the order of 10-25 feet thick, depending on location and elevation within the site. The granular lacustrine deposit is

underlain by a relatively thick, low permeability cohesive glacial till deposit that is extensive both laterally and vertically. The till deposit was encountered at depth in each of the six deep exploratory borings completed for the RAP implementation activities (M3460003). The base of the cohesive till deposit was not encountered in any of the deep exploratory borings.

- The uppermost groundwater occurs in the granular lacustrine deposit under unconfined conditions. The underlying till deposit acts as a lower confining layer preventing vertical migration of the shallow groundwater. No lower groundwater zones were encountered in the deep exploratory borings completed for the RAP implementation (MSG project M3460003).
- The site-specific shallow groundwater flow direction is primarily to the west and northwest towards the Chippewa River. The average hydraulic conductivity of the shallow groundwater zone is 4.84×10^{-2} cm/sec (137.2 feet/day). The shallow groundwater flow velocity is approximately 3 feet/day (1,095 feet/year).
- The results of the May 2022 shallow groundwater monitoring event indicate that PCBs and SVOCs were not detected. One VOC was detected in one shallow groundwater sample at a concentration below the residential and nonresidential GCC. The reported dissolved arsenic, dissolved aluminum, and dissolved boron concentrations of some of the May 2022 shallow groundwater samples exceed the respective GCC for the drinking water exposure pathway. The dissolved arsenic concentrations for two of the shallow groundwater samples exceed the respective GSI GCC. The reported PFAS compound concentrations for the groundwater samples from 10 of the shallow groundwater monitoring wells were above the respective DW GCC. The reported PFOS concentrations for the groundwater samples from 4 of the shallow monitoring wells were above the GSI GCC for PFOS.

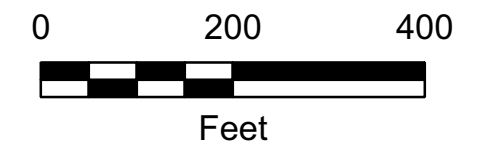
A project review meeting was held on December 19, 2022 with EGLE RRD, City of Mount Pleasant, and MSG personnel. At that meeting, EGLE requested additional characterization of deep hydrogeologic conditions at the site relative to the drinking water exposure pathway. EGLE RRD subsequently clarified their requirements, and MSG installed a deep monitoring well (designated MW-300) in April 2023 (MSG proposal number M3460003.CO1 dated 2/1/2023 and MSG project number M3460004). MW-300 was screened from 75-85 feet bgs. No granular soil layers were observed below a depth of 25 feet bgs at the location of MW-300. A boulder, or possibly a portion of a boulder, was encountered in the depth interval of approximately 81-83 feet bgs, within the screened interval of monitoring well MW-300. It is possible that there is a layer of cobbles and boulders within the glacial till at that depth that extends laterally outward beyond the 4-inch radius of the MW-300 rotosonic soil core.

MW-300 produced sufficient groundwater for sampling and was sampled by MSG on May 24, 2023. The groundwater samples were analyzed for VOCs, SVOCs, PCBs, total and dissolved phase metals (10 Michigan metals plus aluminum, antimony, beryllium, boron, nickel, and thallium), ammonia, and PFAS compounds. PCBs, VOCs, and SVOCs were not detected in the groundwater samples collected from monitoring well MW-300. The reported ammonia concentration of 1.2 milligrams/liter (mg/l) is below the Part 201 Generic Residential Cleanup Criterion (GRCC) of 10 mg/l for drinking water. The reported aluminum concentration of 0.42 mg/l for the unfiltered groundwater sample is above the aesthetic GRCC of 0.050 mg/l for aluminum. However, aluminum was not reported at or above the laboratory reporting limit of 0.010 mg/l for the filtered groundwater sample (sample MW-300F).



Legend

- Soil Boring Location - MSG (May 2021)
- Soil Boring Location - MSG (April 2022)
- ⊕ PVC Monitoring Well - MSG (April 2023)
- ⊕ PVC Monitoring Well -- MSG (April 2022)
- ⊕ PVC Monitoring Well - MSG (Nov. 2020)
- ⊕ PVC Monitoring Well - AKT (2019-2020)
- ⊕ Steel Monitoring Well - Keck (1977)
- ⊕ Monitoring Well - Undocumented Origin
- Approximate Extent of Buried Refuse
- Site Boundary (Approximate)



Notes:

1. Site boundary adapted from parcel boundaries provided on the Isabella County website and AKTPeerless "Site Map" dated July 26, 2020.
2. Aerial imagery collected on November 18, 2020.
3. 2-inch diameter steel monitoring wells are believed to be wells installed by Keck in 1977.
4. Monitoring well MW-11-20 could not be located in the field.



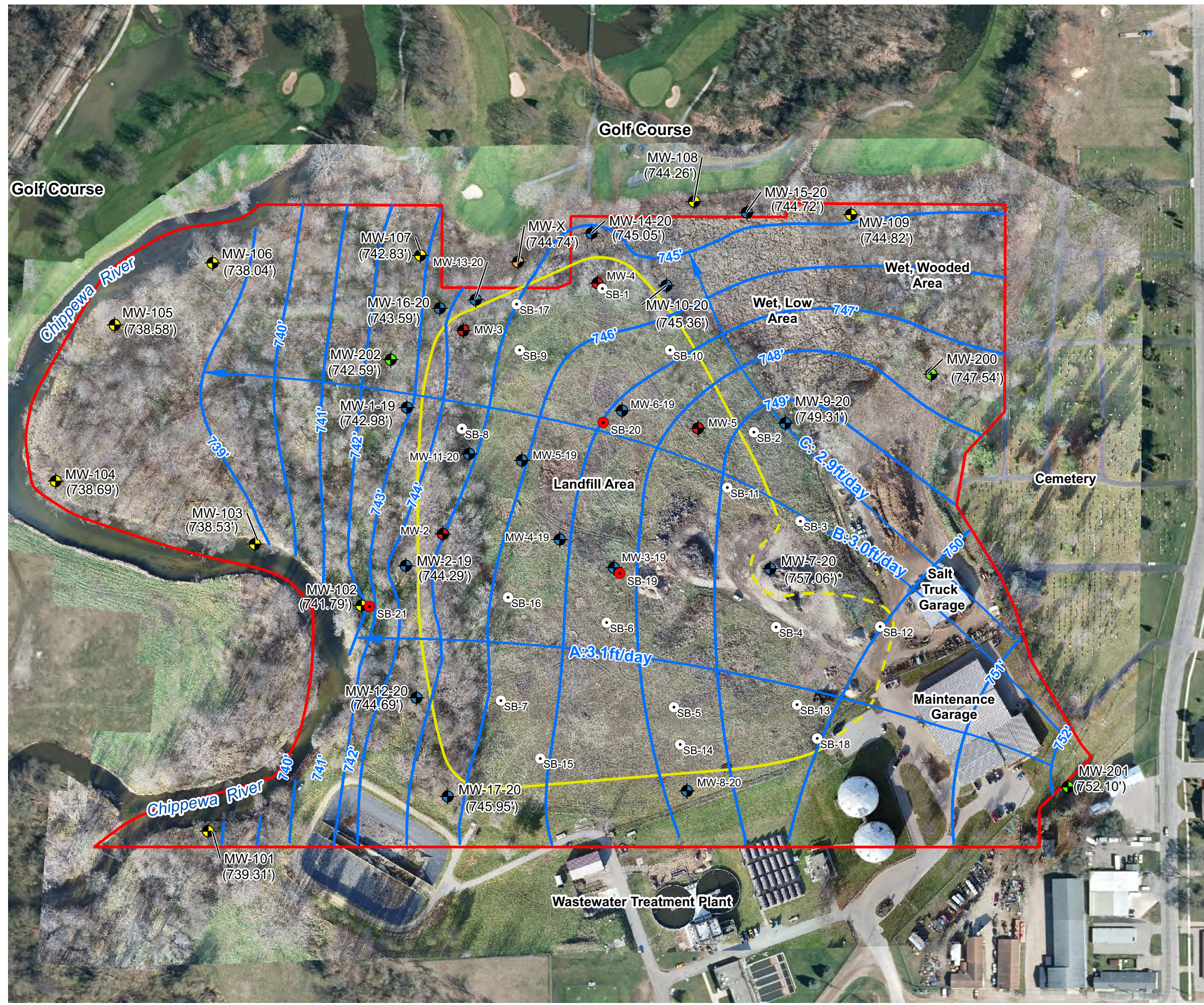
FIGURE 1

Site Map

1301-1303 North Franklin Street
 Mount Pleasant, Isabella County, MI

DATE	DRAWN BY	DESIGNED BY	PROJECT NO.
6/1/2023	JRO	DJA	M3460003

Date Saved: 9/6/2022 10:45:07 AM
 Path: W:\Projects\Projects K-O\M3460003\ENGAPPS\M3460003_FigX_GWElevationContour.mxd

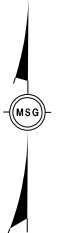


Legend

- Soil Boring Location - MSG (May 2021)
- Soil Boring Location - MSG (April 2022)
- ⊕ PVC Monitoring Well - MSG (Nov. 2020)
- ⊕ PVC Monitoring Well -- MSG (April 2022)
- ⊕ PVC Monitoring Well - AKT (2019-2020)
- ⊕ Steel Monitoring Well - Keck (1977)
- ⊕ Monitoring Well - Undocumented Origin

- A: 2.1 ft/day Groundwater Flow Path and Velocity
- Groundwater Elevation Contour (in feet)
- * MW-7-20 not used for groundwater elevation contouring
- Approximate Extent of Buried Refuse
- Site Boundary (Approximate)

- Notes:**
1. Site boundary adapted from parcel boundaries provided on the Isabella County website and AKTPeerless "Site Map" dated July 26, 2020.
 2. Site Aerial imagery collected on November 18, 2020 by the Mannik & Smith Group.



1 inch = 200 feet

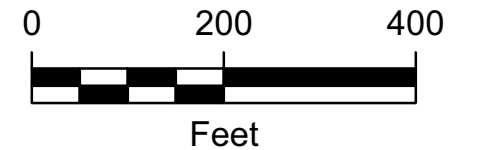


FIGURE 8

Groundwater Elevation Contour Map - May 16, 2022

1301-1303 North Franklin Street
 Mount Pleasant, Isabella County, MI

DATE 9/6/2022	DRAWN BY JRO	DESIGNED BY DJA	PROJECT NO. M3460003
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Memorandum



TO: Aaron Desentz
City Manager

FROM: Phil Biscorner
Director of Parks and Recreation

DATE: January 2, 2024

SUBJECT: 2024 Food Assistance Administrative Fees for Farmers Market - Consideration and Options

I am writing to bring to your attention the current administrative fees imposed on Food Assistance transactions at our Farmers Market, specifically for SNAP, DUFEB, and Credit/Debit transactions which are charged to the vendor. As you may be aware, a 5% administrative fee for SNAP and DUFEB as well as an 8% administrative fee for Credit/Debit transactions have been in place based on the recommendation of the Michigan Farmers Market Association. Due to restrictions on the programs WIC and Sr. Project Fresh, we are not allowed to charge administrative fees.

I want to highlight the financial implications of the current administrative fees and present some options for your consideration:

Current Fee Structure (2023):

SNAP & DUFEB: 5% fee, totaling \$981.70
Credit/Debit: 8% fee, totaling \$986
Total: \$1,967.70

Options for next season:

- a. Elimination of Fees which would Cost: \$1,967.70
- b. Uniform 5% Fee which would Cost: \$370
- c. Uniform 3% Fee which would Cost: \$1,010

These figures underscore the financial impact associated with each option. While eliminating fees altogether would provide immediate relief to the vendors, it comes at a cost to the city. Alternatively, standardizing the fee at 5% or 3% presents more moderate financial impacts.

It's essential to consider the broader context, including the benefits to both vendors and customers, the impact on the local economy, and our commitment to supporting accessible and affordable food options.

I recommend further discussion and analysis to determine the most suitable course of action for our community.

Memorandum



TO: Aaron Desentz
City Manager

FROM: Phil Biscorner
Director of Parks and Recreation

DATE: January 12, 2024

SUBJECT: 2024 PEAK Summer Camp Proposed Changes

Request:

After careful consideration staff is requesting to extend the current 6-week PEAK Summer Camp program duration from 6 weeks to 8 weeks and discontinuing the Day Camp Program.

Background:

When PEAK began, the City offered a 6 week summer program (camp PEAK). The program always ran from the last week in June, through the first week in August. This left a gap in childcare for parents for 2 weeks in mid-June after school was done, and 4 weeks in August before schools would resume in September. The recreation department began offering the 'daycamp' weeks in order to serve families with childcare needs over the combined 6 weeks camp PEAK was not operating. More field trips were offered (to allow for maintenance in school buildings) as well as a weekly registration sign up option, hence the price difference of the 2 programs. This program could take significantly less children due to space, staffing, and field trip expenditure reasons.

The way the school calendar has shifted over the years has made it so there are less weeks in the summer without school. School now runs into June, and goes back to school during the last 2 weeks in August. If camp PEAK extended to 8 weeks we would run 2 weeks in June, all of July, and 2 weeks into August. While this would leave 1 week in June (staff training/prep sites for staff) and a week and 2 days in August (deep cleaning/maintenance of our spaces) that PEAK would not be offered, it would allow the City to serve more families over the course of typical daycamp weeks and summer as a whole.

Going off of last year's numbers, we offered a 6 week summer program with 375 kids enrolled/day (30 days total) and limited daycamp options with 90 kids enrolled/day (16 days total).

Reason for the Change:

This extension aims to provide more available spaces for parents and a more comprehensive experience for the participating children without having to change locations during the summer months.

This change would consolidate resources and focus on enhancing the main PEAK Summer Camp to ensure a high-quality, engaging experience for all participants. It would allow for more children to participate throughout the summer months as the sites provided by the school district would be available all eight weeks without any disruptions of service.

Despite the extension, we aim to keep the weekly rates similar to maintain affordability for families in our community.

These changes will better align the PEAK Summer Camp program with the evolving needs and preferences of our community. The extended duration allows for a more immersive experience, while streamlining the offerings enhances program efficiency.

Memorandum



Based on 2024 projections, we would offer an 8 week summer camp program with 375 kids for a total of 38 days (due to 4th of July being on a Thursday).

Morey Courts now offers a camp program during the days we would not offer summer PEAK which would fill any gaps.

Recommended Action:

Staff recommends the City Commission approve the proposed change of the PEAK Summer Camp from 6 to 8 weeks and discontinue the Day Camp program.

Appointment of City Officials to applicable City boards and commissions.

It is recommended the Mayor appoint the following City administrative officials to the following boards and commissions:

- a. Building Authority – *Finance Director Chris Saladine*
- b. 9-1-1 / Central Dispatch Governing Board –*Fire Chief Doug Lobsinger and Police Captain Brandon Bliss as alternate*
- c. Isabella County Material Recovery Facility Governing Board –*Public Works Director Jason Moore*
- d. MML Legislative Coordinator - *City Manager Aaron Desentz*
- e. Mid-Michigan Area Cable and Telecommunications Consortium Board-*Public Relations Director Darcy Orlik*
- f. Middle Michigan Development Corporation- *City Manager Aaron Desentz*

Chapter 40 TREES AND OTHER VEGETATION

3:11. Definitions.

The following definitions shall be applicable in the interpretation of this chapter:

- (1) "City right-of-way": The lawn extension and sidewalk adjacent to a property within the street right-of-way as well as the street, curb to curb.
- (2) "Lawn extension": The portion of any street right-of-way that is not paved or intended for traffic.
- (3) "City Administrator": The City Administrator or her/his designees.
- (4) "Cultivated herbaceous plants": Cultivated herbaceous plants are those such as native prairie grasses and forbs, and ornamental perennials including grasses—which are intentionally installed and cared for.

(Ord. No. 43-04, § 17, 1-3-05; Ord. No. 19-05, § 1, 5-16-05; Ord. No. 15-09, § 1, 10-5-15)

3:12. Permits for tree planting care or removal.

The City Administrator shall have the sole authority over the planting, maintenance and removal of trees in the street right-of-way and other city property. No person without written permission of the City Administrator shall plant, remove, break, spray or take any action which will injure or destroy any tree or shrub, the base of which is located in the street right-of-way or other city land.

(Ord. No. 43-04, § 17, 1-3-05; Ord. No. 19-05, § 2, 5-16-05)

3:13. Private grounds.

No tree or other vegetation which by virtue of disease, damage or insect infestation presents a hazard to persons or vegetation on public property shall be maintained on private property.

3:14. Trimming and corner clearance.

- (1) Trees and other vegetation on private property shall be maintained so that no part thereof intrudes upon street or sidewalk in the space 8 feet above the surface of the right-of-way.
- (2) Vegetation adjacent to intersections shall be maintained to allow for adequate sight distance based on the criteria in the AASHTO (American Association of State Highway Transportation Officials) Policy on Geometric Design of Highways and Streets, 5th Edition (2005), or as subsequently amended.

(Ord. No. 19-05, § 3, 5-16-05; Ord. No. 15-09, § 2, 10-5-15)

3:15. Lawn extension and city right-of-way.

The owner of every parcel of land is responsible for grading, planting, mowing and raking the lawn extension in the city right-of-way so that it is covered at least with grass with a height not in excess of 12 inches or with other cultivated herbaceous plants with a foliage height not in excess of 36 inches above the adjacent sidewalk or

ground surface except at intersections and along curves, where vegetation must also not present a view hazard based on the criteria in the AASHTO (American Association of State Highway Transportation Officials) Policy on Geometric Design of Highways and Streets, 5th Edition (2005), or as subsequently amended. Flower tops of plants may extend as high as 42 inches, provided viewlines are not obstructed.

Vegetation planted at mid-block crosswalks, bus stops or on pedestrian islands must not exceed a maximum height of 24 inches when blooming. The vegetation must be maintained to ensure an unaccompanied minor, a person in a wheelchair and a person walking a bike can be adequately visible to a driver, based on the AASHTO policy (ref. above).

The city shall not be liable for damage to any vegetation planted, or to any property or fixtures placed, in or upon the city right-of-way that results from work performed by the city in the lawn extension or right-of-way.

(Ord. No. 43-04, § 17, 1-3-05; Ord. No. 19-05, § 4, 5-16-05; Ord. No. 15-09, § 3, 10-5-15)

3:16. Vegetation on private property.

On private property, outside of a cultivated bed or planned natural landscape, no vegetation shall be permitted at a height greater than 12 inches. Trees, bushes and other woody plants on private property shall be maintained so that no part thereof is obstructing or blocking the sidewalk or the street, and must be trimmed in order to allow 8 feet of clearance for streets and sidewalks. Cultivated herbaceous plants on private property shall not intrude into the right of way in such a manner as to create a hazard for pedestrians and others using the sidewalk.

(Ord. No. 43-04, § 17, 1-3-05; Ord. No. 19-05, § 5, 5-16-05; Ord. No. 15-09, § 4, 10-5-15)

3:17. Enforcement.

If private property or city right-of-way is not maintained as required by this chapter, the city administrator may have the work done to bring the property lawn extension or city right-of-way into compliance. The notice provided for enforcement of sections 3:14, 3:15 and 3:16 shall be sent to the address of the owner as shown on the assessor's records at least 3 days prior to commencing the work. In the case of an immediate hazard to public safety no prior notice shall be necessary. The actual costs of the work needed to bring the property, lawn extension or city right-of-way into compliance, plus an administration fee of \$50.00 shall be billed to the owner. If this amount is not paid within 45 days, it shall be a special assessment against the property as provided in section 1:292 of this Code.

(Ord. No. 19-05, § 6, 5-16-05; Ord. No. 15-09, § 5, 10-5-15)

3:18. Financial hardship.

Under proof of financial hardship, the Administrator may authorize charges under section 3:17 to be paid in installments or to be reduced and will be subject to Council approval.

3:19. Penalties.

The owner (as shown on the assessor's records) of private property subject to this chapter is responsible for compliance. Each violation of this chapter shall be a civil infraction punishable by a civil fine of up to \$1,000.00, plus costs and all other remedies available by statute. Violation of this chapter shall be punishable by a civil fine of not less than \$100.00 for the first offense, not less than \$250.00 for the second offense, and not less than \$500.00 for each additional or subsequent offense within a 2-year period, plus costs and all other remedies available by

statue. The maximum fine for any offense shall not exceed \$1,000.00. Each day of violation shall be a separate violation. If the penalty is not paid within 45 days, it shall be a special assessment against the property as provided in section 1:292 of this Code.

(Ord. No. 19-05, § 7, 5-16-05)

GRASS AND WEEDS

§ 90.25 FINDINGS AND PURPOSE.

The City Commission finds the failure to cut and mow grass and weeds in the City creates a nuisance. Such failure to act is harmful to the health and well-being and is contrary to the general welfare of the residents. Specifically, the failure to mow the grass and cut weeds in the City:

- (A) Creates a nuisance in that weeds are permitted to seed and spread onto the lawns of neighbors.
- (B) Creates a health hazard in the lawns overgrown with weeds and contributes to the amount and spread of pollen, affecting those who suffer from allergies.
- (C) Affects property appearances and thus the value of adjoining properties.
- (D) Creates a danger of crime where unkept lawns may give rise to an assumption that premises are unoccupied.
- (E) Creates an environment to which rodents and other undesirable pests are attracted.
- (F) Affects the public welfare by reflecting negatively on the City and its citizens.

(Ord. 275-6-89, passed 6-23-89) Penalty, see § 90.99

§ 90.26 RESTRICTIONS, EXCEPTIONS.

(A) It shall be unlawful for any owner and /or occupant of any real estate within the City to allow or maintain on any portion of such real estate and into the right-of-way one foot beyond any curb or pavement line adjacent to such real estate any growth of vegetation not edible or planted for some useful or ornamental purpose that:

- (1) Exceeds six inches in height;
- (2) Blocks, impedes and/or obstructs stormwater runoff;
- (3) Grows in sidewalks or other walking areas, or between sidewalk and curbing with a service strip;
- (4) Emits any unpleasant or noxious odor;
- (5) Conceals a filthy deposit; or
- (6) Creates or produces pollen

(B) This section shall not be enforced with respect to weeds, grass, or similar vegetation when such growth is more than 50 feet from land owned by any other person or from any street or alley or with respect to the common boundary or adjoining unused vacant lots.

(Ord. 275-6-89, passed 6-23-89; Am. Ord. 306-7-91, passed 7-1-91) Penalty, see § 90.99

§ 90.27 NOTICE TO OWNER OR OCCUPANT TO REMOVE.

(A) Whenever it shall be reported to or observed by the Department of Community Development or the Department of Public Safety that any owner or occupant of real property has failed to comply with any of the terms of § 90.26, the Department of Community Development shall cause notice to be delivered in the manner prescribed in § 10.14 directing the owner or occupant to comply within five days.

(B) Any person failing to mow the grass or cut the weeds within five days of the posting, mailing, or actual receipt of the notice to do so, shall be responsible for a municipal civil infraction and subject to the penalty prescribed in § 90.99.

(Ord. 275-6-89, passed 6-23-89; Am. Ord. 465-4-00, passed 4-17-00; Am. Ord. 626-07-10, passed 7-6-10; Am. Ord. 762-07-20, passed 7-20-20) Penalty, see § 90.99

§ 90.28 ABATEMENT OF NUISANCE.

(A) In the event the owner or occupant fails to mow the grass and cut the weeds within five days of the posting, mailing, or actual receipt of the notice to do so, the Department of Community Development may have the offending vegetation cut and removed. When such an action is taken the owner shall be billed for the cost of the work plus an administrative fee of 20%. The costs and fees shall be in addition to fines and costs for municipal civil infractions. Costs and fees may be collected by any procedure authorized by law.

(B) After notice has been delivered personally or by certified mail to the owner at least once in any growing season (May through October) additional notices during that same growing season can be delivered to or posted at the site with copies sent by first class mail to the owner and occupant, but no citation shall be issued and no abatement ordered by the Department of Community Development shall occur until the tenth day after delivery or posting and mailing of the notice.

(Ord. 275-6-89, passed 6-23-89; Am. Ord. 465-4-00, passed 4-17-00; Am. Ord. 626-07-10, passed 7-6-10; Am. Ord. 762-07-20, passed 7-20-20) Penalty, see § 90.99

Chapter 27 VEGETATION¹

ARTICLE I. IN GENERAL

Secs. 27-1—27-15. Reserved.

ARTICLE II. NOXIOUS WEEDS²

Sec. 27-16. Definitions.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them:

Commissioner of noxious weeds shall mean the community and economic development or his or her designee as part of their day-to-day position responsibilities, in accordance with PA 359 of 1941, MCL 247.61.

Native plants shall mean those plants indigenous to a given area in geologic time. This includes plants identified as native plant species in the Southern Lower Peninsula by the Michigan State University, Department of Entomology, Native Plants and Ecosystem Services.

Noxious vegetation shall mean all turf grass, turf grass weeds, brush, wildings, second growth, rank vegetation or other unmanaged vegetation having a height greater than six inches or a spread greater than six inches.

Noxious weeds shall include any and all noxious weeds as defined by the Noxious Weeds Act, Public Act 359 of 1941, MCL 247.62 and all future amendments and revisions to MCL 247.62, when they are effective in this state, are incorporated and adopted by reference. Noxious weeds shall also include all invasive species as legally designated by the State of Michigan as either "prohibited" or "restricted" that are listed in the Michigan's Invasive Species Watch List.

Responsible person shall mean the person appearing on the city tax rolls to whom the property tax is assessed.

Turf grass shall mean continuous plant coverage consisting of a grass species that is mowed to maintain an established height.

¹Cross reference(s)—Subdivision regulations, Ch. 24; zoning ordinance, App. A.

²Editor's note(s)—Ord. No. 2138, § 1, adopted May 28, 2019, amended Art. II in its entirety to read as herein set out. Former Art. II, §§ 27-16—27-21, pertained to similar subject matter, and derived from Code 1958, §§ 4-205—4-207; Ord. No. 91, §§ 9, 10, adopted June 18, 1958; Ord. No. 157, § 1, adopted July 11, 1960; Ord. No. 286, § 1, adopted July 11, 1966; Ord. No. 976, § 1, adopted June 8, 1998.

Charter reference(s)—Specific authority to control noxious weeds, Ch. 2, § 2.2(m).

Cross reference(s)—Public nuisances generally, Ch. 17, Art. II.

(Ord. No. 2138 , § 1, 5-28-19)

Sec. 27-17. Noxious weeds and noxious vegetation—Prohibited.

No responsible person of any lots or land within the city shall permit on such parcel of land or upon any sidewalk abutting the same, or upon that portion of any street or alley adjacent to the same between the property line and the curb or traveled portion of such street or alley, any growth of noxious weeds or noxious vegetation of a greater height than six inches on the average, nor allow any accumulation of dead vegetation, noxious weeds, noxious vegetation, grass or brush.

(Ord. No. 2138 , § 1, 5-28-19)

Sec. 27-18. Same—Cutting, destroying, removing required; notice; city removal; collection of costs.

The responsible person of lots or land within the city shall cut, destroy, or remove all noxious weeds and noxious vegetation from the property. If, after ten days' notice for noxious weeds, or three days' notice for noxious vegetation, the community and economic development director or his or her designee finds that any responsible person has failed to cut, destroy, or remove noxious weeds or noxious vegetation as set out in section 27-17, he or she shall notify the responsible person of the lot or land where the noxious weeds or noxious vegetation is found growing, by either, posting notice to the property or by certified mail with return receipt requested. The notice shall describe methods of cutting, destroying, removing, treating or eradicating the noxious weeds and noxious vegetation and shall contain a summary of the provisions of this article. Failure of such responsible person to receive such notice shall not constitute a defense to any action to enforce the payment of any costs provided for or debt created under this article. If the responsible person refuses to cut, destroy, or remove the noxious weeds or noxious vegetation, the city shall enter upon the land and cut, destroy, or remove the noxious weeds or noxious vegetation. Expenses incurred by the city in the cutting, destroying, or removing the noxious weeds or noxious vegetation, shall be billed to the responsible person, shall constitute a lien against the land as a special assessment, and shall be enforced as prescribed in the Charter for the collection of special assessments.

(Ord. No. 2138 , § 1, 5-28-19)

State law reference(s)—Similar provisions, MCL 247.64.

Sec. 27-19. Material interfering with cutting, destroying or removing noxious weeds or noxious vegetation; city removal.

No responsible person shall place or permit to be placed or shall maintain on any lot or parcel of land within the city, any concrete rubble, piles of stones, rubbish, brush or other offensive materials or uneven mounds of earth that would present a hazard to the public or make it unfeasible to cut, destroy or remove noxious weeds or noxious vegetation. If, after ten days' notice, the community and economic development director or his or her designee finds that any responsible person has failed to clear or remove any concrete rubble, piles of stones, rubbish, brush or other offensive materials or uneven mounds of earth that would present a hazard to the public or make it unfeasible to cut, destroy or remove noxious weeds or noxious vegetation, he or she shall notify, by certified mail with return receipt requested, the responsible person of the lot or land where the material or conditions are found. If the responsible person refuses to remove the offending material, the city shall enter upon the land and clear or remove the offending material. Expenses incurred by the city in the clearing or removing the offending material shall be billed to the responsible person and shall constitute a lien against the land as a special assessment and shall be enforced as prescribed in the Charter for the collection of special assessments.

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(Ord. No. 2138 , § 1, 5-28-19)

Sec. 27-20. Removal of growth and materials—Accounts of expenditures.

The city treasurer or his or her designee shall keep an accurate account of expenses incurred in cutting, destroying, removing, treating or eradicating the noxious weeds and noxious vegetation, or the clearing or removal of offending concrete rubble, piles of stones, rubbish, brush or other offensive materials with respect to each parcel of land entered upon therefore, and shall make a sworn statement of said account and deliver the same to the city clerk.

(Ord. No. 2138 , § 1, 5-28-19)

Sec. 27-21. Same—Collection procedure.

After the accounts required by section 27-20 have been audited, allowed and paid, it shall be the duty of the city clerk to certify them forthwith to the city treasurer. Payment of all expenditures represented by said accounts shall be enforced as prescribed in the Charter for the collection of special assessments.

(Ord. No. 2138 , § 1, 5-28-19)

Sec. 27-22. Planned natural landscaping.

(a) Intent and purpose. A variety of landscapes adds diversity and richness to the quality of life in Madison Heights. There are, nonetheless, reasonable expectations regarding the city's landscapes which, if not met, may decrease the value of nearby properties, degrade the natural environment or threaten the public health, safety and welfare. It is therefore in the public interest and within the purview of this legislation to provide standards for the development and maintenance of the city's landscapes, whether corporate, private or public.

The city recognizes a landowners' interest in having managed turf grass landscapes. At the same time, the city encourages the preservation, restoration and management of native plant communities and wildlife habitats within the city limits. The city recognizes that the use of native plants in managed landscapes is economical, reduces maintenance and effectively conserves water, soil and other elements of the natural community. Moreover, the preservation, restoration and management of native plant communities and wildlife habitats may preclude the introduction of toxic pesticides, herbicides, fertilizers and other pollutants into the environment.

The city further acknowledges the need to enjoy and benefit from the variety, beauty and practical values of natural landscapes and seeks to guarantee citizens the freedom to employ varying degrees of natural landscaping as viable and desirable alternatives to other conventional modes of landscaping.

The city seeks to encourage each landowner to create and sustain a condition of ecological stability on his/her land, that is, a state of good health and vigor, as opposed to one of impairment and decline. It is not the intent of this legislation to allow vegetated areas to be unmanaged or overgrown in ways that may adversely affect human health or safety or pose a threat to authorized agricultural activity. It is the express intent of this city that it shall be lawful to grow native plants, including, but not limited to, ferns, grasses, forbs, aquatic plants, trees and shrubs, in a planned natural landscape when these plants were obtained in in compliance with local, state or federal laws.

(b) Natural planned landscapes shall use native plants and shall not be considered or enforced as noxious vegetation, defined in this article, if maintained per this section.

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- (c) All planned natural landscapes shall be setback at least four feet from any lot line in the front yard.
 - (d) Planned natural landscaping shall be cut back at least annually to remove dead or unmaintained growth. A responsible person shall cut or remove any dead or unmanaged growth on his or her property, including a planned natural landscape.
 - (e) Planned natural landscaping shall be designed not to attract or be a harborage for rats or vermin.
- (Ord. No. 2138 , § 1, 5-28-19)

Sec. 27-23. Bioretention areas.

- (a) Intent and purpose. A variety of landscapes adds diversity and richness to the quality of life in Madison Heights. There are, nonetheless, reasonable expectations regarding the city's landscapes which, if not met, may decrease the value of nearby properties, degrade the natural environment or threaten the public health, safety and welfare. It is therefore in the public interest and within the purview of this legislation to provide standards for the development and maintenance of the city's landscapes, whether corporate, private or public.

The city recognizes a landowners' interest in having managed turf grass landscapes. At the same time, the city encourages the preservation, restoration and management of native bioretention areas (often called rain gardens) within the city limits. The city recognizes that the use of native bioretention areas in managed landscapes is economical, reduces maintenance and effectively conserves water, soil and other elements of the natural community. Moreover, the preservation, restoration and management of native bioretention areas may preclude the introduction of toxic pesticides, herbicides, fertilizers and other pollutants into the environment.

The city recognizes that as development increases, the ability of our environment to perform its natural processes decreases. This is because the natural landscape that was once able to absorb and clean storm water is covered by impervious surfaces. Increased impervious surfaces result in an increased amount of storm water runoff and an increased chance for pollution to enter our waterways through our storm sewer systems. Planned bioretention areas help minimize runoff and helps reduce the amount of pollution that enters our waterways.

The city seeks to encourage each landowner to create and sustain a condition of ecological stability on his/her land, that is, a state of good health and vigor, as opposed to one of impairment and decline. It is not the intent of this legislation to allow vegetated areas to be unmanaged or overgrown in ways that may adversely affect human health or safety or pose a threat to authorized agricultural activity. It is the express intent of this city that it shall be lawful to grow native plants, including, but not limited to, ferns, grasses, forbs, aquatic plants, trees and shrubs, in a planned bioretention areas when these native plants were obtained in in compliance with local, state or federal laws.

- (b) Planned bioretention areas shall use native plants and shall not be considered or enforced as noxious vegetation, defined in this article, if maintained per this section.
- (c) All planned bioretention areas shall be setback at least four feet from any lot line in the front yard and shall not be included in the right-of-way.
- (d) All planned bioretention areas shall be cut back at least annually to remove dead or unmaintained growth. A responsible person shall cut or remove any dead or unmanaged growth on his or her property, including a planned natural landscape.
- (e) No planned bioretention area shall be located within ten feet of a building with a foundation, to prevent water infiltration into the foundation.
- (f) No planned bioretention area shall be located within 25 feet of lateral a sewer line, to prevent an increase in the severity of inflow and infiltration into the sewer line.

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- (g) Designs for planned bioretention areas should include an overflow point to accommodate severe rain events that may overload the system.
 - (h) All planned bioretention areas shall be designed and constructed to completely drain all standing water within four days of a rain event as to prevent the incubation of mosquito larvae.
- (Ord. No. 2138 , § 1, 5-28-19)

Secs. 27-24—27-33. Reserved.

ARTICLE III. TREES, SHRUBS AND PLANTS³

Sec. 27-34. Definitions.

The following words and phrases when used in this article shall have the meanings respectively ascribed to them:

Growth means any or all trees and shrubs unless the context otherwise requires.

Private tree means any tree now existing or which may exist on private property.

Public tree means any tree now existing or which may exist on any public land or within the public ways.

Public ways means any public property including in the right-of-way between the sidewalk and road.

Shrub means a woody perennial plant, smaller than a tree and smaller than 15 feet in height, with several major branches arising from near the base of the main stem.

Tree means any woody perennial plant, typically having a single stem or trunk growing to a considerable height and bearing lateral branches at some distance from the ground and shall include shrubs which grow higher than 15 feet.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-35. Authority to control growth on public ways.

The department of public services (DPS) shall have complete charge and control over all trees, shrubs and plants, planted or to be planted, in the public ways of the city including the authority to plant, cut, trim and remove such trees, shrubs or plants.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-36. Permit required for planting certain trees and prohibited tree species.

No person shall plant any poplar, box, elder, basswood, cottonwood, willow, soft maple, American maple, common catalpa, horse chestnut, or "ailanthus glandulosa" tree anywhere within the city without first procuring a permit from the department of public works. No person shall plant any prohibited or restricted species as

³Editor's note(s)—Ord. No. 2162 , § 1, adopted July 13, 2020, amended Art. III in its entirety to read as herein set out. Former Art. III, §§ 27-34—27-44, pertained to similar subject matter, and derived from Code 1958, §§ 7-129, 7-201—7-203, 7-205—7-212; Ord. No. 82, § 3, adopted Feb. 5, 1958.

established and published by the Michigan Natural Resources Environmental Protection Act (Part 413 of Act 451), which is regularly amended by invasive species orders. Further black locust and "ailanthus altissima" are prohibited from being planted in any location public or private in the city.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-37. Permit required for actions affecting growth on public ways.

- (a) No person, including public utilities, except the city, shall plant, remove, cut, injure, destroy or in any way deface any tree or shrub in any public way without first procuring a permit from the department of public services. Tree planting selection shall be made from an approved list of species published by the department of public services.
- (b) This section shall not be construed to prohibit any person owning or occupying any lot in front of or adjacent to which there may be any tree or shrub from trimming the same.
- (c) Any person performing emergency utility work to restore services only, shall be exempt from obtaining a permit, provided that all applicable measures are taken to protect the trees or growth in the right of way and that the department of public works is notified as soon as is it practical should excavation necessitate cutting roots or removal of the tree.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-38. Application for and approval of permits.

Application for any permit required by the provisions of this article shall be made in the form and manner prescribed by the city clerk. No permit shall be granted unless same is approved by the director of public services.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-39. Attaching articles and hitching animals to trees on public ways prohibited.

No person shall attach, tack or in any manner fasten, to any public tree any wire, rope, chain, cable, sign, card, board, poster or other article, nor hitch any animal thereto.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-40. Growth on adjacent land obstructing public way prohibited; notice to remove; removal by city; costs.

The owner, or person in charge or control of any lot or parcel of land within the city, upon which any tree, shrub, vine, growth or plant may be standing adjacent to any public way, shall trim or cause to be trimmed, either at the property line, or to a clear height of at least eight feet above the surface of such public way, all branches thereof which overhang any portion of such public way, or which obstruct or interfere with the passage of light from any street lighting system, and shall not plant or maintain any thereof so close to any property line as to obstruct thereby the vision of travelers along the streets. The city may enter upon any such private premises to do such trimming as it determines necessary, or to remove such obstructions herein prohibited upon the failure of the owner so to do after notice in writing. The said owner shall, or the city may, remove from such tree, shrub, plant, growth or vine, all dead, decayed, unsightly, broken or dangerous limbs and branches that overhang, or are close to the public way; and when any such tree, shrub, plant or vine is dead, the owner shall remove the same, or after notice of such intention to the owner, the city may do so and charge the cost thereof to such owner.

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(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-41. Barriers required for excavations, etc., on public ways.

In any excavation, or the erection, alteration or repair of any building or structure, or other work, the owner thereof, or someone for him shall place or cause to be placed such barriers around all nearby trees, shrubs and plants in the public way as will effectually prevent injury to them.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-42. Obstruction of roots of growth on public ways prohibited.

No person shall place or maintain upon the ground in any public way or place of the city, any stone, brick, sand, concrete or other material or article, which may injure or which may in any way impede the full and free passage of water, air or fertilizer to the roots of any tree, shrub, vine or plant, without leaving an open space of ground not less than four feet in diameter around the same.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-43. Destruction of diseased growth required.

The owner or occupant of any premises on which is located any tree or other growth, if infected by disease or by injurious insects or if in a dangerous condition, shall destroy same which such destruction is necessary for the protection of other trees and growths and for the public safety, health and welfare.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-44. City authority to perform acts and assess costs; procedure.

If the owner or occupant of any premises fails to perform any duty required of him by this article, the department of public works may serve notice upon such owner and occupant directing him to cause such work to be done and upon his failure to comply with the notice, the city may enter upon the premises and perform the work required and charge the cost thereof to the owner or occupant. The notice and cost shall be served and charged.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-45. Tree removal.

No person shall remove or cut down a public tree without written authorization from the DPS or city manager. Any person who violates this subsection shall be required, in addition to any other penalties imposed by this article or any other law, to replace all public trees so removed or cut down at the violator's expense.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-46. Tree oversight and management department.

- (a) There is hereby created and established a City of Madison Heights Tree Oversight and Management Department that shall consist of the DPS director and his or her designees and in collaboration with the

environmental citizens committee (ECC). If the ECC is dissolved or no longer holding regular meetings the DPS director and his or her designees shall comprise the tree oversight and management department in its entirety.

- (b) The tree oversight and management department shall assist the city in developing a comprehensive tree management and preservation program for the city, with public education. It shall serve as a clearing house for information on trees. The department shall present to the city council an annual report on activities related to trees.

(Ord. No. 2162 , § 1, 7-13-20)

Sec. 27-47. Site plans.

- (a) When the development of any property requiring site plan approval occurs, the city community and economic development department shall review landscaping plans and may require trees to be planted on or near the site consistent with the elements of the adopted city master plan.
- (b) When the development of any property requires a site plan review and approval or demolition permits where trees are to be removed or installed, a tree location plan, including species of tree, must be submitted to and approved by the site plan review committee.

(Ord. No. 2162 , § 1, 7-13-20)

Secs. 27-48—27-55. Reserved.

ARTICLE IV. GREENBELT AREA⁴

Sec. 27-56. Maintenance by owner or occupant; condition.

Whenever the city shall require the establishment of a greenbelt area, or in the event such area has already been established, it shall be the duty of the owner or occupant, or both, upon which land the greenbelt is located, to properly maintain such greenbelt. Proper maintenance within the meaning of this article shall mean such manner and condition as existed when the greenbelt was first established and approved by the city or as nearly thereto as is practicable.

(Code 1958, § 26-501)

Sec. 27-57. Inspection; report required.

It shall be the duty of the department of public services to inspect all green belt areas or such areas between the lot line and the curb of certain streets that are located in what is known as a revitalization area, constructed after January 1, 1985, or such other areas in the City of Madison Heights in which a green belt has been located between the lot line and the curb of the street to determine the necessity of providing maintenance to such areas by way of cutting of grass, weeding, fertilizing, tree trimming, replacement of sod, trees and bushes, and the installation, operation and maintenance of an irrigation system, and upon determining such necessity, report the same to the city with bid proposals itemizing cost of such maintenance.

⁴Cross reference(s)—Improvement standards in mobile home parks, § 18-17.

(Code 1958, § 6-502; Ord. No. 781, § 1, 4-28-86)

Sec. 27-58. Notice, maintenance by the city, assessment of costs.

In all instances that the department of public services shall report such necessity to council, a copy of said report shall have been sent to the owner or occupant of the land adjacent to such area that council may act on such notice of necessity at the next regular council meeting to assess costs of such maintenance as a special assessment against the land. The council may adopt a resolution for the maintenance of said improvements set forth in the report with the cost of maintenance being the obligation of the adjoining property owners as provided by Charter.

(Code 1958, § 6-503; Ord. No. 781, § 2, 4-28-86)

Charter reference(s)—Provisions relative to special assessments, Ch. 11.

Sec. 27-59. Procedure.

In the event the owner shall within a period of 60 days after receipt of notice of said assessment fail to pay to the city the monies that the city has expended for the maintenance in behalf of the owner, then the city shall add such costs to the assessment rolls against the adjacent and benefiting property owners as permitted under Section 11.7 of the Charter of the City of Madison Heights.

(Code 1958, § 6-504; Ord. No. 781, § 3, 4-28-86)

Chapter 26

VEGETATION

Art. I. Weeds, §§ 26-1--26-13

Art. II. Dutch Elm Disease, §§ 26-14--26-31

Art. III. Trees and Shrubs Generally, §§ 26-32--26-47

ARTICLE I.

WEEDS*

* **Editors Note:** Section 1 of Ord. No. 1014, enacted Feb. 22, 1982, repealed former Art. I, §§ 26-1--26-3, and § 2 of said ordinance enacted, in lieu thereof, a new Art. I as herein set forth. Former Art. I contained provisions relative to weeds and harmful plants, which derived from the adoption of this Code and Ord. No. 885, § 1, enacted May 10, 1976.

Section 3 of Ord. No. 1014 provided that said ordinance shall take effect at 12:01 a.m. on March 1, 1982.

Charter References: Abatement of uncontrolled noxious weeds, § 14.2.

Sec. 26-1. Unlawful to permit growth of noxious, poisonous or injurious weeds.

It shall be unlawful for the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city to permit or allow the presence thereon, or on any portion thereof, of noxious weeds of any kind, including Canada thistle (*Cirsium arvense*), mustards (charlock, black mustard and Indian mustard, species of *Brassica* or *Sinapis*), wild carrot (*Daucus carota*), bindweed (*Convolvulus arvensis*), hoary alyssum (*Berteroa incana*), ragweed (*Ambrosia elatior*) and poison ivy (*Rhus radicans*), poison sumac (*Rhus vernix*), sow thistle (*Sonchus* species), climbing nightshade or European bittersweet (*Solanum dulcamara*), garlic mustard (*Alliaria petiolata*), phragmites (*Phragmites australis*), crown vetch (*Coronilla varia*), purple loosestrife (*Lythrum salicaria*), giant hogweed (*Heracleum mantegazzianum*), wild parsnip (*Pastinaca sativa*), spotted knapweed (*Centaurea maculosa*), Japanese knotweed (*Fallopia japonica*), giant knotweed (*Fallopia sachalinesis*), autumn olive (*Elaeagnus umbellata*), glossy buckthorn (*Rhamnus frangula*), common buckthorn (*Rhamnus cathartica*) or any other varieties, species or plants designated by the city forester as poisonous or injurious. The presence of such weeds upon any lot or parcel of land within the city limits is hereby declared to be a public nuisance.

(Ord. No. 1014, § 2, 2-22-82; Ord. No. 1791, § 1, 8-15-16)

Sec. 26-2. Duty of owner, occupant, etc., to cut noxious, poisonous or injurious weeds; exceptions.

(a) It is hereby made the duty of the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place, area or parcel of land within the city upon which noxious, poisonous or injurious weeds as described in section 26-1 hereof are found growing or standing, to destroy or cause the same to be destroyed in such manner as shall effectually prevent such weeds from perpetuating themselves. Control shall be at such times as may be necessary in order to prevent such noxious,

poisonous or injurious weed from going to seed. No owner or occupant or any person or persons, agent, firm or corporation having control or management of property in this city shall knowingly suffer any noxious, poisonous or injurious weeds as described in section 26-1 hereof to grow upon said land in noncompliance with this section or shall permit such weeds to ripen so as to cause or present a danger of the spreading of such weeds.

(b) Notwithstanding the foregoing, lands more than one hundred (100) feet from a lot line of occupied residential or commercial property shall be exempt from the provisions of this section.
(Ord. No. 1014, § 2, 2-22-82)

Sec. 26-3. Other weeds, grass and brush.

(a) **Height limit.** It shall be unlawful for the owner or occupant or any person or persons, agent, firm or corporation having control or management of any lot, place, area or parcel of land within the city to permit or allow the presence thereon of weeds, grass or brush exceeding a height of ten (10) inches above ground level when such growth is within one hundred (100) feet of a lot line of occupied residential or commercial property and the same are hereby declared to be a public nuisance. It shall be the duty of every owner or occupant, or every person or persons, agent, firm or corporation in charge of such property upon which any said above-mentioned weeds, grass or brush is permitted to remain to cause the same to be cut down, destroyed and/or removed.

(b) **Exceptions.** Notwithstanding the foregoing, the following lands shall be exempt from the provisions of this section, provided that the owner of the land petitions for exemption from the provisions of this section in writing to the department of parks and recreation of the City of Midland:

- (1) Undeveloped wooded areas where tree growth is in excess of ten (10) feet in height.
- (2) Undeveloped parcels of four and one-half (4 ½) acres or more in non-subdivision areas.
- (3) Lands where less than fifty (50) per cent of the lots are occupied.
- (4) Lands where occupied lots have been developed without removing the original natural cover.
- (5) Defined natural preserves.

(c) **Appeals.** In the event the department of parks and recreation shall deny a petition for exemption from the provisions of this section, the petitioner may appeal the decision in writing to the building board of appeals established under Chapter 5 of the Code of Ordinances of the City of Midland, and the board shall, after hearing the evidence on any such appeal, either affirm, modify or reverse the decision of the department of parks and recreation and its decision shall have the same effect as if it were the decision of the department of parks and recreation.

(Ord. No. 1014, § 2, 2-22-82; Ord. No. 1697, § 1, 5-10-10)

Sec. 26-4. Abatement of nuisance by city.

In addition to the penalties set out in this article that in the event the owner or occupant, or any person or

person, agent, firm or corporation having control or management of any lot, place or parcel of land within the city fails, refuses or neglects to comply with the provisions of this article, the city and its authorized representatives are hereby empowered, upon the giving of notice, to enter upon such land for the purpose of accomplishing abatement of the violation by spraying, cutting and/or other methods deemed acceptable by the department of parks and recreation of the city. The fee shall be a minimum of \$200.00 per abatement. If the cost of an abatement fee shall exceed the \$200.00 minimum, the actual cost of the abatement shall be applied. All expenses incurred by the city in the performance of this work shall be reimbursed by the owner or occupant, or person or persons, agent, firm or corporation having control or management of such land or lots, and in cases where not paid, the city shall have a lien for the same in the manner hereinafter provided or pursue other collection remedies.

(Ord. No. 1014, § 2, 2-22-82; Ord. No. 1697, § 1, 5-10-10)

Sec. 26-5. General notice by publication.

It is hereby made the duty of the department of parks and recreation of the city to give general notice to every owner or occupant, or any person or persons, agent, firm or corporation having control or management of any land wherein noxious, poisonous or injurious weeds or any weeds, grass or brush exceeding a height of ten (10) inches are growing, standing or present, to cut down, destroy and/or remove the same. Such general notice shall be made by publication in a newspaper of general circulation in the city at least twice in each calendar year, once during the first half of the month of May and again during the last half of the month of June of each calendar year, and shall read substantially as follows:

City of Midland Notice of the Weed Ordinance Provisions

TO: All owners or occupants, or persons, agents, firms or corporations having control or management of any lot, place or parcel of land within the City of Midland.

Notice is hereby given that in accordance with Article I of Chapter 26 of the Code of Ordinances of the City of Midland, all noxious, poisonous or injurious weeds, or other weeds, grass or brush exceeding a height of ten (10) inches upon any property in the City of Midland shall be cut down, destroyed and/or removed.

In the event the owner or occupant, or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the City of Midland shall fail, refuse or neglect to comply with the above-mentioned ordinance, a municipal civil infraction may be issued. Further, the City of Midland or its authorized representatives shall cause said noxious, poisonous or injurious weeds, grass or brush exceeding a height of ten (10) inches to be cut down, destroyed and/or removed. The expenses incurred by the City in the cutting, destruction or removal of the same will be levied and collected against such property in the manner provided by law and this article.

Certain exemptions from the requirements of the ordinance relating to area, distances, size of growth or lack of development are specifically set forth in the ordinance and may be applicable; but any owner or occupant or person or persons, agent, firm or corporation having control or management of property in the City of Midland who seeks such an exemption must petition the Department of Parks and Recreation of the City of Midland for this purpose in writing.

____ Department of Parks and Recreation City of Midland
(Ord. No. 1014, § 2, 2-22-82; Ord. No. 1697, § 1, 5-10-10)

Sec. 26-6. Specific notice by certified mail.

(a) In addition to the general notice requirements set forth in section 26-5, it is hereby made the duty of the department of parks and recreation to give a specific notice in writing, by first class mail to the owner or occupant, or any person or persons, agent, firm or corporation having control or management of any lot, place or parcel of land within the city wherein noxious, poisonous or injurious weeds or any weeds, grass or brush exceeding a height of ten (10) inches is growing, standing or present, to cut down or remove the same within a period of seven (7) consecutive calendar days, which notice shall read substantially as follows:

Name and Address

Description

Notice of the Weed Ordinance Provisions

According to the assessment records of this City, you appear to be the owner or occupant of the above-described property which is subject to the provisions of the aforementioned ordinance.

Notice is hereby given that in accordance with Article I of Chapter 26 of the Code of Ordinances of the City of Midland all noxious, poisonous or injurious weeds or other weeds, grass or brush exceeding a height of ten (10) inches growing, standing or living upon any property in the City of Midland shall be cut down, destroyed or removed, as the case may be, on or before the ____ day of _____, 20_____.

In the event of failure to comply with this notice on or before the date set forth above, in accordance with the provisions of this ordinance, a municipal civil infraction may be issued. Further, the City shall cause said noxious, poisonous or injurious weeds or other weeds, grass or brush exceeding a height of ten (10) inches to be cut down, destroyed and/or removed. The expense incurred by the City in the cutting, destruction or removal of same will be levied and collected against such property in the manner provided by law.

Certain exemptions from the requirements of the ordinance relating to area, distances, size of growth or lack of development are specifically set forth in the ordinance and may be applicable; but any owner or occupant or person or persons, agent, firm or corporation having control or management of property in the City of Midland who seeks such an exemption must petition the Department of Parks and Recreation of the City of Midland for this purpose in writing.

_____, 20_____.

_____ Department of Parks and Recreation City of Midland
(Ord. No. 1014, § 2, 2-2-82; Ord. No. 1697, § 1, 5-10-10)

Sec. 26-7. Reimbursement to city; assessment of costs.

Whenever the department of parks and recreation or its authorized representatives shall enter upon any parcel of land in order to accomplish abatement of an existing violation pursuant to provisions of this article, the director of the department of parks and recreation is hereby authorized and directed to keep an accurate account of all expenses incurred, and based upon the same to issue a certificate determining and certifying the costs involved

for such work with respect to each parcel of property. Within ten (10) days after receipt of said certificate, the city finance director will forward a statement of total charges assessed on each parcel of property to the owner as shown by the last current assessment or tax roll, and said assessment shall be payable to the city treasurer within thirty (30) days from the date said statement was forwarded. If not paid within the prescribed thirty-day period, such statement shall be filed by the city finance director with the city assessor and shall thereupon be assessed against the land in question and become a lien on such property in accordance with the City Charter of Midland or the City has the right to initiate other collection efforts as it deems appropriate. (Ord. No. 1014, § 2, 2-22-82; Ord. No. 1697, § 1, 5-10-10)

Secs. 26-8. Penalty.

(a) Any owner or occupant, or person or persons, agent, firm or corporation having control or management of any lot, place, or parcel of land within the City of Midland who shall violate any of the provisions of this Code hereby adopted or fails to comply therewith, may be responsible for a municipal civil infraction. Upon being found responsible of such violation, such owner or occupant, or person or persons, agent, firm or corporation having control or management of any lot, place, or parcel of land within the City of Midland shall be assessed a fine as provided in Chapter 34 of the Code of Ordinances. The imposition of one (1) municipal civil infraction fine for any violation shall not excuse the violation or permit it to continue and all such owner or occupant, or person or persons, agent, firm or corporation having control or management of any lot, place, or parcel of land within the City of Midland shall be required to correct or remedy such violations or defects within a reasonable time.

(b) The imposition of the above fine shall not be held to prevent the enforced removal of prohibited conditions. Further violations subject the owner or occupant, or person or persons, agent, firm or corporation having control or management of any lot, place, or parcel of land within the City of Midland to subsequent civil infraction violations.

(Ord. No. 1697, § 1, 5-10-10)

Secs. 26-9--26-13. Reserved.

ARTICLE II.

DUTCH ELM DISEASE

Sec. 26-14. Infected trees, or potential harborage declared nuisances.

Any elm tree infected with the fungus *Ceratostomella ulmi*, Dutch elm disease, so-called, or any dead or dying elm tree, or stored elm logs, or elmwood, which could harbor or become a breeding place for the American or European bark beetle, the two known carriers of the Dutch elm disease, is hereby declared to be a public nuisance, and it shall be unlawful for any person to maintain such on their property after proper notification as provided in the State of Michigan Department of Agriculture, Regulation No. 613 as amended.

Sec. 26-15. Removal of infected trees or harborages on public land.

Any tree or elmwood as described in section 26-14 of this Code located on public lands within the limits of the city shall be removed at the expense of the city.

Sec. 26-16. Entry on private property.

The director of parks and recreation, his authorized employees or agents, may enter upon private property for the purpose of carrying out the terms of this article.

Sec. 26-17. Treatment of infected trees, vegetation.

When any aboveground parts of trees or vegetation on private land are found to be infected with Dutch elm disease after determination of Dutch elm infection by a designated laboratory, the director of parks and recreation shall, by written notice, give the owner of the property upon which such tree or vegetation exists a definite time, but not less than ten (10) days, to remove, treat, and dispose of all infected aboveground parts of such tree or vegetation. Disposal should be by fire or other methods approved by the parks and recreation department. If the work is not satisfactorily completed in the prescribed time, the director of parks and recreation, authorized city employees, or authorized agents may enter upon the property, and remove, treat, and destroy the infected tree or wood, by fire or other approved methods in an area so designated by the city for this purpose, at the total expense of the owner of such property.

Sec. 26-18. Removal of dead branches, trees, harborages.

After inspection of private property, the director of parks and recreation shall require, by written notice, the removal of dead or dying limbs of elm trees, or of dead elm trees or of elmwood stored on the property. When such notice is given, the owner will be given a reasonable and definite time to comply with the order, but not less than ten (10) days. If the work is not satisfactorily completed within that time, the director of parks and recreation, authorized city employees, or authorized agents may enter upon the property, make the necessary trimming or removals, property treat the wood and bark and make proper disposal of the same, at the total expense of the owner of such property.

Sec. 26-19. Lawn repair; expense.

If requested by the owner of property upon which work is done pursuant to sections 26-17 and 26-18 of this chapter, the city shall repair any damage that may occur to the lawn as a result of trimming, treating or tree removal. Such repair shall be at the expense of the owner of such property.

Sec. 26-20. Collection of costs.

The cost of trimming, treating, removal, and lawn repair pursuant to sections 26-17 and 26-18 of this Code, plus overhead shall be billed to the owner of such property. If the bill is not fully paid by April 1st of the following year, a ten per cent (10%) penalty may be added and it may be placed on the tax roll as a lien upon the property and collected in the same manner as other city taxes are collected.

Sec. 26-21. Treatment in event of epidemic or insect invasion.

In the event of an epidemic of tree disease or of insect invasion, any owner of any property within the city on which is growing any tree, plant or shrub, may be compelled to spray or treat such tree, plant or shrub upon the order of the director of parks and recreation, in accordance with the statutes of this state. In the event that such owner does not comply with such order, the city may cause such spraying or treating to be done at the

expense of such owner, and collected as set forth in section 26-20 of this Code.

Secs. 26-22--26-31. Reserved.

ARTICLE III.

TREES AND SHRUBS GENERALLY

Sec. 26-32. Definitions.

The following definitions shall apply in the interpretation of this article:

Director. The word "Director" shall mean the Director of Parks and Recreation or his designated representative.

Highway. The word "highway" shall include all land lying between the property lines on either side of all public streets, boulevards and alleys.

Park. The word "park" shall include all public parks having individual names, and all areas owned by the city, or to which the public has free access.

Private trees. The words "private trees" shall include all trees located on private property.

Public trees. The words "public trees" shall include all trees located on highways or in public parks.

Roadway. The word "roadway" shall mean that part of the highway located within the curb lines which is used for vehicular travel and, where there are no curbs, that part of the highway which is used for vehicular travel, but which also includes the shoulders.

(Ord. No. 1253, § 1, 11-23-92)

Sec. 26-33. Enforcement of article.

The department of parks and recreation, under the direction of the city manager, shall be responsible for enforcing the provisions of this article.

Sec. 26-34. Promulgation of rules and regulations; obedience to same.

The Director shall make such rules and regulations supplementary to this article and not in conflict herewith, as he may from time to time deem necessary. No person shall fail to obey any rule or regulation effective hereunder.

Sec. 26-35. Control of public trees.

The Director shall have control over all trees located within the highways and parks in the city and the planting, care and removal thereof, subject to the regulations contained in this article.

Sec. 26-36. Tree or shrub protection, generally.

No person shall break, injure, mutilate, kill or destroy any tree or shrub, or set any fire within ten (10) feet of any tree, or permit any fire, or the heat thereof, to injure any portion of any tree. No toxic chemicals or other injurious materials shall be allowed to seep, drain or be emptied on, near or about any tree. No electric wires or any other lines or wires shall be permitted to come in contact with any tree or shrub in any manner that shall cause damage thereto, and no person shall attach any electric insulation to any tree. No person shall use any tree as an anchor except by special written permit from the Director, and no material shall be fastened to or hung on any tree. All persons having under their care, custody or control, facilities which may interfere with the trimming or removal of any tree, shall after notice thereof by the Director, promptly abate such interference in such manner as shall permit the trimming or removal of such tree by the Director.

Sec. 26-37. Protecting public trees on construction jobs.

In the erection, alteration, repair, or removal of any building or structure, the owner or owners thereof shall place or cause to be placed such guards around all nearby public trees, as will effectively prevent injury to such trees.

Sec. 26-38. Planting specifications--Highways and parks.

In all planting of trees in the highways, such trees shall be spaced not less than forty (40) feet apart, except when an existing tree has been approved for removal within two (2) years from date of the planting of the new tree. In no case shall a tree be planted less than thirty (30) feet from an existing tree in the highway.

No tree shall be planted in highways between the curb and the sidewalk, less than three (3) feet from the sidewalk, except where outlaws are less than six (6) feet in width, trees may be located two (2) feet six (6) inches from the sidewalk. No trees shall be planted on outlaws which are less than four (4) feet in width from the curb to the sidewalk. No trees shall be planted nearer to an intersection than twenty-five (25) feet from the intersection of the curb lines.

Sec. 26-39. Reserved.

Editors Note: Ordinance No. 1252, § 1, adopted November 16, 1992, deleted § 26-39. Formerly, such section pertained to planting specifications on private property and derived from the original Code.

Sec. 26-40. Cost of transplanting trees, planting trees necessitated by street construction.

In all street construction, the city shall pay the entire cost of transplanting of trees and planting of new trees.

Sec. 26-41. Removal of plantings which are a traffic hazard.

Any plantings, either public or private, now standing, which are a hazard in the opinion of the police department, shall be removed.

Sec. 26-42. Vision clearance for corner lots.

On any corner lot, no plantings higher than thirty-six (36) inches above the elevation of the crown of the

roadway, except trees with a minimum clearance of eight (8) feet as measured from the elevation of the crown of the roadway to the lowest branch, shall be erected or maintained within an area determined by an imaginary line connecting points on the lot lines, between the highway and the corner lot, twenty (20) feet distant from the intersection of the corner property lines of the corner lot. These standards may be waived upon a determination by the director of parks and recreation, the city police chief, and the city engineer that the conditions present are not hazardous to pedestrian or vehicular traffic.

(Ord. No. 1252, § 2, 11-16-92)

Sec. 26-43. Trees to be kept trimmed; removal of public trees.

(a) *Private trees.* Any tree, bush, or shrub growing on private property, but so located as to extend its branches over an adjoining highway, shall be so trimmed by the owner of the property (or his or her agent) on which the tree, bush, or shrub is located so that there shall be a clear height, located within the parameters of the highway, unobstructed by any branches, of eight (8) feet above the surface of any public sidewalk and fifteen (15) feet above the surface of the roadway, and such owner (or his or her agent) shall also remove all dead branches or stubs on such trees, bushes, or shrubs which, as determined by the director, have become a menace to any traveler on an adjoining highway. The director is authorized to have removed any part of any trees, bushes, or shrubs which encroach into the highway as directed above, and shall bill the property owner for the cost of said work. Failure to pay for said work on the part of any property owner shall cause said charge to become a lien on the property, and said amount shall be added to the tax bill for that property.

(b) *Public trees.* The director is hereby authorized to remove any trees or shrubs, or any portion thereof, growing on any highway, park or public place of the city, when such tree or shrub is interfering with fire hydrants, sewer and water mains, visibility along any portion of a public highway, traffic control devices, construction of highways and sidewalks, the free passage of vehicular traffic, and the free passage of pedestrian traffic wholly outside that portion of any highway used for vehicular traffic.

(Ord. No. 1252, § 2, 11-16-92)

Sec. 26-44. Removal of public trees and stumps.

Public trees may be removed only by those having authority from the director. Public trees will be removed only upon written authorization of the director and will be removed only where, in the opinion of the director, trees are undesirable or noxious. Public trees and stumps will not be removed for the installation of new driveways unless a permit for such construction has been issued by the city engineer. When public trees and stumps are removed for improvement of commercial property, a charge for the cost of the removal shall be made to the person affected. There shall be no charge for the removal of public trees in residential areas if such is approved by the director. Public trees and stumps may be removed at the owner's request and expense, by persons other than employees of the city, but only if the person to do the removing has the specific approval of the director. Any trees so removed must be removed six (6) inches or more below grade and removed from the public right-of-way at once. The tree holes shall be filled with suitable fill to the surrounding grade. Public trees shall not be removed which lift concrete sidewalk or driveway. This defect may be remedied by lifting sidewalk, removing roots, and replacing walk. Public trees will not be removed for the sole reason that the tree roots are clogging sewers.

(Ord. No. 839, § 3, 7-29-74)

Sec. 26-45. Public utilities--General responsibilities for opening street, repairing leaks.

The opening of any highway within six (6) feet of any public tree or shrub shall have the approval of the director.

If any leaks in gas lines or mains occur within forty (40) feet of a public tree, it shall be the duty of the owners of said lines to immediately repair such leaks in a manner which will give a minimum possibility of recurrence, and to replace any trees damaged by the leaks or removal of the lines.

Sec. 26-46. Same--Erection of poles.

Before any utility poles or other similar utility structures are erected on highways or park property, the director shall be consulted. The director reserves the right to regulate the height of those structures if they relate to the natural growth of existing or contemplated trees.

Sec. 26-47. Same--Tree trimming.

If the trimming of public trees necessary to accommodate utility wires is excessive in the opinion of the director, the public utility corporation doing such trimming will be required to re-locate the wires, increase the height of the pole, or employ other means not injurious to the trees.

Chapter 556

PROPERTY MAINTENANCE

§ 556-1.	Adoption of standards.	§ 556-3.	(Reserved)
§ 556-2.	Revision of standards.	§ 556-4.	Additional amendments to standards.

[HISTORY: Adopted by the City Commission of the City of Royal Oak 5-4-2009 by Ord. No. 2009-02 .¹ Amendments noted where applicable.]

GENERAL REFERENCES

Construction code enforcement — See Ch. 260.

Public nuisances — See Ch. 484.

Fences — See Ch. 323.

Abandoned refrigerators and ice boxes — See Ch. 574.

Fire prevention — See Ch. 340.

Rodent control — See Ch. 587.

Hotels, boardinghouses, bed-and-breakfasts and tourist homes — See Ch. 394.

Abandoned and inoperable vehicles — See Ch. 716.

Housing standards — See Ch. 400, Art. I.

Weeds — See Ch. 757.

§ 556-1. Adoption of standards.

A certain document, a copy of which is on file in the office of the City Clerk for the City of Royal Oak, being marked and designated as the "International Property Maintenance Code, 2006 Edition," as published by the International Code Council, as amended, is adopted as the property maintenance code of the City of Royal Oak, in the State of Michigan, for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures; providing for the issuance of permits, collection of fees and imposition of fines; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Clerk are referred to, adopted, and made a part, as if fully set out in this chapter, with the additions, insertions, deletions and changes, if any, prescribed in § 556-2 of this chapter.

§ 556-2. Revision of standards.

The following sections are revised as follows:

- A. In Section 101.1, insert: "City of Royal Oak" for "NAME OF JURISDICTION."
- B. Section 103.5 is amended to read as follows:

1. Editor's Note: This ordinance also repealed former Ch. 556, Property Maintenance, adopted 10-18-1993 by Ord. No. 93-15.

"103.5 Fees. Fees shall be set by resolution of the City Commission. Such fees shall reflect the cost of processing, inspection, supervision and other related costs of regulation. The fees shall be paid into the City Treasury."

- C. (Reserved)²
- D. In Section 304.14, insert: "July 1 through October 1."
- E. In Section 602.3, insert: "November 1 — May 1."
- F. In Section 602.4, insert: "November 1 — May 1."

§ 556-3. (Reserved)

§ 556-4. Additional amendments to standards.

The following sections and subsections of the 2006 Edition of the International Property Maintenance Code are hereby amended as set forth, and additional sections and subsections are added as indicated. Section numbers used in this chapter shall refer to the like-numbered sections in the 2006 Edition of the International Property Maintenance Code. The following sections and subsections of the 2006 Edition of the International Property Maintenance Code are hereby amended as set forth, and additional sections and subsections are added as indicated. Section numbers used in this chapter shall refer to the like-numbered sections in the 2006 Edition of the International Property Maintenance Code.

- A. Section 104.8, Licenses and inspections, is hereby added to read as follows:

104.8 Licenses and inspections:

- (a) No person shall rent, lease, offer for rent or lease, or allow any residential unit or property to be occupied by a nonowner without first obtaining a license therefor.
- (b) A residential rental license shall be issued by the Code Official if:

2. **Editor's Note: Former Subsection C, regarding an amendment to Section 302.4, was repealed 7-11-2016 by Ord. No. 2016-07. See now § 556-4R.**

- (1) An application is submitted indicating the owner, the number of units and buildings for which the application is sought, the type of units intended, and any other pertinent data sought by the Code Official.
- (2) An inspection is performed on the property sought to be licensed and all violations disclosed thereby are either corrected by the applicant or are waived by the Code Official upon a showing of practical difficulty by the applicant.
- (3) All application and inspection fees are paid.

- (c) A license shall be in effect until the expiration date indicated on the license unless revoked for cause by the City. Failure to secure or renew a license in accordance with the provisions of this chapter or failure to pay such inspection fee is a violation of this chapter. A late charge of \$1 per day, per dwelling unit, with a minimum of \$5 shall be charged on all payments received after the due date, which is 30 days after the expiration of an existing license or 30 days after notification that an initial license is required. All fees and charges shall be paid by the owner. If the owner fails to pay the City as provided within 30 days of demand by the City, the City shall have a lien on the property for all unpaid fees and charges and may enforce such lien in the manner prescribed by state law for the enforcement of tax liens. **[Amended 5-3-2010 by Ord. No. 2010-07]**
- (d) Suspension or revocation of licenses. Any license issued by the City under this chapter may be suspended by the Code Official for cause, and any permit issued by the City may be suspended or revoked by the City Commission for cause. The licensee shall have the right to a hearing before the Commission on any such action of the Code Official, provided a written request therefor is filed with the City Clerk within five days after receipt of said notice of such suspension. The Commission may confirm such suspension or revoke or reinstate any such license. The action taken by the Commission shall be final. Upon suspension or revocation of any license or permit, the fee therefor shall not be refunded. Except as otherwise specifically provided in this chapter, any licensee whose license has been revoked shall not be eligible to apply for a new license for a period of one year after such revocation.

(e) Cause defined. The term "cause," as used in this chapter, shall include the doing or omitting of any act, or permitting any condition to exist in connection with any license or permit granted under the provisions of this chapter, or upon any premises or facilities used in connection therewith, which act, omission or condition is:

- (1) Contrary to the health, morals, safety or welfare of the public.
- (2) Unlawful, irregular or fraudulent in nature.
- (3) Unauthorized or beyond the scope of the license granted.
- (4) Forbidden by the provisions of this chapter, or any duly established rule or regulation of the City applicable to housing.
- (5) A nuisance on the licensed property.

(f) Inspections. In order to safeguard the safety, health and welfare of the public, the Code Official or his representative is authorized to enter any structure or premises at any reasonable time for the purpose of making inspections and performing his duties under this Code.

All one-family, two-family and multifamily dwelling units which are rented or leased, or are intended to be rented or leased, and all boardinghouses or lodging houses shall be inspected biannually.

- (g) Fees. Fees for such licenses shall be set by resolution of the City Commission. Such fees shall reflect the cost of processing, inspection, supervision and other related costs of regulation. The fees shall be paid into the City Treasury.

B. Section 106.4, Violation penalties, is hereby amended to read as follows:

106.4 Violations and penalties.

- (a) A person violating this chapter for the first time is responsible for a municipal civil infraction and subject to payment of a civil fine of not less than \$50, plus costs.
- (b) A person violating this chapter for the second time is responsible for a municipal civil infraction and subject to payment of a civil fine of not less than \$150, plus costs.
- (c) A person violating this chapter for the third time is responsible for a municipal civil infraction and subject to payment of a civil fine of not less than \$200, plus costs.
- (d) A person violating this chapter for the fourth or subsequent time is guilty of a misdemeanor, punishable by a fine of not more than \$500 or imprisonment for not more than 90 days, or to both such fine and imprisonment in the discretion of the court.

- C. Section 110, Demolition, is hereby deleted.
- D. Section 110, Condemnation and demolition, is hereby added to read as follows:

110 CONDEMNATION AND DEMOLITION

110.1 General: It is unlawful for any owner or agent thereof to keep or maintain any dwelling, structure or part thereof, which is a dangerous building as defined in Section PM-110.2 below.

110.2 Definition of a dangerous building: As used herein, "dangerous building" means any building or structure which has any of the following defects or is in any of the following conditions:

- (a) Whenever any door, aisle, passageway, stairway or other means of exit does not conform to the approved fire code of the City of Royal Oak.
- (b) Whenever any portion has been damaged by fire, wind, flood, deterioration, neglect, abandonment, vandalism, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before the damage and does not meet the minimum requirements of this chapter or any building code of the City of Royal Oak for a new building or similar structure, purpose or location.
- (c) Whenever any portion or member or appurtenance is likely to fall or become detached or dislodged or to collapse and thereby injure persons or damage property.

- (d) Whenever any portion has settled to such an extent that walls or other structural portions have materially less resistance to winds than is required in the case of new construction by this chapter or the building code of the City of Royal Oak.
- (e) Whenever the building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting such building, or portion thereof, or for other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning is likely to fall or give way.
- (f) Whenever for any reason whatsoever the building or structure or any portion is manifestly unsafe for the purpose for which it is used.

- (g) Whenever the building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral acts.
- (h) Whenever a building or structure used or intended to be used for dwelling purposes, because of dilapidation, decay, damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the Health Officer, or is likely to work injury to the health, safety or general welfare of those living within.
- (i) Whenever any building becomes vacant, dilapidated and open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers.

(j) Whenever the Code Official estimates the cost of placing the building in safe and sanitary condition exceeds 50% of the real value as determined by the City Assessor.

(k) Whenever any building or structure is under construction or repair without a valid permit.

110.3 Notice of dangerous and unsafe condition:

(a) Notwithstanding any other provision of this code, when the whole or any part of any building or structure is found to be in a dangerous or unsafe condition, the City shall issue a notice of the dangerous and unsafe condition.

(b) Such notice shall be directed to the owner, agent or lessee registered with the City. If no owner, agent or lessee has been registered, then the notice shall be directed to each owner of or party of interest in the building in whose name the property appears on the last local tax assessment records.

(c)

The notice shall specify the time and place of a hearing on the condition of the building or structure, at which time and place the person to whom the notice is directed shall have the opportunity to show cause why the building or structure should not be ordered to be demolished or otherwise made safe.

(d)

The hearing officer shall be appointed by the City Commission. The City's Code Enforcement Department shall file a copy of the notice of dangerous or unsafe condition with the hearing officer.

(e)

All notices shall be in writing and shall be served upon the person to whom they are directed personally, or in lieu of personal service may be mailed by certified mail, return receipt requested, addressed to such owner or party of interest at the address shown on the tax records, at least 10 days before the date of the hearing described in the notice. If any person to whom a notice is directed is not personally served, in addition to mailing the notice, a copy thereof shall be posted upon a conspicuous part of the building or structure.

110.4 Testimony, determination, order, compliance, hearing, cost of compliance as lien, collection:

(a)

The hearing officer shall take testimony of the Code Enforcement Department, the owner of the property and any interested party. The hearing officer shall render his decision, either closing the proceedings or ordering the building to be demolished or otherwise made safe.

(b)

If it is determined by the hearing officer that the building or structure should be demolished or otherwise made safe, he shall so order, fixing a time in the order for the owner, agent or lessee to comply therewith.

(c)

If the owner, agent or lessee fails to appear or neglects or refuses to comply with the order, the hearing officer shall file a report of his findings and a copy of his order with the City Commission and request that the necessary action be taken to demolish or otherwise make safe the building or structure. A copy of the findings and order of the hearing officer shall be served on the owner, agent or lessee in the same manner as the notice.

(d)

The City Commission shall fix a date for hearing, reviewing the findings and order of the hearing officer and shall give notice to the owner, agent or lessee in the manner described above of the time and place of the hearing. At the hearing, the owner, agent or lessee shall be given the opportunity to show cause why the building should not be demolished or otherwise made safe, and the City Commission shall either approve, disapprove or modify the order for the demolition or making safe of the building or structure.

(e)

The cost of the demolition or making the building safe shall be in a lien against the real property and shall be reported to the City Assessor, who shall assess the cost against the property on which the building or structure is located.

(f)

The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified of the amount of such cost by first-class mail at the address shown on the records. If he fails to pay the same within 30 days after mailing by the Assessor of the notice of the amount thereof, the Assessor shall add the same to the next City tax roll of the City and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes by the City.

E. Section 111, Means of Appeal, is hereby amended to read as follows:

111.1 Appeals Board: The Building Code Board of Appeals and its rules shall also be the Existing Structures Code Board of Appeals and Rules. The Board shall have the power to interpret the provisions of this Code upon application in writing by the owner or lessee or his/her duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, so that the spirit of the code shall be observed, public health, safety and welfare secured and substantial justice done. The particulars of such interpretation when granted or allowed and any decision of the Board shall be entered upon the records, and a signed copy be furnished to the applicant.

F. Section 111.2, Membership of the Board, is hereby deleted.

G. Section 202, General Definitions, is hereby amended in part to amend the definition of "dwellings" in part to read as follows:

ONE-FAMILY DWELLING: A building containing one dwelling unit with not more than two lodgers or boarders.

TWO-FAMILY DWELLING: A building containing two dwelling units with not more than two lodgers or boarders in each dwelling unit.

BOARDINGHOUSE, LODGING HOUSE, TOURIST HOUSE: A building arranged or used for lodging, with or without meals, for compensation, for three or more, but not exceeding 10, persons.

H. Section 303.2.1 is hereby added to read as follows:

303.2.1 "Stagnant water" shall mean any accumulation that has not dispersed within seven days of the last recorded local rainfall.

I. Section 303.9 is hereby added to read as follows:

303.9 Loading areas: All loading areas, automobile service stations and drive-in food establishments shall be paved with bituminous, concrete or equivalent surfacing and shall be free from dirt and other litter and kept in good repair. When lighted for nighttime use, lights shall not be permitted to cast directly upon dwellings nearby.

J. Section 303.10, Storage areas, is hereby added to read as follows:

303.10 Storage areas: All approved open salvage yards and storage areas shall be completely obscured from surrounding property by a solid screen not less than six feet (1,829 mm) in height. Storage of autos, trucks, equipment, debris, junk or construction materials, which are not associated with an approved use or permitted construction at that site, shall be prohibited.

K. Section 303.11 is hereby added to read as follows:

303.11 Exterior lighting:

(a)

No owner or tenant of any residential property shall authorize, maintain or permit the operation of outside security lighting that shines upon or onto any adjoining residential property from any residential property owned, leased, rented or under his or her control, nor shall any owner or tenant of any residential property authorize, maintain or permit the operation of any light, including an incandescent light without a reflecting surface and not exceeding 75 watts, that unreasonably shines into or upon adjoining residential property so as to interfere with the enjoyment of the property rights by the owners or tenants of adjoining residential property.

(b)

The owner or tenant of any residential property where outside security lighting is installed shall not permit such lighting to operate unless such lighting is shielded in a manner to prevent light from such installation from shining into or upon any adjoining residential property.

(c) Exceptions: For purposes of this section, "outside security lighting" means any electrically operated light mounted or installed upon residential property on the exterior of any building, or on or upon any exterior object located on the property, except incandescent lights without a reflecting surface and not exceeding 75 watts.

The exception to outside security lighting for incandescent lights without a reflecting surface and not exceeding 75 watts would not apply to incandescent lights installed within a ten-foot radius of each other whose combined wattage exceeded 75 watts. The exception would also not apply to incandescent lights without a reflecting surface and not exceeding 75 watts, which unreasonably shine into or upon adjoining residential property so as to interfere with the enjoyment of the property rights by the owners or tenants of adjoining residential property.

L. Section 304.13.1, Glazing, is hereby amended to read as follows:

304.13.1 Glazing: Every window sash shall be fully supplied with approved glazing materials and shall be maintained free from cracks and holes.

M. Section 305.7, Free from dampness, is hereby added to read as follows:

305.7 Free from dampness: In every building, basements and crawlspaces shall be maintained to prevent conditions conducive to decay or deterioration of the structure.

N. Section 305.8, Floors, is hereby added to read as follows:

305.8 Floors: Bathrooms and toilet rooms shall be provided with floors of moisture-resistant material.

O. Section 503.5, Privacy, is hereby amended to read as follows:

503.5 Privacy: Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or the exterior. Every nonresidential structure that requires or supplies a water closet shall provide within the toilet room partitions, enclosures or compartments for privacy.

P. Section 703.3, Residential unit, is hereby added to read as follows:

703.3 Residential unit: A dwelling unit or rooming unit shall not be located within a structure containing an establishment handling, dispensing, or storing flammable liquids or materials with a flashpoint of 110° F. (43° C.) or lower, except as provided for in the Building Code listed in Appendix A.

Q. Section 704.3 is hereby amended to read as follows:

704.3 Power source: The power source for smoke detectors shall be either an AC primary power source or a monitored battery primary power source; except that in Use Groups R-1 (hotels, motels and rooming houses) the power source shall be an AC primary power source.

R. Section 302.4 of the International Property Code is repealed in its entirety and amended to read as follows: **[Added 7-11-2016 by Ord. No. 2016-07]**

302.4 All premises and exterior property shall be maintained free from plant growth in excess of eight inches; excluding trees, shrubs, cultivated flowers, gardens and planned natural landscaping.

302.4.1 Upon failure of the owner or agent having charge of a property to maintain it in compliance with Section 302.4 and after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and bring the property in compliance with Section 302.4, and the costs shall be paid by the owner or agent for the property.

302.4.2 "Native plants" are those plants identified as native plant species in southern lower Michigan by Michigan State University Native Plants and Ecosystem Services, a copy of which shall be maintained at the City.

302.4.3 "Planned natural landscaping" is a planned, intentional and maintained landscaping or cultivation of native plants, ornamental grasses and ground covers, rain gardens, shrubs and trees. Nonnative plants and invasive species of plants are prohibited. Planned natural landscaping is not intended to allow a property owner to ignore lawn care duties.

302.4.4 Planned natural landscaping shall be cut back, at least annually, to remove dead or unmaintained growth. A person who is an owner of real property shall cut or remove any dead or unmanaged growth on his or her property, including a planned natural landscaping.

302.4.5 Planned natural landscaping shall be designed not to attract rats.