



Royal Oak

NOTICE OF CITY COMMISSION MEETING

August 26, 2024 | 7:30p.m.

Royal Oak residents, visitors to the city and vendors with business before the city commission are welcome to attend all public meetings of the city commission or remotely through viewing options listed below.

Individuals attending the meetings may participate in public comment when a public hearing is opened for comment; and/or when the member of the public has an agenda item. All individuals wishing to speak will raise their hand and after being recognized by the meeting chair, shall proceed to the lectern unless a physical impairment requires adaptive alternative. They shall state their full name (providing accurate spelling) and state the topic(s) to be discussed.

Public comment is welcome for items appearing on the agenda or any matter of city concern. Public comment is made in-person during this portion of the meeting. An individual shall be allowed to speak only once during the public comment portion of a meeting agenda or a public hearing. Speakers shall be limited to a presentation of three minutes. *

View or Listen Live

Broadcast from City Commission Chambers 121
WROK WOW Channel 10 | Comcast Channel 17

WROK You Tube <https://www.youtube.com/channel/UC4ybfAUGhd-GQM2jbJFKbOg>

WROK Live Stream: <https://www.romi.gov/523/Live-Stream-and-Video-on-Demand>

Additional Information

Members of the public shall be allowed exhibits, displays and visual aids which will be used in connection with presentations of agenda items coming before the city commission at their meeting. Any member of the public desiring to distribute support materials shall *submit these to the city manager's office the Friday prior meeting.*

**Speakers requesting more than three minutes must have such period of time extended by a vote of the city commission. Any member of the public recognized by the meeting chair whose time to comment, or present has expired will be directed by the meeting chair to cease speaking. Should a second request from the meeting chair be required, the speaker shall immediately cease and failing to do so will cause removal of this individual from the meeting.*



Agenda

Royal Oak City Commission Meeting

Monday, August 26, 2024, 7:30 p.m.

City Hall Commission Chambers Room 121

203 South Troy Street

Royal Oak, MI 48067

Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the city clerk's office at 248-246-3050 at least two (2) business days prior to the meeting.

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Holly Donoghue, P.E.

g.	Approval of Business Mural at 4817 Fernlee Avenue Susan Barkman	59
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13.	Adjournment	

Proclamation Designating September 2024

Ovarian Cancer Awareness Month

Tie Michigan Teal

Whereas, Tie Michigan Teal is a state-wide campaign designed to promote awareness of ovarian cancer and its symptoms; and

Whereas, Teal is the color representing ovarian cancer; and

Whereas, ovarian cancer is the deadliest of the gynecologic cancers and one of the five leading cancer related deaths among women in the United States; and

Whereas, in 2024 approximately 19,680 women will be diagnosed with ovarian cancer and sadly 12,740 will die; and

Whereas, women diagnosed with ovarian cancer have an average five-year survival rate of 45 percent; and

Whereas, unlike other cancers, there is no early detection test for ovarian cancer and because symptoms which are often subtle and mimic other diseases awareness of symptoms is the key to early diagnosis; and

Whereas, Tie Michigan Teal consists of volunteers tying ribbons on trees and sign-posts throughout cities, towns, and villages in Michigan and providing the local businesses and offices with symptom information cards; and

Whereas, Tie Michigan Teal takes place the entire month of September and the city of Royal Oak supports efforts to educate our residents and all members of the public about ovarian cancer and its symptoms.

Now, therefore, be it resolved, I Mayor Fournier, and members of the Royal Oak City Commission on behalf of the entire Royal Oak Community do hereby proclaim September 2024 as Ovarian Cancer Awareness Month in Royal Oak and will join Tie Michigan Teal with communities across the state and will have teal ribbons tied on trees and sign-posts and informational cards distributed to local businesses and offices to raise awareness of ovarian cancer and its symptoms.



Mayor Michael C. Fournier
City of Royal Oak





Minutes

Royal Oak City Commission Meeting

August 12, 2024, 7:30 p.m.
City Hall Commission Chambers Room 121
203 South Troy Street
Royal Oak, MI 48067

Present: Mayor Fournier
Commissioner Douglas
Commissioner Herzog
Mayor Pro Tem Hunt
Commissioner Kolo
Commissioner Macey

Absent: Commissioner Cheezum

1. Call to Order by Mayor Fournier

The meeting was called to order by Mayor Fournier at 7:49 p.m.

2. Invocation by Commissioner Douglas

3. Pledge of Allegiance

4. Approval of Agenda

Moved by: Commissioner Macey

Seconded by: Commissioner Douglas

Be it resolved, the city commission hereby approves the agenda for the August 12, 2024 meeting, including the removal of 6d and 6m and the addition of discussion to follow advice of legal counsel as discussed in closed session regarding the City of Royal Oak v Municipal Parking Services, Inc., and Great Northern Insurance Company, Oakland County Circuit Court, Case No. 2024-208036-CB.

Motion Adopted

5. Public Comment

Bill Harrison spoke about developments, the golf course and voting.

Mike Falasa, 324 East 6th, spoke about issues with Arts, Beats and Eats.

Mark Sackett, General Manager of Royal Oak Leprechauns, spoke about the summer season and improvements they are making to the field.

Nancy Poprafsky spoke about light pollution and LED lights.

6. Consent Agenda

Moved by: Commissioner Douglas

Seconded by: Commissioner Herzog

Be it resolved that the city commission hereby approves the modified consent agenda as follows:

Motion Adopted

6.a City Commission Meeting Minutes July 22, 2024

Be it resolved, the city commission meeting minutes of July 22, 2024 are hereby approved.

6.b Claims

6.b.1 July 26 2024

Be it resolved, the claims of July 26 2024 are hereby approved.

6.b.2 August 6 2024

Be it resolved, the claims of August 6 2024 are hereby approved.

6.b.3 August 9 2024

Be it resolved, the claims of August 9 2024 are hereby approved.

6.c Approval of Purchase Orders

Be it resolved, the city commission approves the following requisition/purchase orders for fiscal year 2024-25:

Requisition #	R008615
Vendor:	Effectv
Requesting approval for:	\$120,000
Price Source:	in a multi-year contract
Budgeted:	\$120,000
Department / Fund:	DDA/TIFA / DDA development
Description:	commercial ads
Requisition #	R008532
Vendor:	Frank Everingham

Requesting approval for: \$70,000
Price Source: estimation
Budgeted: \$70,000
Department / Fund: inspection/code enforcement / state
construction code
Description: electrical inspector

Requisition # R008616
Vendor: iHeart Media
Requesting approval for: \$60,000
Price Source: sole source
Budgeted: \$60,000
Department / Fund: DDA/TIFA / DDA development
Description: streaming radio ads

6.d Approval of Royal Oak Library Roof Project 2024

This item was removed from the consent agenda.

6.e Approval of Services Agreement – Michigan Hot Rod Association

BE IT RESOLVED, the Royal Oak City Commission hereby approves the agreement between the City of Royal Oak and the Michigan Hot Road Association for services related to the 2024 Memorial Park classic car show and authorizes the Director of Recreation to sign the agreement on behalf of the City.

6.f Approval of Dream Cruise Parking Agreement – Park Rite

BE IT RESOLVED, the Royal Oak City Commission hereby approves the agreement with Park Rite, Inc. of Grosse Pointe Woods, Michigan, for parking attendant services related to the 2024 Woodward Dream Cruise, and authorizes the Director of Recreation and Public Services to sign the agreement on behalf of the City.

6.g Request to Fill Vacant Superintendent of Facilities Position

Be it resolved, the Royal Oak City Commission hereby approves filling the vacant Superintendent of Facilities position.

6.h Authorization to Fill Vacant Superintendent of Recreation Position

Be it resolved, the Royal Oak City Commission hereby approves the filling of the vacant Superintendent of Recreation position.

6.i Contract Modification Capital Improvement Plan 2024-4 South Lafayette Parking Structure Repairs

BE IT RESOLVED, the Royal Oak City Commission hereby approves an expenditure of \$81,139.40 to RAM Construction Services for additional repairs to parking structures and authorizes staff to issue a modified purchase order for an additional \$81,139.40.

6.j Award of Fred A. Erb Arboretum Improvements

BE IT RESOLVED, the Royal Oak City Commission hereby approves the construction contract for improvements at the Fred A. Erb Arboretum and authorizes the Clerk and Mayor to execute the agreement; and,

BE IT FURTHER RESOLVED, the Royal Oak City Commission hereby authorizes an expenditure of \$9,554.00 as part of the Oakland County grant cost share requirement.

6.k Social District Approval for City Tavern LLC dba Cantaritos Mexican Bar and Grill (386 N. Main)

BE IT RESOLVED, the Royal Oak City Commission hereby grants local approval to City Tavern, LLC dba Cantaritos Mexican Bar and Grill (386 N. Main Street) and recommends them for consideration and approval by the Michigan Liquor License Commission; and

BE IT FURTHER RESOLVED, the Royal Oak City Commission hereby authorizes the Mayor and City Clerk to execute the social district operating agreement on behalf of the city.

6.l Award of Professional Services Contract – Clawson Park Improvements

Be it resolved, the Royal Oak City Commission hereby awards the professional services contract for CDBG-funded improvements to Clawson Park to Hubbell, Roth, & Clark, Inc. of Bloomfield Hills, Michigan, currently under contract with the city, based on their bid price and directs staff to issue a purchase order in the amount of \$75,500 and as modified by required change orders; and

Be it further resolved, the Mayor is authorized to execute the contract documents.

6.m Request for Authorization to Commence Judicial Foreclosure

This item was removed from the consent agenda.

6.n Approval of Police Chief Employment Agreement

BE IT RESOLVED, the Royal Oak City Commission hereby approves the Police Chief employment agreement with employee Michael Moore, dated August 12, 2024.

6.o Renewal of Grant Park Lease Agreement

BE IT RESOLVED, the Royal Oak City Commission hereby approves the Grant Park Lease Agreement for 2024-24 and authorizes the Mayor and City Clerk to execute the agreement.

6.p Receive and File

6.p.1 June 2024 Investment Report

7. Michigan Liquor Control Commission – Public Hearing, Atnas Properties, LLC (d.b.a. Ye Olde Saloon)

Mayor Fournier opened the public hearing. With there being no one who wished to speak, Mayor Fournier closed the public hearing.

Moved by: Commissioner Douglas
Seconded by: Commissioner Macey

BE IT RESOLVED, that the City Commission hereby approves the Plan of Operation, dated April 15, 2024, for Atnas Properties, LLC d/b/a Ye Olde Saloon, located at 1023 S. Main Street, Royal Oak, Michigan.

Motion Adopted

8. Michigan Liquor Control Commission – Public Hearing, Premier Hospitality Royal Oak, LLC (d.b.a. Hyatt House)

Jimmy Asmar and Jonathan Azer from Premier Hospitality spoke about their request.

Mayor Fournier opened the public hearing. With there being no one who wished to speak, Mayor Fournier closed the public hearing.

Moved by: Commissioner Kolo
Seconded by: Commissioner Herzog

Be it resolved, that the City Commission hereby approves the Plan of Operation, dated July 5, 2024, for Premier Hospitality Royal Oak, LLC d/b/a Hyatt House, located at 30955 Woodward Avenue, Royal Oak, Michigan.

Be it further resolved, that the City Commission hereby approves the proposed Dance Permit Agreement with Premier Hospitality Royal Oak, LLC and authorizes the Mayor and City Clerk to execute same on behalf of the city.

Be it further resolved, that the City Commission hereby approves the proposed Entertainment Permit Agreement with Premier Hospitality Royal Oak, LLC and authorizes the Mayor and City Clerk to execute same on behalf of the city.

Motion Adopted

9. July 2024 Traffic Committee Resolutions

Moved by: Commissioner Douglas

Seconded by: Commissioner Macey

Be it resolved, the city commission hereby approves the traffic committee's recommendation to deny the request for dedicated left turn traffic signals at the intersections of Crooks/Normandy and Crooks/Lexington as outlined in agenda item 5A;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to deny the request for 'No Left Turn' signage at the parking garage exit for 222 E. Sixth Street and to add one pedestrian warning sign (W11-2) for southbound Williams Street traffic, located north of the existing mid-block pedestrian crossing; and also to remove the first parking spot north of the crosswalk on the east side of roadway as outlined in agenda item 6A;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to install a 'No Parking Beyond' sign north of the driveway approach at 230 Virginia Avenue as outlined in agenda item 6B;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to remove approximately 30 feet of guardrail in front of 3111 N. Main Street as outlined in agenda item 6C;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to install 'Stop' signs on Kayser Avenue at E. Sixth Street to create a 4-way stop intersection, and to install 'All Way' plaques on all four stop signs; and to install a 'Stop' sign for northbound Lawson Street at E. Sixth Street as outlined in agenda item 6D;

Be it finally resolved, the city commission hereby approves the traffic committee's recommendation to install approximately 250 feet of guardrail a minimum of three feet from the curb, along the east side of Coolidge Highway just north of Trafford Road; to relocate the existing (W1-1) curve warning signs to be within 100 feet of the start of the curve for both northbound and southbound Coolidge Highway; and to install two additional chevron signs on the east side of Coolidge Highway within the road curvature area as outlined in agenda item 6E.

Amendment:

Moved by: Commissioner Douglas

Seconded by: Commissioner Macey

Be it resolved, the city commission moves to add lights on the curve warning signs.

Motion Adopted

Motion as Amended:

Moved by: Commissioner Douglas

Seconded by: Commissioner Macey

Be it resolved, the city commission hereby approves the traffic committee's recommendation to deny the request for dedicated left turn traffic signals at the intersections of Crooks/Normandy and Crooks/Lexington as outlined in agenda item 5A;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to deny the request for 'No Left Turn' signage at the parking garage exit for 222 E. Sixth Street and to add one pedestrian warning sign (W11-2) for southbound Williams Street traffic, located north of the existing mid-block pedestrian crossing; and also to remove the first parking spot north of the crosswalk on the east side of roadway as outlined in agenda item 6A;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to install a 'No Parking Beyond' sign north of the driveway approach at 230 Virginia Avenue as outlined in agenda item 6B;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to remove approximately 30 feet of guardrail in front of 3111 N. Main Street as outlined in agenda item 6C;

Be it further resolved, the city commission hereby approves the traffic committee's recommendation to install 'Stop' signs on Kayser Avenue at E. Sixth Street to create a 4-way stop intersection, and to install 'All Way' plaques on all four stop signs; and to install a 'Stop' sign for northbound Lawson Street at E. Sixth Street as outlined in agenda item 6D;

Be it finally resolved, the city commission hereby approves the traffic committee's recommendation to install approximately 250 feet of guardrail a minimum of three feet from the curb, along the east side of Coolidge Highway just north of Trafford Road; to relocate the existing (W1-1) curve warning signs to be within 100 feet of the start of the curve for both northbound and southbound Coolidge Highway; to add lights to the curve warning signs and to install two additional chevron signs on the east side of Coolidge Highway within the road curvature area as outlined in agenda item 6E.

Motion Adopted

10. Support for Main Street Oakland County Placemaking and Public Spaces Program Grant Application

Moved by: Commissioner Kolo
Seconded by: Mayor Pro Tem Hunt

BE IT RESOLVED, the Royal Oak City Commission hereby acknowledges a request from the Downtown Development Authority (DDA) and the City of Royal Oak Grants Coordinator and supports the submission of a grant application for the Main Street Oakland County Placemaking and Public Spaces Program, and

BE IT FURTHER RESOLVED, that the Executive Director of the Downtown Development Authority is authorized to sign and submit all grant-related documents on behalf of the City of Royal Oak and Downtown Development Authority relative to the Main Street Oakland County Placemaking and Public Spaces Program Grant.

Motion Adopted

11. American Rescue Plan Act (ARPA) Funds for New Affordable, Multiple-Family Housing

Commissioner Kolo left the table at 8:56 p.m. He returned to the table at 8:58 p.m.

Kyle Hines, Chair of the Oakland Together Housing Trust Fund Board, spoke to the commission about ARPA funds for multiple-family housing and the Lockwood Development.

Moved by: Commissioner Kolo
Seconded by: Mayor Pro Tem Hunt

Whereas the Royal Oak City Commission City Commission allocated \$1.95 million of the city's allotment of American Rescue Plan Act funds to financially assist the construction of new multiple-family affordable housing developments within the city; and

Whereas Lockwood Development Company, Inc. requests \$1.95 million of the city's funds assist in the construction of a 5-story, mixed-income housing development in downtown Royal Oak with designated units, reserved for no less than 30 years, to be occupied by households with an annual income not to exceed 60% of the area median income.

Whereas the Royal Oak City Commission has determined that Lockwood Development Company, Inc's downtown Royal Oak project is consistent with its various goals and objectives; and

Whereas the Oakland County Board of Commissioners created and funded the Oakland County Housing Trust Fund to financially and technically support the development and preservation of affordable housing throughout the county; and

Whereas Lockwood Development Company, Inc.'s downtown Royal Oak project is more likely to come to fruition should the City of Royal Oak and Oakland County leverage funds together to financially assist in the project.

Now therefore be it resolved, the Royal Oak City Commission authorizes the city attorney to make final revisions to the agreement and bring it back to the city commission for final approval, to transfer \$1.95 million to the Oakland County Housing Trust Fund to financially support Lockwood Development Company, Inc.'s conceptual project in downtown Royal Oak.

Motion Adopted

12. Proposed Ordinance Amendment 2024-09, High School Student Appointments to Boards and Commission

**ORDINANCE NO. 2024-09
CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part I: Administrative Legislation; Chapter 12, Appointments to Advisory Boards, Commissions and Committees; Section 12-11 Student Appointments; Subsection E, to provide that high school student appointees to advisory boards and commission may be voting members.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendment.

That Subsection E, of Section 12-11 Student Appointments, of Chapter 12, Appointments to Advisory Boards, Commissions and Committees, of Part I: Administrative Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

1. Students appointed to City advisory boards and commissions under this section may serve as voting members if provided in the ordinance, resolution or by-laws of the advisory board or commission.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Moved by: Commissioner Herzog

Seconded by: Commissioner Macey

BE IT RESOLVED, the Royal Oak City Commission hereby approves, upon first reading, Ordinance Amendment 2024-09, to Section 12-11E, Student Appointments, to provide for high school student members on advisory boards and commissions to be voting members.

Ayes (5): Commissioner Douglas, Commissioner Herzog, Mayor Pro Tem Hunt, Commissioner Kolo, and Commissioner Macey

Nays (1): Mayor Fournier

Motion Adopted (5 to 1)

13. Proposed Ordinance Amendment 2024-11, Fugitive Dust Regulations

**ORDINANCE NO. 2024-11
CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part II: General Legislation; Chapter 278, Disorderly Conduct; Article VI

Offenses Directed Against Public Order; Section 278-37D Disturbances of the peace, construction activity, to amend the fugitive dust regulations to require treatment for dust prevention for demolition activities pursuant to the city's police power to protect the public health, safety and welfare.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendment.

That Section 278-37D Disturbances of the peace, construction activity, of Article VI Offenses Directed Against Public Order, of Chapter 278, Disorderly Conduct, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

D. At all times the necessary steps shall be taken to ensure that dust, soil, or other material shall not become airborne and travel beyond the construction site property lines. Such steps could include water, chemical treatment, or other ground cover treatment as approved by the Building Official. The treatment shall be of sufficient volume or size to contain the dust. In the instance of structure demolition, a continuous water spray of sufficient volume or size shall be required during any demolition activity on the site. In addition, fencing and/or screening pursuant to the City's building code may be required by the Building Official. Such activity will be maintained throughout the duration of the construction activity or until a permanent covering is installed.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Moved by: Commissioner Herzog
Seconded by: Commissioner Kolo

BE IT RESOLVED, the Royal Oak City Commission hereby approves, upon first reading, ordinance amendment 2024-11, Fugitive Dust Regulations, to update and modify the city's fugitive dust regulations to control dust created from demolition activities in the city.

Motion Adopted

14. Proposed Ordinance Amendment 2024-10, Marihuana Regulations

ORDINANCE NO. 2024-10 CITY OF ROYAL OAK, OAKLAND COUNTY, MICHIGAN AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part II: General Legislation; Chapter 435, Marihuana; Article I Recreational Marihuana Establishments; Section 435-1 Definitions and Section 435-5A(4) Operational requirements for marihuana establishments, to amend the definition of micro business consistent with the state rules for a class A marihuana micro business and to amend the permitted hours of operations for all marihuana establishments in the City.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendments.

That Section 435-1 Definitions, of Article I Recreational Marihuana Establishments, of Chapter 435, Marihuana, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

MARIHUANA MICROBUSINESS
A "marihuana microbusiness" or "class A marihuana microbusiness" as defined by the Michigan Administrative Code.

That Section 435-5A(4) Operational requirements for marihuana establishments, of Article I Recreational Marihuana Establishments, of Chapter 435, Marihuana, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:
(4) Operating hours. No retailer or retail portion of a microbusiness shall operate between the hours of 10:00 p.m. and 9:00 a.m.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Moved by: Commissioner Douglas
Seconded by: Commissioner Macey

BE IT RESOLVED, the Royal Oak City Commission hereby approves, upon first reading, ordinance Amendment 2024-10, Marihuana Regulations, to the Royal Oak Code of Ordinances.

Ayes (4): Mayor Fournier, Commissioner Douglas, Commissioner Kolo, and Commissioner Macey

Nays (2): Commissioner Herzog, and Mayor Pro Tem Hunt

Motion Adopted (4 to 2)

15. Discussion of Recommendation to Proceed as Discussed in Closed Session Regarding City of Royal Oak v Municipal Parking Services, Inc., and Great Norther Insurance Company, Oakland County Circuit Court Case No. 2024-208036-CB

Moved by: Commissioner Macey

Seconded by: Commissioner Kolo

Be it resolved, the city commission moves to follow legal counsel's recommendation as discussed in closed session regarding pending litigation.

Motion Adopted

16. Adjournment

Moved by: Commissioner Douglas

Seconded by: Commissioner Herzog

Motion to adjourn at 9:58 p.m.

Motion Adopted

Melanie Halas, City Clerk

Michael C. Fournier, Mayor

08/15/2024 10:37 AM
User: JudyG
DB: Royal Oak

INVOICE APPROVAL BY INVOICE REPORT FOR CITY OF ROYAL OAK
EXP CHECK RUN DATES 08/20/2024 - 08/20/2024
JOURNALIZED
PAID

Page: 1/21

Vendor Code	Vendor Name	Description	Amount
	Invoice		
RBOND	123 Net		
	BENG-180316	BD Bond Refund	5,000.00
TOTAL FOR: 123 Net			5,000.00
11263	123.NET		
	653985	PHONE SERVICE 8/1-31 2024	2,636.24
TOTAL FOR: 123.NET			2,636.24
11029	21C ADVERTISING		
	2619128	CLERK STATE PRIMARY REGISTRATION CLOSE NOTICE	651.25
	2619723	POLICE AUTO AUCTION NOTICE	233.41
	2621184	CLERK COMMISSION ORDINANCE NOTICE	401.69
	2622515	CLERK PRIMARY ELECTION ACCURACY TEST	247.34
	2623498	CLERK SPECIAL ELECTION NOTICE	1,244.54
	2624997	AUG ZBA MEETING NOTICE	777.41
	2625409	AUG PLANNING COMMISSION MEETING NOTICE	533.69
TOTAL FOR: 21C ADVERTISING			4,089.33
00004	A & M SERVICE CENTER		
	81917	TOWING SERVICES FLAT BED #683	75.00
	82058	TOWING SERVICES FLAT BED #810	45.00
	82265	TOWING SERVICES FLAT BED #854	90.00
	82543	TOWING SERVICES FLAT BED #801	45.00
	82678	TOWING SERVICES HOIST #915	45.00
	IMPOUND #793729	REF 43742351 TOW FEE PAYMENT COLLECTED THRU ALLPAID	125.00
TOTAL FOR: A & M SERVICE CENTER			425.00
02044	ACTION MAT & TOWEL RENTAL		
	619636	MAT RENTALS	288.11
TOTAL FOR: ACTION MAT & TOWEL RENTAL			288.11
14826	ACTIVE NETWORK, LLC		
	CB202407_005 46	ARENA SUPPLIES	180.00
TOTAL FOR: ACTIVE NETWORK, LLC			180.00
16142	ADKISON, NEED, ALLEN, & RENTROP		
	138269	ACCOUNT 3996M MLCC VIOLATION CV-517115	585.00
TOTAL FOR: ADKISON, NEED, ALLEN, & RENTROP			585.00
00044	AJAX MATERIALS CORPORATION		
	302896	ASPHALT SUPPLIES	7,750.40
TOTAL FOR: AJAX MATERIALS CORPORATION			7,750.40
03340	ALLIANCE ENTERTAINMENT LLC		
	PLS81265134	LIBRARY AUDIO & VIDEO RESOURCES	230.83
	PLS81450742	LIBRARY AUDIO & VIDEO RESOURCES	469.37
TOTAL FOR: ALLIANCE ENTERTAINMENT LLC			700.20
04745	ALLIED PRINTING		
	74884	WATER BILLS - JULY 2024	2,365.76
TOTAL FOR: ALLIED PRINTING			2,365.76
02753	ALTEC IND INC		
	12532281	VEHICLE REPAIR & MAINTENANCE PARTS	135.41
TOTAL FOR: ALTEC IND INC			135.41

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Vendor Code	Vendor Name	Description	Amount
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17165	AMAZON CAPITAL SERVICES		
1399-G7TK-WH7R	LIBRARY SUPPLIES	134.96	
17M1-W1H6-361P	LIBRARY SUPPLIES	89.98	
19J6-CVQN-1MYT	LIBRARY SUPPLIES	58.48	
19XQ-4DWX-3DLL	LIBRARY SUPPLIES	73.12	
1C1X-7CD7-31RW	LIBRARY SUPPLIES	16.98	
1C1X-7CD7-36JG	LIBRARY SUPPLIES	156.94	
1GRV-W6D1-C1PW	LIBRARY SUPPLIES	454.37	
1JDF-W6GX-4WLW	LIBRARY SUPPLIES	40.76	
1JR3-X1GL-NK6R	LIBRARY SUPPLIES	138.80	
1KGV-GQ9J-6XGP	LIBRARY SUPPLIES	54.68	
1KTP-YRLR-7CCL	LIBRARY SUPPLIES	119.05	
1KWW-GVXL-6MPN	LIBRARY SUPPLIES	14.66	
1PG7-DJLY-KCFF	LIBRARY SUPPLIES	171.44	
1PM1-YFR6-MJGR	LIBRARY SUPPLIES	55.66	
1RXY-DQDP-TCDH	LIBRARY SUPPLIES	306.67	
1VXL-J7HJ-CJRW	LIBRARY SUPPLIES	81.26	
TOTAL FOR: AMAZON CAPITAL SERVICES			1,967.81
17913	AMCS GROUP INC.		
162213	DOSSIER DOD FUEL/METER IMPORT & FULL USERS SUBSCRIP	1,328.18	
TOTAL FOR: AMCS GROUP INC.			1,328.18
19426	AMERICAN FENCE AND SUPPLY CO		
5718	UPTON PARK PICKLEBALL COURT FENCE REPAIRS	18,575.00	
TOTAL FOR: AMERICAN FENCE AND SUPPLY CO			18,575.00
00060	AMERICA'S FINEST PRINTING		
50950	BUSINESS CARDS/BUILDING DEPT	504.46	
TOTAL FOR: AMERICA'S FINEST PRINTING			504.46
19342	ANTOS TRAINING GROUP		
24-16	K9 DECOY DEVELOPMENT COURSE/MORAN	695.00	
TOTAL FOR: ANTOS TRAINING GROUP			695.00
07191	ARTS, BEATS & EATS		
ABE24-038	FINAL PAYMENT 2024 ARTS BEATS & EATS EVENT	50,000.00	
ABE24-048	ARTS, BEATS, EATS RESTAURANT PROGRAM 1ST ALLOCATION	55,000.00	
ABE24-049	ARTS, BEATS, EATS RESTAURANT PROGRAM 2ND ALLOCATION	60,000.00	
TOTAL FOR: ARTS, BEATS & EATS			165,000.00
15753	ASCENSION MI EMPLOYER SOLUTIONS		
546565	MEDICAL SERVICES	126.00	
TOTAL FOR: ASCENSION MI EMPLOYER SOLUTIONS			126.00
09939	ASSA ABLOY ENTRANCE SYSTEMS US		
SCI 77968	LIBRARY FRONT DOOR 2024-25 ANNUAL SERVICE CONTRACT	2,295.57	
SEI 1767883	LIBRARY INTERIOR VESTIBULE REPAIR SERVICE	907.12	
TOTAL FOR: ASSA ABLOY ENTRANCE SYSTEMS US			3,202.69
03964	AVENTRIC TECHNOLOGIES		
6086411	POLICE CPR-D PADZ	980.00	
TOTAL FOR: AVENTRIC TECHNOLOGIES			980.00
17876	KRIS AWDEY		
2024-25	BOOT ALLOWANCE	226.35	
TOTAL FOR: KRIS AWDEY			226.35

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Vendor Code	Vendor Name	Description	Amount
Invoice			
19404	AXIS ELECTRIC, LLC		
1715		POLICE GENERATOR INSPECTION/LOAD BANK TEST	1,250.00
TOTAL FOR: AXIS ELECTRIC, LLC			1,250.00
00117	BAKER & TAYLOR COMPANIES		
2038451591		BOOKS	10.78
TOTAL FOR: BAKER & TAYLOR COMPANIES			10.78
19411	LOGAN BALL		
08072024		DAYCAMP SWIM COVERAGE 1.5 HRS	25.50
TOTAL FOR: LOGAN BALL			25.50
12700	BASIC		
IN3182366		AUG 2024 COBRA ADMINISTRATION FEE	254.87
TOTAL FOR: BASIC			254.87
00141	BIANCO TRAVEL & TOURS INC		
8D98453		SENIOR CTR DAY TRIP HURON LADY AUG. 16	4,428.00
TOTAL FOR: BIANCO TRAVEL & TOURS INC			4,428.00
14833	BIG BELLY SOLAR, LLC.		
53002		HIGH CAPACITY REFUSE/RECYCLING STATION 8/10-9/9 202	690.24
TOTAL FOR: BIG BELLY SOLAR, LLC.			690.24
00145	BILLINGS LAWN EQUIPMENT		
471013		P&F WEEDIE STRING	232.88
TOTAL FOR: BILLINGS LAWN EQUIPMENT			232.88
11714	KAREN M BISHOP		
11		SUMMER 2024 FITNESS CLASSES SETUP FEE	500.00
SUMMER 2024		FITNESS CLASSES	560.00
TOTAL FOR: KAREN M BISHOP			1,060.00
14214	JOHN BLAKE		
6123		ROSES	8.50
6123 FY24-25		ROSES	51.00
6126		ROSES	34.00
6127		ROSES	82.50
6128		ROSES	98.00
6129		ROSES	34.00
TOTAL FOR: JOHN BLAKE			308.00
00153	BLUE CROSS AND BLUE SHIELD		
SEP 2024		BC PAYMENT	398,387.66
TOTAL FOR: BLUE CROSS AND BLUE SHIELD			398,387.66
17287	BODMAN PLC		
844861		OUTSIDE LEGAL COUNSEL	1,250.78
850720		OUTSIDE LEGAL COUNSEL	468.82
850729		OUTSIDE LEGAL COUNSEL	117.90
TOTAL FOR: BODMAN PLC			1,837.50
RBOND	BORGWARNER INC		
BB46020		BD Bond Refund	200.00
TOTAL FOR: BORGWARNER INC			200.00

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Invoice			
01032	BOUND TREE MEDICAL LLC		
	85432848	FIRE & EMS SUPPLIES	1,384.45
	85445798	FIRE & EMS SUPPLIES	334.08
TOTAL FOR: BOUND TREE MEDICAL LLC			1,718.53
19090	SOPHIA BREWSTER		
	08072024	DAYCAMP LIFEGUARD	102.00
TOTAL FOR: SOPHIA BREWSTER			102.00
19535	NOAH BRIGGS		
	08132024	BIKE LOCKER REFUND #8 & #9	100.00
TOTAL FOR: NOAH BRIGGS			100.00
19047	MOLLY ANNE BUCKHEIM		
	08072024	DAY CAMP LIFEGUARD	76.50
TOTAL FOR: MOLLY ANNE BUCKHEIM			76.50
00211	CANFIELD EQUIPMENT SERVICE INC		
	296282	EQUIPMENT FOR NEW LOW PROFILE POLICE VEHICLE #843	2,778.29
TOTAL FOR: CANFIELD EQUIPMENT SERVICE INC			2,778.29
00222	CARRIER & GABLE INC		
	IN41212	ELECTRICAL & LIGHTING SUPPLIES	813.00
TOTAL FOR: CARRIER & GABLE INC			813.00
07427	LEAH CASTILLO		
	6416	ROSES	67.50
	6417	ROSES	105.00
	6418	ROSES	150.00
	6419	ROSES	150.00
	6420	ROSES	60.00
	6421	ROSES	150.00
	6798	ROSES	150.00
	6799	ROSES	150.00
	6800	ROSES	150.00
TOTAL FOR: LEAH CASTILLO			1,132.50
10229	CAVENDISH SQUARE		
	CAL348534I	BOOKS	186.03
TOTAL FOR: CAVENDISH SQUARE			186.03
06649	CINTAS CORPORATION LOC 031		
	4195272479	ARENA MAT CLEANING	77.07
	4198088398	ARENA MAR CLEANING	77.07
	4200483201	DPS MAT CLEANING	205.89
	4200763137	CITY HALL MAT CLEANING	261.69
	4200969726	ARENA MAT CLEANING	77.07
	4200969747	SENIOR CTR MAT CLEANING	27.76
	4200971309	LIBRARY MAT CLEANING	25.00
	4201102645	DPS MAT CLEANING	197.92
	4201689908	SENIOR CTR MAT CLEANING	27.76
	5221507036	FIRST AID SUPPLIES ARENA	91.38
	5222361386	FIRST AID SUPPLIES NORMANDY OAKS PARK	242.61
	5222562263	P&F GLOVES	176.80
	5223428520	FIRST AID SUPPLIES DPS	651.01
	5224074320	GLOVES	176.80
	9282132840	DPS WATERBREAK COOLER AGREEMENT	45.00
TOTAL FOR: CINTAS CORPORATION LOC 031			2,360.83

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	Invoice		
02754	CITY OF BERKLEY		
	0000025759	AUG 2024 ANIMAL CONTROL SERVICES	4,586.01
	JUL 2024	LEGACY FEES COLLECTED BY THE COURT	163.35
	JULY 2024	FEES COLLECTED BY THE COURT	9,585.72
TOTAL FOR: CITY OF BERKLEY			14,335.08
19538	CMNTV		
	RO063024	CABLECAST & WEBCAST FIVE MEETINGS	1,725.00
TOTAL FOR: CMNTV			1,725.00
09062	COMMERCIAL GLASS LLC		
	23878	FIRE 1 FIVE OPERABLE WINDOWS	28,981.00
TOTAL FOR: COMMERCIAL GLASS LLC			28,981.00
RBOND	COMPLETE HOME IMPROVEMENT		
	BENG-230244	BD Bond Refund	5,000.00
TOTAL FOR: COMPLETE HOME IMPROVEMENT			5,000.00
00310	CONTRACTOR'S CLOTHING CO		
	7-121575	UNIFORMS	39.47
	7-121578	UNIFORMS	58.49
	7-122596	UNIFORMS	31.84
	7-122599	UNIFORMS	98.98
	7-122605	UNIFORMS	24.00
	7-122609	UNIFORMS	99.96
	7-122612	UNIFORMS	99.96
	7-122646	UNIFORMS	202.97
	7-122713	UNIFORMS	13.49
	7-122716	UNIFORMS	24.78
	7-122722	UNIFORMS	24.00
	7-122726	UNIFORMS	97.99
	7-122727	UNIFORMS	75.18
	7-122728	UNIFORMS	92.44
	7-122776	UNIFORMS	44.98
	7-122816	UNIFORMS	16.00
	7-122842	UNIFORMS	58.48
	7-122846	UNIFORMS	218.95
	7-122863	UNIFORMS	205.97
	7-122865	UNIFORMS	51.98
	7-61575	CREDIT - UNIFORMS	(8.00)
TOTAL FOR: CONTRACTOR'S CLOTHING CO			1,571.91
00311	CONTRACTORS CONNECTION INC		
	7186459	P&F PPE	246.00
	7186512	OPERATING SUPPLIES MISS DIG FLAGS, SAFETY EQUIP. &	774.50
TOTAL FOR: CONTRACTORS CONNECTION INC			1,020.50
08667	CONVERGENT TECHNOLOGY PARTNERS		
	18752	FIREWALL ROUTES, CONFIG, SWITCHING PROJECT	400.00
TOTAL FOR: CONVERGENT TECHNOLOGY PARTNERS			400.00
14414	CORE & MAIN		
	V170017	CURB STOP/BOX, COPPER, BRICKS, BLOCK, MORTAR, PIPES	238.30
	V335446	CURB STOP/BOX, COPPER, BRICKS, BLOCK, MORTAR, PIPES	5,693.75
	V352891	CURB STOP/BOX, RINGS, COPPER, BRICKS, BLOCK, MORTAR	2,967.14
	V374797	CURB STOP/BOX, RINGS, COPPER, BRICKS, BLOCK, MORTAR	260.00
TOTAL FOR: CORE & MAIN			9,159.19

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RTAXX	CORELOGIC TAX SERVICES		
	08/14/2024	2024 Sum Tax Refund 72-25-03-153-045	5,749.44
	08/14/2024	2024 Sum Tax Refund 72-25-22-383-015	4,843.06
	08/14/2024	2024 Sum Tax Refund 72-25-10-228-001	2,063.01
TOTAL FOR: CORELOGIC TAX SERVICES			12,655.51
17716	CROWN CASTLE FIBER LLC		
	1626096	31100 WOODWARD DECIATED INTERNET ACCESS 8/1-31 2024	809.00
TOTAL FOR: CROWN CASTLE FIBER LLC			809.00
RBOND	CSI Chris's Sewer Inspection		
	BENG-240054	BD Bond Refund	2,000.00
TOTAL FOR: CSI Chris's Sewer Inspection			2,000.00
19522	CUT KING LAWN CARE		
	80213	LAWN CUT 1119 BATAVIA	39.00
	80214	LAWN CUT 532 W WEBSTER	39.00
	80228	LAWN CUT 231 N CONNECTICUT	43.00
	80229	LAWN CUT 314 N REMBRANDT	40.00
	80230	LAWN CUT 1021 CATALPA	40.00
	80235	LAWN CUT 2706 SHENANDOAH	40.00
	80236	LAWN CUT 4707 THORNCROFT	39.00
	80248	LAWN CUT 1222 WHITCOMB	46.00
TOTAL FOR: CUT KING LAWN CARE			326.00
02472	DEE'S SPORT SHOP INC		
	43248	ARENA HATS & SHIRTS	151.50
TOTAL FOR: DEE'S SPORT SHOP INC			151.50
00372	DEMCO INC		
	7514143	LIBRARY SUPPLIES	111.82
TOTAL FOR: DEMCO INC			111.82
18363	DEPATIE FLUID POWER		
	IN10284682	VEHICLE REPAIR & MAINTENANCE PARTS	454.50
TOTAL FOR: DEPATIE FLUID POWER			454.50
00378	DETROIT DIAMOND DRILLING		
	0131273-00	CONCRETE SAW BLADE	187.48
TOTAL FOR: DETROIT DIAMOND DRILLING			187.48
19368	DETROIT HITCH CO.		
	652292	P&F REPLACEMENT PART FOR SEWER DEPT	18.15
TOTAL FOR: DETROIT HITCH CO.			18.15
04835	DEWOLF AND ASSOCIATES		
	3064	REPORT WRITING-NARRATING GRANT WORK/KENDALL	225.00
TOTAL FOR: DEWOLF AND ASSOCIATES			225.00
13880	DOLAN CONSULTING GROUP		
	L2358-0524-0223-02	TRAINING/REECE, GOERTLER	1,990.00
TOTAL FOR: DOLAN CONSULTING GROUP			1,990.00
19533	DOUBLE HAUL SOLUTIONS		
	2024-043	CITY MANAGER RECRUITMENT SERVICES PAYMENT 1 OF 4	2,962.50
TOTAL FOR: DOUBLE HAUL SOLUTIONS			2,962.50

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Invoice			
00420	DSS CORPORATION		
	24295	911 RECORDING SUPP/MAINT. YEAR 5 OF 5 (10/25/24-10/	9,519.00
TOTAL FOR: DSS CORPORATION			9,519.00
00380	DTE ENERGY		
	10254 08/24	260 W 7TH ST # PK EQUIP	103.05
	11245 08/24	351 W 7TH ST # PK EQUIP	109.20
	11401 08/24	260 E UNIVERSITY AVE # PK EQUIP	78.37
	46770 08/24 #2	803 S MAIN ST # PARKING	38.57
	55865 08/24	923 S MAIN ST	59.86
	5903 08/24	90-O-450 STREETLIGHTS 7/1-31 2024	70,156.95
	62723 08/24	3123 N MAIN ST	63.34
TOTAL FOR: DTE ENERGY			70,609.34
13350	DU ALL CLEANING		
	17170	CLEANING SERVICES CITY HALL 7/1-31 2024	3,350.00
	17171	CLEANING SERVICES POLICE 7/1-31 2024	3,345.00
	17172X	CLEANING SERVICES, SUPPLIES LIBRARY 7/1-31 2024	5,725.39
TOTAL FOR: DU ALL CLEANING			12,420.39
00422	DUNCAN PARKING TECHNOLOGIES, INC		
	DPT048389	AUGUST 2024 LIBERTY PEMS FEE	512.50
	DPT048404	LIBERTY LI-ION BATTERIES	1,510.00
	DPT048405	LIBERTY KEYPAD	2,645.34
TOTAL FOR: DUNCAN PARKING TECHNOLOGIES, INC			4,667.84
01889	EMMANUEL BETHEL CHURCH		
	08122024	AUG. 6 ELECTION FACILITY RENTAL	100.00
TOTAL FOR: EMMANUEL BETHEL CHURCH			100.00
RBOND	ERIC J EBY		
	00269779	BD Payment Refund	87.00
TOTAL FOR: ERIC J EBY			87.00
03353	ETHNIC ARTWORK		
	155883	DREAM CRUISE STAFF/VOLUNTEER SHIRTS	4,274.00
	156434	DREAM CRUISE STAFF/VOLUNTEER SHIRTS	176.50
TOTAL FOR: ETHNIC ARTWORK			4,450.50
UBREFUND	EVAN ELSEA		
	08/14/2024	UB refund for account: 5336600201	2,245.26
TOTAL FOR: EVAN ELSEA			2,245.26
07636	FRANK EVERINGHAM		
	08132024	ELECTRICAL INSPECTOR 7/29-8/9 2024	1,395.00
TOTAL FOR: FRANK EVERINGHAM			1,395.00
02003	FAIR HOUSING CENTER OF METROPOLITAN		
	2333	FAIR HOUSING TESTING SERVICES	5,000.00
TOTAL FOR: FAIR HOUSING CENTER OF METROPOLITAN			5,000.00
13801	FERGUSON WATERWORKS #3386		
	0204731	WATER METERS & PARTS	12,000.00
TOTAL FOR: FERGUSON WATERWORKS #3386			12,000.00
00486	FIRE DEFENSE EQUIPMENT CO INC		
	012776	EXTINGUISHER FIRE 2	168.93
	012897	POLICE PROPANE RECHARGE	37.40
TOTAL FOR: FIRE DEFENSE EQUIPMENT CO INC			206.33

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03805	FIRESERVICE MANAGEMENT		
	30165	EQUIPMENT REPAIR & MAINTENANCE SERVICES	450.50
TOTAL FOR: FIRESERVICE MANAGEMENT			450.50
00507	FRENTZ AND SONS HARDWARE CO		
	H429455	DISC. SUPPLIES TOOLS & HARDWARE	8.53
	N3719	DISC. SUPPLIES P&F TOOLS	145.48
	N3724	DISC. SUPPLIES WATER & SEWER REPAIR PARTS	3.59
	N3725	DISC. SUPPLIES P&F PICNIC TABLE HARDWARE	87.79
	N3727	DISC. SUPPLIES P&F	81.81
	P4979	DISC. SUPPLIES PARKING DEPT	124.41
	P5013	DISC. SUPPLIES MEMORIAL PARK TOOLS & HARDWARE	4.94
	P5018	DISC. SUPPLIES PARKING DEPT	36.06
	P5029	DISC. SUPPLIES PARKING DEPT	20.00
	P5034	DISC. SUPPLIES TOOLS & HARDWARE	3.63
	P5053	DISC. SUPPLIES MEMORIAL PARK	105.98
	P5054	DISC. SUPPLIES TOOLS & HARDWARE	36.68
	P5058	DISC. SUPPLIES TOOLS & HARDWARE	20.50
	P5086	DISC. SUPPLIES HIGHWAY CONCRETE	17.81
	P5101	DISC. SUPPLIES TOOLS & HARDWARE	18.53
	P5109	DISC. SUPPLIES TOOLS & HARDWARE	10.72
	P5112	DISC. SUPPLIES FIRE & EMS	24.64
	P5135	DISC. SUPPLIES FIRE & EMS	8.09
	P5136	DISC. SUPPLIES FIRE & EMS	1.22
TOTAL FOR: FRENTZ AND SONS HARDWARE CO			760.41
19524	FRIENDS OF THE ROUGE		
	24-00247	LIBRARY PRESENTATION 'OUR HIDDEN WILDLIFE' OCT. 24	150.00
TOTAL FOR: FRIENDS OF THE ROUGE			150.00
00513	GABRIEL ROEDER SMITH & CO		
	488136	ACTUARIAL SERVICES APR 1-JUN 30 2024	10,160.00
	488196	EDRO CALCULATIONS MURRAY V MATYKA	1,550.00
TOTAL FOR: GABRIEL ROEDER SMITH & CO			11,710.00
05461	GALE/CENGAGE LEARNING		
	84714468	BOOKS	83.97
	84714762	BOOKS	53.98
	84720842	BOOKS	53.98
TOTAL FOR: GALE/CENGAGE LEARNING			191.93
14069	GLOBAL BUILDING MAINTENANCE		
	15966	WINDOW CLEANING CITY HALL, LIB, FARMERS MKT, COURT,	5,775.00
TOTAL FOR: GLOBAL BUILDING MAINTENANCE			5,775.00
15855	GRAND TRUNK WESTERN RAILROAD CO.		
	2024	2024 ARTS BEATS & EATS RAILROAD FLAGMEN	8,500.00
TOTAL FOR: GRAND TRUNK WESTERN RAILROAD CO.			8,500.00
08384	HALLAHAN & ASSOCIATES PC		
	21820	CONTRACTED LEGAL SERVICES FOR MTT THRU JULY 31 2024	1,473.70
TOTAL FOR: HALLAHAN & ASSOCIATES PC			1,473.70
15295	HAYES PRECISION, INC		
	18762	ZAMBONI KNIFE SHARPENED, EXTRA GRINDING	215.00
TOTAL FOR: HAYES PRECISION, INC			215.00
11604	HEALY AWARDS, INC		
	INV095086	HOCKEY CLUB HELMET STICKERS	314.00
	INV095087	HOCKEY CLUB WINDOW STICKERS	195.00
TOTAL FOR: HEALY AWARDS, INC			509.00

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16199	HENRY FORD HEALTH SYSTEM		
98814-070924	MEDICAL SERVICES APRIL-MAY-JUNE 2024		376.00
TOTAL FOR: HENRY FORD HEALTH SYSTEM			376.00
11666	HERITAGE CRYSTAL CLEAN LLC		
18805407	VEHICLE LUBRICANTS & SOLVENTS		75.00
18811041	VEHICLE LUBRICANTS & SOLVENTS		189.23
TOTAL FOR: HERITAGE CRYSTAL CLEAN LLC			264.23
02660	HERSCH'S INC		
452371	SOD, SEED, & TOP SOIL		258.00
TOTAL FOR: HERSCH'S INC			258.00
15609	HMC LLC		
S1903 PE19	S1903 SPOT SEWER REPAIRS - 2019 PROJECT		16,808.83
TOTAL FOR: HMC LLC			16,808.83
RTAXX	HOFFMAN, KAREN		
08/14/2024	2024 Sum Tax Refund 72-25-06-281-004		2,250.32
TOTAL FOR: HOFFMAN, KAREN			2,250.32
00599	HOME DEPOT		
3012955	MISC WATER & SEWER REPAIR & MAINT PARTS		19.92
34665	FIRE HYDRANT MATERIALS		42.38
3644888	TOOLS & HARDWARE		62.77
4012732	CONSTRUCTION & TRAFFIC BARRICADES		65.85
5012446	OPERATING SUPPLIES		29.94
5012490	FIRE HYDRANT MATERIALS		103.63
6012355	P&F TREE STAKES		55.84
6031447	FIRE HYDRANT MATERIALS		32.40
7031332	MISC WATER & SEWER REPAIR & MAINT PARTS		326.39
8350687	P&F PICNIC TABLE WOOD		255.80
9521198	TOOLS & HARDWARE		51.39
TOTAL FOR: HOME DEPOT			1,046.31
RBOND	HOOVER ELECTRIC INC		
BENG-240034	BD Bond Refund		1,000.00
TOTAL FOR: HOOVER ELECTRIC INC			1,000.00
17640	HUNTINGTON WINDOW FASHIONS		
QUOTE 18791532 BAIL	LIBRARY SCREEN ROLLERS BALANCE PAYMENT		1,876.75
TOTAL FOR: HUNTINGTON WINDOW FASHIONS			1,876.75
00608	HYDROCORP		
CI-01485	CROSS CONNECTION CONTROL PROGRAM INSPECTION & REPOR		17,515.00
TOTAL FOR: HYDROCORP			17,515.00
02038	IBEX INSURANCE AGENCY		
63	INSTALLMENT #6 SED TPA 6/1/23-6/1/26		6,630.00
TOTAL FOR: IBEX INSURANCE AGENCY			6,630.00
18258	IHEART MEDIA		
8821544414.	STREAMING RADIO ADS JUNE		5,769.28
TOTAL FOR: IHEART MEDIA			5,769.28
11033	IMPRESSION CENTER CO., INC.		
31725	SEWER DIVISION SHIRTS		252.00
TOTAL FOR: IMPRESSION CENTER CO., INC.			252.00

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15802	INGRAM LIBRARY SERVICES		
	8.058998	BOOKS	281.47
	82915168	BOOKS	523.45
	82935439	BOOKS	3,114.07
	82935440	BOOKS	366.39
	82935441	BOOKS	1,643.54
	82979797	BOOKS	1,253.65
	82979798	BOOKS	749.53
	82984504	BOOKS	717.68
	82998318	BOOKS	3,382.21
	82998319	BOOKS	226.69
	83023017	BOOKS	358.87
	83037594	BOOKS	485.31
	83037595	BOOKS	592.45
	83078050	BOOKS	308.21
	83085389	BOOKS	65.19
	83096035	BOOKS	100.44
	83105344	BOOKS	60.75
TOTAL FOR: INGRAM LIBRARY SERVICES			14,229.90
13483	INTEGRITY BUSINESS SOLUTIONS		
	2600118-0	PAPER FOR POLICE	391.92
	2601813-0	PAPER FOR FINANCE	48.99
TOTAL FOR: INTEGRITY BUSINESS SOLUTIONS			440.91
01179	IRON MOUNTAIN RECORDS MGT		
	JRMP688	DT407 STORAGE FEES ATTORNEY 8/1-31 2024	45.69
TOTAL FOR: IRON MOUNTAIN RECORDS MGT			45.69
19055	KEVIN ISAACSON		
	2024-25	BOOT ALLOWANCE	190.80
TOTAL FOR: KEVIN ISAACSON			190.80
18793	JANSSEN REFRIGERATION		
	25789	ARENA SUB-FLOOR HEATING/COOLING REPAIR	102,864.00
TOTAL FOR: JANSSEN REFRIGERATION			102,864.00
03979	JAY'S SEPTIC TANK SERVICE		
	I161191	HAND SANITIZER 1403 LEXINGTON 8/1-7 2024	70.00
	I161857	HAND SANITIZER 1300 LONGFELLOW 8/7-9/3 2024	830.00
	I162220	HAND SANITIZER 1403 LEXINGTON 8/9-9/5 2024	560.00
TOTAL FOR: JAY'S SEPTIC TANK SERVICE			1,460.00
01915	JH HART URBAN FORESTRY		
	104750	TREE TRIMMING, REMOVAL & FORESTRY ISSUES 7/15-19 20	9,354.37
	104833	TREE TRIMMING, REMOVAL & FORESTRY ISSUES 7/22-27 20	14,035.88
	104945	TREE TRIMMING, REMOVAL & FORESTRY ISSUES 7/29-8/2 2	15,715.25
TOTAL FOR: JH HART URBAN FORESTRY			39,105.50
12039	JIM RIEHL CHRYSLER JEEP		
	512622	VEHICLE REPAIR & MAINTENANCE PARTS	358.85
TOTAL FOR: JIM RIEHL CHRYSLER JEEP			358.85

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Invoice			
00680	JOE'S AUTO PARTS INC		
159962		P&F GROUNDSMASTER PARTS	19.72
160921		P&F GROUNDSMASTER BELT	100.76
160928		P&F GROUNDSMASTER BELT	57.58
162489		CREDIT - P&F RETURN ITEM	(158.34)
164070		VEHICLE REPAIR & MAINTENANCE PARTS	186.39
164227		VEHICLE REPAIR & MAINTENANCE PARTS	398.69
164232		VEHICLE REPAIR & MAINTENANCE PARTS	79.09
164285		VEHICLE REPAIR & MAINTENANCE PARTS	170.45
164468		VEHICLE REPAIR & MAINTENANCE PARTS	100.99
164557		VEHICLE REPAIR & MAINTENANCE PARTS	92.54
164568		VEHICLE REPAIR & MAINTENANCE PARTS	10.62
165004		VEHICLE REPAIR & MAINTENANCE PARTS	2.69
165564		VEHICLE REPAIR & MAINTENANCE PARTS	44.94
TOTAL FOR: JOE'S AUTO PARTS INC			1,106.12
17673	JOHN HENRY'S MEATS		
08032024		EBT/SNAP REIMBURSEMENT FARMERS MKT VENDOR	870.43
TOTAL FOR: JOHN HENRY'S MEATS			870.43
10526	JOHNSON & WOOD LLC		
35495		ICE ARENA BOILER	27,955.00
35611		1411 W WEBSTER RD MAINTENANCE INVOICE 4 OF 12	100.00
35612		ANIMAL SHELTER MAINTENANCE INVOICE 4 OF 12	125.00
35613		1600 CAMPBELL RD MAINTENANCE INVOICE 4 OF 12	335.00
35614		FARMERS MKT MAINTENANCE BILLING 4 OF 12	275.00
35615		FIRE 1 MAINTENANCE INVOICE 4 OF 12	250.00
35616		FIRE 2 MAINTENANCE INVOICE 4 OF 12	250.00
35617		FIRE 3 MAINTENANCE INVOICE 4 OF 12	250.00
35618		CITY HALL MAINTENANCE BILLING 4 OF 12	658.33
35619		POLICE MAINTENANCE INVOICE 4 OF 12	1,487.50
35620		LIBRARY MAINTENANCE INVOICE 4 OF 12	933.33
35621		SENIOR CTR MAINTENANCE INVOICE 4 OF 12	250.00
35622		1319 LEXINGTON BLVD MAINTENANCE INVOICE 4 OF 12	41.67
35648		CITY HALL WATER TREATMENT INV 1/12	76.92
35649		DPS WATER TREATMENT INV 1/12	205.00
35650		1411 W WEBSTER WATER TREATMENT INV 1/12	153.42
35651		POLICE WATER TREATMENT INVOICE 1/12	76.83
TOTAL FOR: JOHNSON & WOOD LLC			33,423.00
RTAXX	JONATHAN & CYNTHIA CLINE TRUST		
08/14/2024		2024 Sum Tax Refund 72-25-22-179-010	1,611.31
TOTAL FOR: JONATHAN & CYNTHIA CLINE TRUST			1,611.31
RBOND	JOSEPH W PALLITTO		
00269704		BD Payment Refund	66.00
TOTAL FOR: JOSEPH W PALLITTO			66.00
15974	JUSTIFACTS CREDENTIAL VERIFICATION		
387461		REISSUE - CREDENTIALS VERIFICATION	138.19
388822		CREDENTIALS VERIFICATION	191.19
TOTAL FOR: JUSTIFACTS CREDENTIAL VERIFICATION			329.38
07719	LYNNE KALEITA		
6444		ROSES	60.00
6446		ROSES	45.00
6480		ROSES	52.50
TOTAL FOR: LYNNE KALEITA			157.50
19479	BRANDON KALINOWSKI		
JULY 2024		REIMBURSE SWIM PROGRAM MILEAGE JULY 1-31 2024	123.93
TOTAL FOR: BRANDON KALINOWSKI			123.93

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15142	KANOPY LLC		
408743-PPU		DOWNLOADABLES-AUDIO, VIDEO	582.25
TOTAL FOR: KANOPY LLC			582.25
16238	KINGSLEY COMPANIES		
M22264		LIBRARY CART	1,450.00
TOTAL FOR: KINGSLEY COMPANIES			1,450.00
19427	JEROME KISSICK		
6641		ROSES	34.00
TOTAL FOR: JEROME KISSICK			34.00
00112	THE KITCHEN INC		
81788		PRISONER MEALS	291.77
TOTAL FOR: THE KITCHEN INC			291.77
06122	KONE INC		
1158766053		ELEVATOR REPAIR 110 E 11 MILE	486.12
871430414		MAINTENANCE COVERAGE FOR CITY HALL 8/1/24-7/31/25	3,187.80
TOTAL FOR: KONE INC			3,673.92
10604	KRIEGER-KLATT ARCHITECTS INC		
8947		PROJECT 23-040 FARMERS MARKET RESTROOMS	5,390.00
8984		PROJECT 23-127 SENIOR CENTER RESTROOMS	7,840.00
TOTAL FOR: KRIEGER-KLATT ARCHITECTS INC			13,230.00
19530	LAKESIDE COLLISION, INC.		
42424		CLAIM #2303179 VEHICLE #198 COLLISION DAMAGE REPAIR	5,734.00
42524		CLAIM #2303957 VEHICLE #198 COLLISION DAMAGE REPAIR	23,403.34
TOTAL FOR: LAKESIDE COLLISION, INC.			29,137.34
13485	LEARN TO SKATE USA		
LTS0434793		SKATING MEMBERSHIPS	1,347.50
TOTAL FOR: LEARN TO SKATE USA			1,347.50
00741	LEISURE UNLIMITED		
2463		RECREATION CLASSES 5/29-7/31 2024	97.20
2465		CAMPS AUG 5-9 2024	674.80
TOTAL FOR: LEISURE UNLIMITED			772.00
19531	LESLIE SCIENCE & NATURE CENTER		
SALES #1176830		OCT. 15 LIBRARY PROGRAM, MILEAGE	354.60
TOTAL FOR: LESLIE SCIENCE & NATURE CENTER			354.60
17184	LESLIE'S POOLMART, INC.		
00099-02-044587		EQUIPMENT REPAIR & MAINTENANCE SUPPLIES	82.44
00099-02-044695		EQUIPMENT REPAIR & MAINTENANCE SUPPLIES	15.51
WPR9076557-0001		PARKS/GROUNDS MAINTENANCE SUPPLIES	283.23
TOTAL FOR: LESLIE'S POOLMART, INC.			381.18
04678	LEXISNEXIS RISK SOLUTIONS		
1126950-20240731		COMPUTER/TELECOM EQUIP LEASES & RENTALS JULY 2024	200.00
TOTAL FOR: LEXISNEXIS RISK SOLUTIONS			200.00
14825	LIBRARY IDEAS		
115047		FREADING PAY AS YOU GO JULY USAGE	34.00
TOTAL FOR: LIBRARY IDEAS			34.00

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00766	LOOMIS		
13532014		ARMORED CAR SERVICE JULY 2024	465.83
TOTAL FOR: LOOMIS			465.83
00788	MACOMB COMMUNITY COLLEGE		
210		REPLACE LOST BOOK	50.00
TOTAL FOR: MACOMB COMMUNITY COLLEGE			50.00
18086	MACQUEEN EQUIPMENT		
P26407		SIDE BROOMS FOR SWEEPER	2,784.20
TOTAL FOR: MACQUEEN EQUIPMENT			2,784.20
08499	MATHESON TRI-GAS INC		
0029887079		FIRE & EMS SUPPLIES	995.12
TOTAL FOR: MATHESON TRI-GAS INC			995.12
09063	MATZKA INC		
480291		VEHICLE REPAIR & MAINTENANCE PARTS	34.60
TOTAL FOR: MATZKA INC			34.60
08339	MAZUR MARKET MANAGEMENT LLC		
240812		CONTRACTED WORKER SERVICES 2024-25 MMM 7/29-8/11 20	14,019.23
TOTAL FOR: MAZUR MARKET MANAGEMENT LLC			14,019.23
04333	METAL MART USA		
289192		VEHICLE REPAIR & MAINTENANCE PARTS	64.94
TOTAL FOR: METAL MART USA			64.94
16512	MICHIGAN FARM NEWS		
072461569		FARMERS MKT FV DIRECTORY 7/15/24	100.00
TOTAL FOR: MICHIGAN FARM NEWS			100.00
00883	MICHIGAN MUNICIPAL RISK		
M0000987 09/24		GENERAL FUND 2ND INSTALLMENT POLICY PERIOD 6/1/2024	285,643.00
R0000987 09/24		RETENTION FUND 2ND INSTALLMENT POLICY PERIOD 6/1/20	75,000.00
TOTAL FOR: MICHIGAN MUNICIPAL RISK			360,643.00
00899	MIDWEST TAPE		
505808226		HOOPLA & MEDIA	92.64
505839661		HOOPLA & MEDIA	96.22
505842534		HOOPLA & MEDIA	8,964.84
505876653		HOOPLA & MEDIA	257.66
TOTAL FOR: MIDWEST TAPE			9,411.36
11716	ANGELINA M. LOZANO-MOSCOWITZ		
SUMMER 2024		FITNESS CLASSES	739.20
TOTAL FOR: ANGELINA M. LOZANO-MOSCOWITZ			739.20
05656	MUNICIPAL ADVISORY COUNCIL OF MICH		
1118M		PURCHASE FYE 6/30/24 OVERLAPPING DEBT REPORT	100.00
TOTAL FOR: MUNICIPAL ADVISORY COUNCIL OF MICH			100.00
17530	KENDELL MURPHY		
SUMMER 2024		FITNESS CLASSES	200.00
TOTAL FOR: KENDELL MURPHY			200.00
19410	DEANNA MURRAY		
08092024		DAY CAMP LIFEGUARD 14 HRS	238.00
TOTAL FOR: DEANNA MURRAY			238.00

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05865	NAPA AUTO PARTS	MADISON HEIGHTS	
	4323-897089	PURCHASE OF PARTS AS NEEDED	112.68
	4323-897470	PURCHASE OF PARTS AS NEEDED	79.35
	4323-897614	PURCHASE OF PARTS AS NEEDED	9.32
	4323-897640	PURCHASE OF PARTS AS NEEDED	3.52
	4323-897650	PURCHASE OF PARTS AS NEEDED	24.64
	4323-898013	PURCHASE OF PARTS AS NEEDED	183.92
TOTAL FOR: NAPA AUTO PARTS MADISON HEIGHTS			413.43
12042	OSCAR NATAG-OY		
	NATAG-OY 8107	REIMBURSE MILEAGE 6/10-29 2024	81.07
TOTAL FOR: OSCAR NATAG-OY			81.07
07664	JOHN NELLIS		
	6597	ROSES	40.00
	6860	ROSES	50.00
	6861	ROSES	60.00
	6862	ROSES	40.00
	6863	ROSES	40.00
TOTAL FOR: JOHN NELLIS			230.00
00957	NELSON BROS PLUMBING		
	52218986	FIRE 3 SEWER & DRAIN CLEANING	355.00
TOTAL FOR: NELSON BROS PLUMBING			355.00
04675	NOWAK & FRAUS, PLLC		
	122859	RATE ENGINEERING SITE PLAN REVIEWS	4,290.00
	122881	2021-2024 ASPHALT RESURFACING IMPROVEMENTS CAP2415	26,575.74
	122893	2024 CROOKS ROAD RESURFACING	42,625.74
	122894	2024 CONCRETE STREET REPAIR IMPROVEMENTS	20,274.00
	122912	2025 ROAD IMPROVEMENT PROJECTS	66,666.75
	122923	2025 ROAD IMPROVEMENT PROJECTS	1,853.95
TOTAL FOR: NOWAK & FRAUS, PLLC			162,286.18
04313	NYE UNIFORM		
	890628	UNIFORMS FOR PD/FIRE	532.00
TOTAL FOR: NYE UNIFORM			532.00
00993	OAKLAND CO REGISTRAR OF DEED		
	2926 8/5/24	RECORDING FEES	30.00
	DL/G-2630/14 8/5/2	RECORDING FEES	30.00
TOTAL FOR: OAKLAND CO REGISTRAR OF DEED			60.00
06178	OAKLAND COUNTY		
	CI042992	GWK DEBT SERVICE SERIES 2005F, 2007G, 2008H	9,790.48
	CI043052	SEWAGE TREATMENT - JULY 2024	570,217.77
TOTAL FOR: OAKLAND COUNTY			580,008.25
00996	OAKLAND COUNTY TREASURER		
	JULY 2024	LIBRARY FUND	5,558.23
TOTAL FOR: OAKLAND COUNTY TREASURER			5,558.23

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01007	ODP BUSINESS SOLUTIONS, LLC		
	373646109001	85793581 OFFICE SUPPLIES	102.99
	374063687001	85793581 OFFICE SUPPLIES	52.14
	374593594001	85793581 OFFICE SUPPLIES	120.14
	375514066001	85793581 OFFICE SUPPLIES	61.66
	377298128001	85793581 OFFICE SUPPLIES	67.85
	377507340001	85793581 OFFICE SUPPLIES	102.69
	377507376001	85793581 OFFICE SUPPLIES	59.38
	378320129001	85793581 OFFICE SUPPLIES	131.04
	378601884001	85793581 OFFICE SUPPLIES	19.75
	378602069001	85793581 OFFICE SUPPLIES	159.04
TOTAL FOR: ODP BUSINESS SOLUTIONS, LLC			876.68
08249	O'REILLY AUTO		
	3327-155752	VEHICLE REPAIR & MAINTENANCE PARTS	86.29
TOTAL FOR: O'REILLY AUTO			86.29
17762	JAMES ORR		
	380449	PARK BATHROOM CLEANING NORMANDY OAKS, STARR JAYCEE	1,820.00
	380450	PARK BATHROOM CLEANING NORMANDY OAKS, STARR JAYCEE	1,820.00
TOTAL FOR: JAMES ORR			3,640.00
09095	PARK RITE WAYNE, LLC		
	2502	MONTHLY MGMT FEE FOR PARKING STRUCTURES JULY 2024	48,312.80
TOTAL FOR: PARK RITE WAYNE, LLC			48,312.80
19521	YAREMA PETRUSHA		
	07292024	REIMBURSE ACLS TRAINING FEE	175.00
TOTAL FOR: YAREMA PETRUSHA			175.00
07787	BRENDA PEZNOWSKI		
	6772	ROSES	30.00
	6774	ROSES	60.00
TOTAL FOR: BRENDA PEZNOWSKI			90.00
02075	PHOENIX STONE CO		
	87246	BASEBALL FIELDS DIAMOND DUST	2,565.64
TOTAL FOR: PHOENIX STONE CO			2,565.64
10936	PLANTE & MORAN CRESA PLLC		
	10287987	FINAL BILL DDA PARKING FUND ANALYSIS	12,507.50
TOTAL FOR: PLANTE & MORAN CRESA PLLC			12,507.50
06886	PLAYAWAY PRODUCTS LLC		
	471054	LIBRARY VIDEO AND AUDIO RESOURCES	178.97
	471161	LIBRARY VIDEO & AUDIO RESOURCES	125.44
TOTAL FOR: PLAYAWAY PRODUCTS LLC			304.41
18472	MAURITA PLOUFF		
	COOK003	SUMMER 2024 COOKING CLASS PART 2	80.00
TOTAL FOR: MAURITA PLOUFF			80.00
16248	LELAND POIRIER		
	6065	ROSES	20.00
	6371	ROSES	20.00
	6374	ROSES	20.00
	6376	ROSES	20.00
	6395	ROSES	20.00
	6640	ROSES	20.00
TOTAL FOR: LELAND POIRIER			120.00

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19366	AUSTIN POTTER		
08092024		OPEN SWIM LIFEGUARD 21 HRS	357.00
TOTAL FOR: AUSTIN POTTER			357.00
11305	PREMISE HEALTH EMPLOYER SOLUTIONS		
245646		AUG 2024 PROGRAM FEES 13 MILE	8,927.50
246479		MILIFE ROYAL OAK STAFFING & EXPENSES 7/1-31 2024	11,744.09
246484		13 MILE MEDICATIONS/LAB FEES 7/1-31 2024	951.11
TOTAL FOR: PREMISE HEALTH EMPLOYER SOLUTIONS			21,622.70
19229	PRIDE ROYAL OAK		
08122024		2024 SPONSORSHIP BALANCE PAYMENT	37,500.00
TOTAL FOR: PRIDE ROYAL OAK			37,500.00
01992	PRINTING SYSTEMS, INC		
08122024		AV APP POSTCARDS	1,265.26
TOTAL FOR: PRINTING SYSTEMS, INC			1,265.26
01074	PROFESSIONAL SERVICE INDUSTRIES INC		
00934540		CAP2410 - 2024 WM IMPROVEMENT	462.50
00936804		S1903 - 2019 SPOT SEWER REPAIRS	1,250.50
00936806		CAP2242 - 2022 TRAFFIC SIGNAL IMPROVEMENTS	450.50
00936807		CAP2415/2416 - ASPHALT RESURFACING IMPROVEMENTS	4,977.00
00936808		CAP2407 - CROOKS RD RESURFACING IMPROVEMENT	2,938.00
00936809		CAP2435 - ROAD RECONSTRUCTION IMPROVEMENTS	2,664.50
00939264		DICKINSON PARK TENNIS & BASKETBALL IMPROVEMENTS	1,285.00
00939304		CAP2405 - 2024 CONCRETE PAVEMENT REPAIR PROGRAM	803.50
00939304.		CAP2405 - 2024 CONCRETE PAVEMENT REPAIR PROGRAM	4,204.50
00939472		CAP2435 - ROAD RECONSTRUCTION IMPROVEMENTS	2,640.50
00939486		CAP2407 - CROOKS ROAD RESURFACING IMPROVEMENT	6,729.00
00939674		CAP2361 TESTING SERVICES LOCKMAN PARK	457.50
00939674.		CAP2361 TESTING SERVICES LOCKMAN PARK	1,789.00
TOTAL FOR: PROFESSIONAL SERVICE INDUSTRIES INC			30,652.00
00371	PROGRESSIVE PLUMBING SUPPLY		
2628634		FIRE DEPT BUILDING REPAIR & MAINTENANCE SUPPLIES	147.38
2635788		MAINTENANCE PARTS	166.46
2639650		MAINTENANCE PARTS	22.23
2639659		MAINTENANCE PARTS	128.11
2639864		MAINTENANCE PARTS	61.07
2639873		MAINTENANCE PARTS	47.55
2639874		MAINTENANCE PARTS STARR FOUNTAIN	15.86
TOTAL FOR: PROGRESSIVE PLUMBING SUPPLY			588.66
15797	THE PUBLIC GROUP		
1672273		JULY AUCTIONS	9,968.48
TOTAL FOR: THE PUBLIC GROUP			9,968.48
16490	QUADIENT LEASING USA, INC		
Q1443273		MAILING MACHINE JUNE-AUG 2024	1,279.05
TOTAL FOR: QUADIENT LEASING USA, INC			1,279.05
01096	QUALITY CLEANERS		
DC163 JULY 2024		PRISONER BLANKET CLEANING	488.75
TOTAL FOR: QUALITY CLEANERS			488.75
14899	RAPID GROUP, LLC		
221879		ATTORNEY CONSOLE	55.00
221931		POLICE SECURITY TOTERS	120.00
TOTAL FOR: RAPID GROUP, LLC			175.00

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
01109	RAUHORN ELECTRIC		
	26412	LIGHT POLE REPAIRS LOCKMAN PARK	3,875.00
TOTAL FOR: RAUHORN ELECTRIC			3,875.00
18279	RAYMOND GEDDES & COMPANY INC		
	889758	LIBRARY PROGRAM SUPPLIES	165.16
	T889719	CREDIT - LIBRARY PROGRAM SUPPLIES	(9.37)
TOTAL FOR: RAYMOND GEDDES & COMPANY INC			155.79
17503	CHARLES REDDIE SR.		
	6162	ROSES	50.00
	6163	ROSES	40.00
	6165	ROSES	40.00
	6324	ROSES	50.00
	6325	ROSES	50.00
	6326	ROSES	50.00
	6327	ROSES	50.00
	6328	ROSES	15.00
	6329	ROSES	30.00
	6330	ROSES	94.00
TOTAL FOR: CHARLES REDDIE SR.			469.00
08377	RKA PETROLEUM COMPANIES		
	0423234	PURCHASE OF FUEL	2,074.54
TOTAL FOR: RKA PETROLEUM COMPANIES			2,074.54
18243	ROBINSON CAPITAL MANAGEMENT		
	455305	JULY 2024 MANAGEMENT FEES	875.54
TOTAL FOR: ROBINSON CAPITAL MANAGEMENT			875.54
05305	ROCKET ONE STOP OFFICE		
	82350	WAYFINDING MAPS	1,155.00
	82462	DOOR HANGERS	1,198.00
	82605	LIBRARY WALL ADHESIVES	302.75
	82609	DREAM CRUISE MATERIALS	222.00
	82686	RO MANOR ORDER SIGNS	127.75
	82707	DREAM CRUISE CAR SHOW SUPPLIES	44.00
	82731	REZONING SIGNAGE	253.75
TOTAL FOR: ROCKET ONE STOP OFFICE			3,303.25
18514	ROLAR PROPERTY SERVICES, INC.		
	CAP2361 PE3	LOCKMAN PARK IMPROVEMENTS CAP2361	167,435.55
TOTAL FOR: ROLAR PROPERTY SERVICES, INC.			167,435.55
01157	ROSE PEST SOLUTIONS		
	242738C	SENIOR CTR COMMERICAL APPLICATION	165.00
	31140696	CBD PEST CONTROL	186.00
TOTAL FOR: ROSE PEST SOLUTIONS			351.00
02742	ROWERDINK INC		
	01HH8608	VEHICLE REPAIR & MAINTENANCE PARTS/VEHICLE BATTERIE	418.00
TOTAL FOR: ROWERDINK INC			418.00
05435	ROWLEYS BROS INC		
	2357705-00	PURCHASE OF LUBRICANTS AND SOLVENTS AS NEEDED	64.56
	23660487-00	PURCHASE OF LUBRICANTS AND SOLVENTS AS NEEDED	1,387.69
TOTAL FOR: ROWLEYS BROS INC			1,452.25

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Vendor Code	Vendor Name	Description	Amount
Invoice			
14776	CALEB SANCHEZ		
08122024		SOCIAL DISTRICT SATURDAY EXTRA PERFORMANCE	200.00
TOTAL FOR: CALEB SANCHEZ			200.00
19526	JEREMIAH SANDLER/TREE FIRST		
869		STORM DAMAGE CLEAN-UP	400.00
TOTAL FOR: JEREMIAH SANDLER/TREE FIRST			400.00
04797	SCHOLASTIC INC EDUCATION		
61427435		LIBRARY PROGRAM SUPPLIES	991.50
61435956		LIBRARY PROGRAM SUPPLIES	7.40
TOTAL FOR: SCHOLASTIC INC EDUCATION			998.90
16498	SEDGWICK CLAIMS MGMT. SERVICES, INC		
CC0483202408062312		WORKERS COMP CLAIM #4A2403BMTC40001	14,562.05
SF0483202401530849		PAYMENTS ISSUED 7/1-31 2024	30,222.29
TOTAL FOR: SEDGWICK CLAIMS MGMT. SERVICES, INC			44,784.34
12064	SEI INVESTMENTS		
144909		PENSION MANAGEMENT SERVICES 4/1-6/30 2024	179,877.29
TOTAL FOR: SEI INVESTMENTS			179,877.29
01222	SEOC WATER AUTHORITY		
JULY 2024		WATER - JULY 2024	433,753.23
TOTAL FOR: SEOC WATER AUTHORITY			433,753.23
16148	SHARE CORPORATION		
275453		DPS OPERATING SUPPLIES/TOOLS	556.78
TOTAL FOR: SHARE CORPORATION			556.78
UBREFUND	SHEILA EMERSON		
08/14/2024		UB refund for account: 0313600201	1,290.18
TOTAL FOR: SHEILA EMERSON			1,290.18
01206	SHELVING INC		
108641		SEWER & WATER DEPTS TOOLS & SUPPLIES	1,208.94
TOTAL FOR: SHELVING INC			1,208.94
02645	SHERWIN WILLIAMS		
3929-5		HIGHWAY PAINT	1,106.00
TOTAL FOR: SHERWIN WILLIAMS			1,106.00
03783	SHERWIN WILLIAMS		
8759-9		PAINT	51.49
8760-7		PAINT	341.20
TOTAL FOR: SHERWIN WILLIAMS			392.69
05628	SHIFMAN FOURNIER, PLC		
16750		LABOR ATTORNEY SEPT 2024	8,000.00
TOTAL FOR: SHIFMAN FOURNIER, PLC			8,000.00
19346	SIMPLIFILE		
352532485794SFL		FILING, RECORDING & OTHER LEGAL FEES	40.00
352537882044SFL		FILING, RECORDING & OTHER LEGAL FEES	40.00
TOTAL FOR: SIMPLIFILE			80.00
12695	SIMPLY TECHNOLOGY LLC		
BV5751		BUSINESS VOIP STANDARD SERVICE 8/1-31 2024	81.36
TOTAL FOR: SIMPLY TECHNOLOGY LLC			81.36

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
13564	SANDRA MYERS SMITH		
	6281	ROSES	120.00
	6424	ROSES	52.50
	6425	ROSES	90.00
	6426	ROSES	60.00
	6427	ROSES	45.00
TOTAL FOR: SANDRA MYERS SMITH			367.50
01221	SOCRRA		
	S-INV108363	REFUSE, RECYCLING, YARD WASTE COLLECTION/DISPOSAL J	254,198.00
TOTAL FOR: SOCRRA			254,198.00
01220	SONITROL GREAT LAKES		
	560196	LIBRARY FIRE/INTRUSION SYSTEMS MONTHLY FEE 9/1-11/3	773.31
	560346	SENIOR CTR MONTHLY SERVICE FEE 9/1-11/30 2024	944.25
	560356	MOTOR POOL MONTHLY SERVICE FEE 9/1-11/30 2024	741.21
	560381	FIRE 2 MONTHLY SERVICE FEE 9/1-11/30 2024	220.68
	560564	DPS WATER SERVICE MONTHLY FEE 9/1-11/30 2024	268.44
	560572	FIRE 1 & 3 MONTHLY SERVICE FEE 9/1-11/30 2024	404.97
	560577	514 S LAFAYETTE MONTHLY SERVICE FEE 9/1-11/30 2024	192.63
	560668	110 E 11 MILE MONTHLY SERVICE FEE 9/1-11/30 2024	295.11
TOTAL FOR: SONITROL GREAT LAKES			3,840.60
07056	SOUTH OAKLAND SHELTER		
	2024 #1	CDBG RENT ASSISTANCE 7/1/23-6/30/24	25,000.00
TOTAL FOR: SOUTH OAKLAND SHELTER			25,000.00
01228	SPARTAN DISTRIBUTORS INC		
	11903158	P&F SUPPLIES	688.54
	11904185	P&F SUPPLIES	1,832.83
	22479801	PURCHASE OF SNOWBLOWER	10,940.00
	22479802	PURCHASE OF GROUNDSMASTER	60,727.68
TOTAL FOR: SPARTAN DISTRIBUTORS INC			74,189.05
02756	SPECTRUM PRINTERS INC		
	81821	VOTETEST TEST DECKS AUG. 2024 ELECTION	824.55
TOTAL FOR: SPECTRUM PRINTERS INC			824.55
16920	SRM CONCRETE		
	1080299277	CONCRETE	1,184.00
TOTAL FOR: SRM CONCRETE			1,184.00
18862	STATE OF MICHIGAN		
	JUL 2024 SALES/WH	SALES & WITHHOLDING TAX JULY 2024	399.91
TOTAL FOR: STATE OF MICHIGAN			399.91
01259	STATE OF MICHIGAN		
	491-443648	JUL-SEP 2024 AMBULANCE ASSESSMENT	2,883.42
	CV-517115	NORMANDY OAKS GOLF COURSE FINE	500.00
	JULY 2024	FEES/LEGACY FEES COLLECTED BY THE COURT	54,710.54
TOTAL FOR: STATE OF MICHIGAN			58,093.96
07643	SUBURBAN ARENA MNGMT ROYAL OAK		
	1543	ARENA MANGEMENT	14,293.39
	1546	ARENA MANGEMENT W/E 8/4/24	27,588.12
	1547	ARENA MANGEMENT	13,363.70
TOTAL FOR: SUBURBAN ARENA MNGMT ROYAL OAK			55,245.21

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Vendor Code	Vendor Name	Description	Amount
Invoice			
12607	SUPPLYDEN		
525736-00		OPERATING SUPPLIES	187.21
TOTAL FOR: SUPPLYDEN			187.21
06908	SWANK MOVIE LICENSING USA		
3696114		LIBRARY COPYRIGHT COMPLIANCE SITE LICENSE 9/1/24-8/	945.00
TOTAL FOR: SWANK MOVIE LICENSING USA			945.00
12444	BARBARA SZUTKOWSKI		
08082024		REIMBURSE CAPS & COOKIES PROGRAM SUPPLIES	32.95
TOTAL FOR: BARBARA SZUTKOWSKI			32.95
11100	TECHRADIUM, INC		
21635		POLICE IRIS CREDIT USAGE 7/1-31 2024	24.96
TOTAL FOR: TECHRADIUM, INC			24.96
03545	THOMSON REUTERS - WEST		
850572553		ATTORNEY ONLINE/SOFTWARE SUBSCRIPTION CHARGES	1,755.45
TOTAL FOR: THOMSON REUTERS - WEST			1,755.45
16756	T-MOBILE		
969796655 08/24		ROPL HOTSPOTS	447.73
TOTAL FOR: T-MOBILE			447.73
03255	TRANS-TEK TRANSPORT		
13302		REFUSE HAUL OUT FROM DPS YARD & MATERIAL FOR DPS OP	10,833.86
13310		REFUSE HAUL OUT FROM DPS YARD & MATERIAL FOR DPS OP	3,436.17
13313		REFUSE HAUL OUT FROM DPS YARD & MATERIAL FOR DPS OP	13,891.73
13318		REFUSE HAUL OUT FROM DPS YARD & MATERIAL FOR DPS OP	2,892.83
TOTAL FOR: TRANS-TEK TRANSPORT			31,054.59
10845	TRANSUNION RISK AND ALTERNATIVE		
916841-202407-1		COMPUTER/TELECOM EQUIP LEASES & RENTALS JULY 2024	381.40
TOTAL FOR: TRANSUNION RISK AND ALTERNATIVE			381.40
11575	TUMBLEBUNNIES GYMNASTICS, INC		
ROYAL-43201		GYMNASTIC CLASSES	1,280.00
TOTAL FOR: TUMBLEBUNNIES GYMNASTICS, INC			1,280.00
17545	TURF TANK		
76323		10 LITERS OF WHITE READY TO SPRAY PAINT	2,305.85
TOTAL FOR: TURF TANK			2,305.85
01369	TWI TIRE WHOLESALERS		
8597498-00		PURCHASE OF TIRES AS NEEDED	2,296.44
TOTAL FOR: TWI TIRE WHOLESALERS			2,296.44
06537	UHLIANUK GREENHOUSE		
08032024		EBT/SNAP REIMBURSEMENT FARMERS MKT VENDOR	19.00
TOTAL FOR: UHLIANUK GREENHOUSE			19.00
RBOND	UNDERGROUND CONTRACTORS INC		
BENG-220005		BD Bond Refund	2,000.00
TOTAL FOR: UNDERGROUND CONTRACTORS INC			2,000.00
RBOND	UNIVERSAL PLBG & SEWER INC		
BENG-230189		BD Bond Refund	2,000.00
TOTAL FOR: UNIVERSAL PLBG & SEWER INC			2,000.00

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Vendor Code	Vendor Name	Description	Amount
	Invoice		
05758	VANOVERBEKE, MICHAUD & TIMMONY, P.C		
	112206	RETIREMENT SYSTEM LEGAL SERVICES 1/1-6/30 2024	3,236.10
	112207	RETIREMENT HEALTH CARE LEGAL SERVICES 1/1-6/30 2024	603.00
TOTAL FOR: VANOVERBEKE, MICHAUD & TIMMONY, P.C			3,839.10
11720	GINGER VISINGARDI		
	SUMMER 2024	PILATES	694.40
TOTAL FOR: GINGER VISINGARDI			694.40
01407	VULCAN INC		
	R49330	SIGN MATERIALS	3,327.25
TOTAL FOR: VULCAN INC			3,327.25
19523	SCOTT WETZEL		
	08062024	AMBULANCE PURCHASE REFUND	1,631.75
TOTAL FOR: SCOTT WETZEL			1,631.75
13476	WOODSIDE BIBLE CHURCH		
	08122024	AUG. 6 ELECTION FACILITY RENTAL	100.00
TOTAL FOR: WOODSIDE BIBLE CHURCH			100.00
05315	WORRY FREE INC		
	24-78778	MAIN/KENILWORTH BIO-CELL MAINTENANCE	1,500.00
	24-78781	CBD SUMMER MAINTENANCE JULY 29-AUG 4 2024	13,200.00
	24-78853	NORMANDY OAKS POWER WASHING	812.00
	24-78906	CBD SUMMER MAINTENANCE AUG 5-11 2024	13,200.00
TOTAL FOR: WORRY FREE INC			28,712.00
18121	XAVUS SOLUTIONS		
	24781	SENIOR CTR STAFF SYSTEM SOFTWARE ANNUAL UPGRADES, M	1,500.00
TOTAL FOR: XAVUS SOLUTIONS			1,500.00
16732	YIFTEE INC		
	5513	ARTS BEATS EATS DD\$ DEPOSIT	105,000.00
TOTAL FOR: YIFTEE INC			105,000.00
19532	YOUNG'S TURF FARM		
	4666	PICKUP SOD 90 SQ FT	28.80
TOTAL FOR: YOUNG'S TURF FARM			28.80
15867	ZIXCORP		
	INV359460	REISSUE - STANDALONE ZIXMAIL LICENSE, SECURE PORTAL	2,283.70
TOTAL FOR: ZIXCORP			2,283.70
TOTAL - ALL VENDORS			4,003,507.84

PAYROLL #612PAYROLL DATE: 08/23/24**HUNTINGTON - PAYROLL**

DIRECT DEPOSIT \$897,113.87

PAPER CHECK \$2,241.04

ADJUSTMENTS

\$899,354.91**ELECTRONIC MONEY TRANSFER - ACH**

IRS

FED. W/H 123,958.17
SOC SEC 89,926.26
MEDICARE 36,659.00250,543.43

STATE OF MICHIGAN TREASURY

47,424.90

FRIEND OF THE COURT

3,458.39

MISSIONSQUARE

116,721.40

NATIONWIDE

39,558.47

MERS

27,631.00

TASC

10,091.96**ACCOUNTS PAYABLE - CHECKS**

MICHIGAN EDUCATION TRUST

-

MISC DEDUCTIONS

193.54

UNION DUES

PSA -
POA -
Command -
Detectives -
DPS -
Fire -
TPOAM -
Parking --

UNION DUES

GRAND TOTAL**\$ 1,394,978.00**

Request for Purchase Order Approval

August 15, 2024

The Honorable Mayor Fournier and
Members of the City Commission:

If the city commission is in agreement, the following resolution to approve purchase orders is recommended:

Be it resolved, the city commission approves the following requisition/purchase orders for fiscal year 2024-25:

Requisition #	R008660
Vendor:	Yiftee
Requesting approval for:	\$325,000
Price Source:	in a multi-year contract
Budgeted:	\$325,000
Department / Fund:	DDA/TIFA / DDA development
Description:	community gift card program

Requisition #	R008661
Vendor:	Pride Royal Oak
Requesting approval for:	\$75,000
Price Source:	in a multi-year contract
Budgeted:	\$75,000
Department / Fund:	DDA/TIFA / DDA development
Description:	Royal Oak pride sponsorship

Requisition #	R008662
Vendor:	MParks
Requesting approval for:	\$28,500
Price Source:	sole source
Budgeted:	\$28,500
Department / Fund:	senior center / senior citizen services
Description:	travel costs for senior center trips

Respectfully submitted,

Kymberly Coy
Finance Director

Approved,

Mark Wollenweber
Interim City Manager

CITY COMMISSION AGENDA ITEM

TITLE	Renewal of Farmer's Market ATM Services Agreement
SUBMITTING DEPARTMENT	Department of Public Service
PRESENTER	Aaron Filipski
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
CERTIFIED RESOLUTION	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY *(include history of previous Commission action/discussion, background, scope of work, etc.):*

Since 2009, the city has leased space within the Royal Oak Farmer's Market to Comerica Bank for the installation and maintenance of an automatic teller machine (ATM).

The current lease extension is set to expire; the attached agreement would extend the lease for an additional three years in exchange for monthly payments to the city of \$300 (\$3,600 annually). Per the agreement's terms, either party may terminate the lease at any time without penalty.

Department staff reviewed the proposed monthly rent and determined it to be representative of similar lease agreements. The market manager reports that Comerica has been responsive in satisfactorily resolving maintenance issues and recommends renewing the attached lease agreement.

The City Attorney's office provided revisions to the agreement which are reflected in the final attached version.

Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	None
AMOUNT CURRENTLY BUDGETED	N/A
BUDGET AMENDMENT REQUIRED	\$0.00 (BA between dept; net -0- effect on FB)
FUNDING SOURCE/ GL NUMBER	N/A
WAS THIS A BUDGETED EXPENSE?	<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☒ No fiscal impact

☐ Workload impact (details below)

☐ Revenue impact (details below)

☐ Operations Impact (details below)

REVENUE IMPACT: *Provide a description of how this item will impact revenue. (Is this item expected to create additional/new revenue? Will this item have a negative impact on revenue? Which funds would be impacted? Provide additional details, as necessary.)*

None.

WORKLOAD IMPACT: *If this item will require staff time to implement, operate or maintain, provide a description of the workload impact. (Will more staff be needed? Is this workload able to be absorbed by existing staff? If new FTE(s) are needed, provide details of position classification and duties. Provide additional details, as necessary.)*

None.

OPERATIONS IMPACT: *If the item requires a budget adjustment, please identify source of additional funds and any proposed cuts to other operations, programs and services.*

None.

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

Provide a description of how this item aligns with the strategic plan, aging in place plan, and sustainability and climate action plans. Include any specific goals or action steps it supports.

N/A

COMMUNITY ENGAGEMENT

Provide a description of any community engagement efforts made for this item. Include information on tools used, participation information, and general sentiments.

N/A

BOARD AND COMMISSION FEEDBACK

Was an advisory board or commission engaged in discussion on this item? If yes, please provide a summary of feedback received:

N/A

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

BE IT RESOLVED, the Royal Oak City Commission hereby approves the lease agreement with Comerica Bank for the placement and maintenance of an automated teller machine at the Royal Oak Farmer's Market and authorizes the Mayor and Clerk to sign the agreement.

ATTACHMENTS:

- Original 2009 Agreement
- Partially-Executed Renewal Agreement

**LEASE AGREEMENT
AUTOMATED TELLER MACHINE (ATM)**

THIS LEASE AGREEMENT is made and entered into this 15th day of June, 2009 by and between Royal Oak Farmers Market ("The City") and Comerica Bank ("Lessee").

RECITALS:

- A. The City is the owner of real property and improvements located at 316 E. Eleven Mile Rd, Royal Oak, Michigan, 48067 ("Premises").
- B. The City and Lessee desire to provide for the placement, installation and operation of an automated teller machine ("ATM") at the Premises for the mutual benefit of The City and Lessee.
- C. The City and Lessee have agreed to certain terms and conditions regarding the placement, installation and operation of the ATM as set forth herein.

NOW, THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Installation and Placement.** The City hereby grants to Lessee the exclusive right and privilege to operate an ATM at the Premises. Lessee, at its own cost and expense, will make alterations and improvements at the Premises in accordance with plans and specifications prepared by Lessee and approved by The City for the installation of an ATM. The parties shall agree on a mutually acceptable location for placement of the ATM at the Premises. The City shall be required to provide electrical, telecommunications and HVAC hook-ups to the placement location of the ATM. Lessee shall, at its sole cost and expense, deliver the ATM to the Premises and coordinate the installation and connection of the ATM to the Lessee's ATM network. The City will not be allowed to have any public telephone, directory, newspaper stand, vending machine, kiosk or other property whose use tends to attract the public within forty feet (40') of the ATM. The City would not be allowed any security camera or other image capturing device in such a fashion as to be able to capture specific details of any transaction at the ATM. The City further agrees that, in order for Lessee to monitor The City's compliance with this privacy requirement, Lessee may, from time to time, upon reasonable notice to The City (being one business day notice, unless an emergency exists in which case only such notice as is practical shall be given), conduct an audit and review of the film, tape, disc and/or other image capturing media for any security camera or other image capturing device on the Premises.

2. **Fees.** For and in consideration of the covenants and agreements set forth herein, the parties agree Lessee shall pay to The City the sum of Twelve Hundred Dollars (\$1,200.00) for year one, payable in equal monthly installments of One Hundred Dollars (\$100.00). Lessee shall pay to The City the sum of Eighteen Hundred Dollars (\$1800.00) for year two, payable in equal monthly installments of One Hundred Fifty (\$150.00). Lessee shall pay to The City the sum of Two Thousand Four Hundred Dollars (\$2400.00) for year three, payable in equal monthly installments of Two Hundred Dollars (\$200.00). Each monthly rent installment commences on the commencement date of the Lease and thereafter on the same day of each month until the Term of this Lease expires or is terminated.

3. **ATM Maintenance and Operation.** Lessee shall provide for the operation, maintenance and servicing of the ATM and its enclosure. Lessee shall maintain the ATM and its enclosure in a clean, operable and attractive condition. The City would be required to provide daily janitorial service to the ATM and its enclosure. The janitorial service shall include removal of trash from containers in and near the ATM enclosure, during marketing hours if necessary. The City shall at all

times keep in good condition and repair all buildings and improvements necessary for the use or access to the ATM and/or its enclosure.

4. **Term.** This Agreement shall be for a period of Three (3) years commencing on the date in which the ATM is installed and functioning for use by the public ("Lease Commencement Date"). The City and Lessee agree to execute a Lease Commencement Date statement, attached hereto and made a part hereof, that will verify the date of commencement. In the event that such machine is not installed and functioning within six (6) months of the commencement date, either party may terminate this Lease Agreement by written notice to the other party after the said six (6) month period. By giving notice in writing to The City at least thirty (30) days prior to the expiration of the original term of the Lease Agreement, or any renewal thereof, Lessee shall have the right and option of renewing this Lease Agreement for Two (2) additional Three (3) year options with the same terms and conditions. Anything in this Lease Agreement to the contrary notwithstanding, either party shall have the right, during the term or any renewal thereof, to terminate this Lease Agreement, with or without cause, upon thirty (30) day written notice to The City.

Anything in this Agreement to the contrary notwithstanding, Lessee's obligations under this Agreement are conditioned on Lessee obtaining the necessary municipal and/or other governmental authorizations, permits and/or approvals for the installation and operation of the ATM at the Premises (the "Approvals") on or before 180 days from the date of this Agreement as stated above (the "Approval Period"). If Lessee is unable to obtain the Approvals on or before the expiration of the Approval Period, it may terminate the Agreement by the delivery of written notice of termination to The City on or before the expiration of the Approval Period, failure of which shall be deemed a waiver by Lessee of this condition.

5. **Access.** During the term hereof, the City will be required to provide ATM customers with access to available parking spaces, restrooms and other public areas at the Farmer's Market during the hours that the Farmer's Market is open. The City will provide access to driveways and available parking spaces near the ATM, the lavatory facilities during Premises hours of operation, and additional hours for unimpeded access by Lessee, its employees and agents as necessary for servicing ATM.

6. **Security.** For security reasons, The City may only enter the ATM enclosure in the event of an emergency requiring such entry or for the purposes of repairing or altering the enclosure structure of which the ATM is a part, provided that 24 hours prior written notice be supplied to Lessee except in the event of an emergency where such notice as is practical shall be given. In the case of any such entry by The City, The City agrees to indemnify and hold Lessee harmless from and against any damage, loss or liability occasioned or caused by such entry. Lessee shall have the right to provide additional lighting or security personnel at the ATM location in its sole discretion and The City shall provide for adequate lighting at the Premises. "Adequate lighting" means with respect to an open and operating automated teller machine facility open to the outdoor air, and any defined parking area, lighting during nighttime hours according to the following standards:

(i) a minimum illuminance of ten candlefoot power is maintained on a horizontal plane at a point five feet outward from and five feet above the ground surface from the automated teller machine;

(ii) a minimum illuminance of two candlefoot power is maintained on a horizontal plane at a point fifty feet in all unobstructed directions from the automated teller machine, measured at a point five feet above the ground surface;

(iii) if an outdoor automated teller machine is located within ten feet of the corner of a building and the automated teller machine facility is generally accessible from the adjacent side, there shall be a minimum illuminance of two candlefoot power along the first forty unobstructed feet of the adjacent side of the building; and

(iv) with respect to a defined parking area, a minimum of two candlefoot power in that portion of the parking area within sixty feet of the automated teller machine facility.

"Candlefoot power" means the light intensity of candles measured on a horizontal plane thirty-six inches above ground level and five feet in front of the area to be measured.

7. **Signage.** Lessee shall have the right to place appropriate informational and promotional signage at the Premises based upon on-site location availability and such signage shall meet all municipal ordinances and regulations.

8. **Improvements and Trade Fixtures.** In the event The City chose to relocate the ATM, The City would be obligated to provide sixty (60) days prior written notice to Lessee, provide Lessee comparable space of approximately the same area and move Lessee to such new space at The City's sole cost and reimburse Lessee for all direct out-of-pocket expenses for the move. Upon expiration of the term of this Agreement, Lessee shall remove the ATM and shall restore the Premises to substantially the same condition as upon commencement hereof, except in normal wear and tear. The parties agree that the ATM, all related telecommunications equipment and all integrated portions of its enclosure are trade fixtures and shall not become a part of the real property to which it is attached and shall at all times remain the property of the Lessee.

9 **Indemnification and Insurance.**

(a) Lessee agrees to indemnify and hold The City harmless from and against any loss or liability for damages on account of injury to persons or property occasioned by the operation of the ATM and Lessee will procure and keep in effect general liability and property damage liability insurance, naming The City as an additional insured. Lessee shall maintain a blanket liability insurance policy in the amount of One Million Dollars (\$1,000,000.00) covering such general liability and in the amount of Three Hundred Thousand Dollars (\$300,000.00) property damage insurance resulting from any one occurrence. Lessee shall have the right to self-insure if it so chooses.

(b) The City agrees to indemnify and hold Lessee harmless from and against any claims, damages, costs, fines, actions, losses, liabilities or defense costs (including but not limited to reasonable attorney's fees) resulting from or in connection with the presence, storage, usage, disposal, discharge, leaking, release or emission of any Hazardous Materials in, on, under or about the Premises or the premises of which it is a part. As used herein, the term "Hazardous Materials" shall mean any hazardous, toxic or radioactive substance, material, matter or waste which is or becomes regulated by any federal, state or local law ordinance or regulation.

(c) The City agrees to indemnify and hold Lessee harmless from and against any loss or liability for damages on account of injury to persons or property occasioned by the ownership or the operation of the Premises and The City will procure and keep in effect general liability and property damage liability insurance, naming Lessee as an additional insured., in the minimum amount of One Million Dollars (\$1,000,000.00) per occurrence, and provide Lessee with a certificate of insurance evidencing the same is in effect.

10. **Damage.** If the Premises, or any part of the building necessary to Lessee's use and enjoyment of the Premises, shall during the term hereof be damaged by fire, water, lightning, windstorm, hail, explosion, riot, riot attending a strike, civil commotion, aircraft, vehicle, or smoke, The City will repair the damage and restore the same to substantially its condition prior to such damage, and, if The City shall fail to commence such repairs within a reasonable time after such damage or shall not complete the making of such repairs with due diligence, Lessee shall have the privilege of making the same and charging the cost thereof against the rent due or to become due under this Lease and extensions and renewals thereof, or, at Lessee's option, of canceling this Lease without further liability, provided, however, that in the event that the Premises or the building of which the Premises are a part is also

damaged in an amount in excess of twenty-five (25%) percent of the replacement value of such building immediately prior to such damage, then either The City or Lessee at its option may cancel this Lease without further liability hereunder. In the event that the Lease is not canceled as provided above and any part of the Premises shall be rendered untenable for any period of time, the entire rent for the Premises shall be abated for such period of time. In the event that the fire or other loss or damage is caused by the negligence of the Lessee, its agents, employees or invitees, The City shall have the right of action against Lessee. Any insurance company with whom The City carries fire insurance shall not have any right of subrogation against Lessee.

11. **Eminent Domain/Condemnation.** If the Premises shall be taken under the right of eminent domain, this Lease shall be thereby canceled, and The City shall forthwith give to the Lessee written notice thereof.

If any part of the building of which the Premises are a part shall be taken in such condemnation proceedings, the Lessee may at its option cancel and terminate this Lease as of the date of entry into possession by the condemning authority by written notice to The City within thirty (30) days after the judgment in the condemnation case shall have become final. On cancellation by either party as in this paragraph provided, the rentals reserved hereunder shall be paid to the date of entry into possession by the condemning authority.

In the event of condemnation, if this Lease shall continue in effect, the Lessee shall receive a reduction in rental proportionate to the reduction in the area of the Premises resulting from the taking.

12. **Compliance with Laws.** Lessee shall comply with all applicable rules, regulations, codes and laws regarding ATM installation and operation. The City shall comply with all applicable rules, regulations, codes and laws regarding the operation and maintenance of the premises at which the ATM is located.

13. **Banking Regulations.** Lessee shall comply with all banking regulations applicable to the ATM. If, for any reason, applicable banking regulations limit or restrict the installation or operation of the ATM as intended by Lessee, Lessee shall have the right to terminate this Agreement upon thirty (30) days written notice provided to The City.

14. **Miscellaneous.**

(a) **Customer Inquiries.** Lessee shall be responsible for responding to all customer inquiries and complaints and The City shall forward any such inquiries and complaints to Lessee.

(b) **Notices.** Notices required or permitted under this Agreement shall be in writing and shall be deemed duly given when personally delivered or sent, by registered mail, return receipt requested, postage prepaid, as follows:

To Lessee: Comerica Bank, Rosemary Kessler
Retail Operations Officer
3701 Hamlin Road
Mail Code 2150
Auburn Hills, MI 48326

-and-

CB Richard Ellis
3501 Hamlin Road 2nd Floor
Auburn Hills, MI 48326
Attn. Comerica Portfolio & Lease Services

To The City:
Director of Recreation & Public Service
211 S. Williams Street
Royal Oak MI 48067

Greg Rassel, City of Royal Oak

(c) **Successors and Assigns.** This Agreement shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

(d) **Entire Agreement.** This Agreement constitutes the entire agreement between the parties and no modifications or waivers shall be binding unless made in writing and signed by each of the parties hereto.

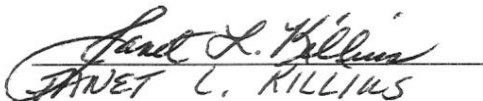
(e) **Applicable Law.** This Agreement shall be construed and enforced in accordance with the laws of the State of Michigan.

(f) **Caption.** The captions of this Agreement are for convenience only, are not to be construed as part of this Agreement and shall not be construed as defining or limiting in any way the scope or intent of the provisions hereof.

(g) **Jury Waiver.** The parties, after consulting (or having had the opportunity to consult) with counsel of their choice, each knowingly and voluntarily waive their right to trial by jury in any action, proceeding or counterclaim brought by either of the parties hereto against the other on any matters whatsoever arising out of or in any way connected with this Agreement.

IN WITNESS WHEREOF, the Lessee and The City have caused this Agreement to be executed by their authorized representatives the day and year set forth above:


Witnesses:


JANET L. KILLIUS

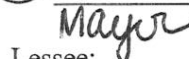
Lessor:


CITY OF ROYAL OAK

By:


JAMES B. ETISON

Its:


Mayor

Lessee:

Comerica Bank



Sharron Skwarek
Real Estate Leasing Representative

By:



Michael C. Venetis
Its: Vice President

LEASE COMMENCEMENT DATE STATEMENT

Date: _____, 2009

Sharron Skwarek
Real Estate Marketing
Comerica Incorporated
3501 Hamlin
Mail Code 2220
Auburn Hills, MI 48326

Re: ATM Lease
Located at _____

Dear Ms. Skwarek:

This letter is being delivered to you in accordance with Paragraph 4 of the Lease dated _____, 2009, between Comerica Bank and the undersigned, pertaining to the ATM referred to above (the "Lease").

We hereby acknowledge that the Lease Commencement Date (as defined in the Lease) for the Premises is _____, 2009, and the date of expiration of the Term is _____, _____, _____ () years from said commencement date.

ACKNOWLEDGED & ACCEPTED

THE _____ CITY:

By: _____

Its: _____

SECOND AMENDMENT TO LEASE AGREEMENT
AUTOMATED TELLER MACHINE (ATM)

THIS SECOND AMENDMENT TO LEASE AGREEMENT (this "**Amendment**") is made as of April 29, 2024 (the "**Effective Date**"), by and between COMERICA BANK, a Texas banking association ("**Tenant**") and CITY OF ROYAL OAK, MICHIGAN ("**Landlord**").

WITNESSETH:

WHEREAS, Landlord and Tenant are parties to that certain Lease Agreement - Automated Teller Machine (ATM), dated as of June 15, 2009 (collectively, as may have been amended or supplemented prior to the date of this Amendment, the "**Lease**"), with respect to leased premises consisting of approximately twenty-five (25) square feet of space (the "**Premises**") located in the Royal Oak Farmers Market, at 316 E. Eleven Mile Road, Royal Oak, Michigan 48067 (the "**Building**");

WHEREAS, Landlord and Tenant desire to amend the terms of the Lease to provide for, among other things, the extension of the lease term; and

NOW, THEREFORE, in consideration of the above recitals, the mutual covenants set forth below, and other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Landlord and Tenant hereby agree as follows:

1. **Recitals; Capitalized Terms.** The above recitals are an integral part of the agreement and understanding of Landlord and Tenant and are incorporated into this Amendment by this reference. Capitalized terms not otherwise defined herein shall have the meanings assigned to such terms in the Lease.
2. **Expiration Date.** The lease term is hereby extended and shall now expire at midnight on August 30, 2027 (the "**Expiration Date**"), unless otherwise extended or sooner terminated pursuant to the terms of the Lease and this Amendment.
3. **Fees.** Commencing on September 1, 2024, fees payable under Section 2 of the Lease shall remain unchanged at Three Thousand Six Hundred and 00/100 Dollars (\$3,600.00) per year, payable in equal monthly installments of Three Hundred and 00/100 Dollars (\$300.00) each month until the Expiration Date.
4. **Representations and Warranties.** Landlord hereby represents and warrants to Tenant that neither Landlord nor Tenant is in breach of, or in default under, the Lease, and Landlord knows of no event or condition which, with the passage of time or the giving of notice or both, would constitute such a breach or default under the Lease.
5. **Tenant's Notice Address.** Tenant's address for notices under the Lease is replaced with the following:

TO TENANT:

Comerica Bank
3701 Hamlin Road, 3rd Floor
Auburn Hills, MI 48326-2220
Mail Code: 2220
Attn: Real Estate Facilities -Michael C. Venetis,
Vice President / National Real Estate Director

With a copy to:

Comerica Corporate Real Estate
c/o CBRE Portfolio Administration Services
3701 Hamlin Road, 3rd Floor
Auburn Hills, MI 48326-2220
Mail Code: 2220
Attn: Melissa R. Dalton, Director
Lease Administration Operations

With a copy to:

Comerica Bank
1717 Main Street, MC-6506
Dallas, TX 75201
Attn: Legal Department - Corporate Real Estate Counsel

6. Miscellaneous.

- a. Except as specifically set forth herein, all other terms and conditions as set forth in the Lease shall remain in full force and effect, and are not otherwise amended, altered, modified or revised.
- b. This Amendment is binding upon and shall inure to the benefit of the parties and their respective permitted successors and assigns under the Lease.
- c. Whenever reasonably possible, the Lease and this Amendment shall be interpreted harmoniously as a single integrated document. However, in the event of any inconsistency between this Amendment and the Lease, the provisions of this Amendment shall govern and control.
- d. This Amendment may be executed in multiple counterparts, each of which shall constitute an original, and all of which when taken together shall constitute one original. Delivery via facsimile or PDF transmission of a counterpart of this Amendment as executed by the parties making such delivery shall constitute good and valid execution and delivery of this Amendment for all purposes.
- e. Landlord represents and warrants that it has the full right, power and authority to enter into this Amendment without the consent or approval of any other entity or person. The signatory on behalf of Landlord further represents and warrants that they have full right, power and authority to act for and on behalf of Landlord in entering into this Amendment.

IN WITNESS WHEREOF, Landlord and Tenant have caused this Amendment to be executed as of the day and year first above written.

LANDLORD:

CITY OF ROYAL OAK, MICHIGAN

By: _____

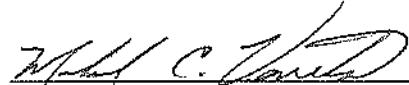
Michael Fournier, Mayor

By: _____

Melanie Halas, City Clerk

TENANT:

COMERICA BANK, a Texas banking association

By:  _____

Name: Michael C. Venetis

Its: Vice President – Real Estate

CITY COMMISSION AGENDA ITEM

Title	Award of 2024 Sewer Lining Contract S2402
SUBMITTING DEPARTMENT	Community Development - Engineering
PRESENTER	Holly Donoghue, P.E.
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY

Bids were received and opened on July 30, 2024 for Royal Oak 2024 Sewer Lining Contract S2402. The bid prices, scoring results, and award recommendation for the subject work are shown in Attachment 1.

This project falls under the requirements of city ordinance 2022-07, Responsible Contractor Ordinance. Two bids were submitted, and staff evaluated them using the ordinance criteria.

The contract work consists of cleaning, cutting and removal of protruding taps and mineral deposits, internal television inspection, and resin impregnated lining of sewers to repair structural defects and improve flow. The repair locations are based upon the review and inspection of sewer videos received from the city's sewer televising contract and from the Department of Public Service sewer maintenance division.

The highest ranked contractor is Insituform Technologies USA, LLC of Chesterfield, Missouri. Insituform has worked satisfactorily for the city in the past, and staff also received written references with satisfactory feedback for Insituform.

The funding source for this project is water and sewer fund.

Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	\$550,596.00
AMOUNT CURRENTLY BUDGETED	\$675,000.00
BUDGET AMENDMENT REQUIRED	N/A
FUNDING SOURCE/ GL NUMBER	592.540.81401.CAP2485
WAS THIS A BUDGETED EXPENSE?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☒ No fiscal impact

☐ Revenue impact (details below)

☐ Workload impact (details below)

☐ Operations Impact (details below)

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

This project aligns with the strategic plan goal to provide reliable infrastructure through developing and implementing asset management plans for water, sewer, roads, City facilities, and public spaces (goal 7.1).

COMMUNITY ENGAGEMENT

The city will notify the affected residents by letter at least a month in advance. The contractor is required to provide door hanger notices to residents that could potentially be affected by the sewer cleaning work one to two days ahead of time and 24 hours before lining.

BOARD AND COMMISSION FEEDBACK

Not applicable.

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

Be it resolved, the commission hereby awards Royal Oak 2024 Sewer Lining Contract S2402 to Insituform Technologies USA, LLC of Chesterfield, Missouri for the bid price of \$550,596 and directs staff to issue a purchase order in the amount of the bid price.

ATTACHMENTS:

1. Bid Results for Contract S2402

<u>Attachment 1</u> Bid Results 2024 Sewer Lining Contract S2402			
Contractor	Prequalification Date	Bid Amount	Score*
1 Insituform Technologies USA, LLC Chesterfield, MO	August 1, 2024	\$550,596.00	86.5
2 SAK Construction, LLC O'Fallon, MO	August 1, 2024	\$719,560.00	72.5

**Score is based on a maximum of 100 points under the Responsible Contractor Ordinance*

General Construction Contract Bid Information	
Contract No.:	S2402
Title:	2024 Sewer Lining
Recommended contractor:	Insituform Technologies USA, LLC of Chesterfield, Missouri
Bid amount:	\$550,596.00
Number of bids:	2
Range of bids:	\$550,596.00 to \$719,560.00
Budgeted amount:	\$675,000.00
Engineer's Estimate:	\$617,100.00
Comparison of bid to engineer's estimate - percent comparison:	10.8% Under
Starting date:	September 16, 2024
Completion date:	December 7, 2024

CITY COMMISSION AGENDA ITEM

Title	Award of Professional Engineering Services for 2026 Rochester Road Improvements Contract CAP2606
SUBMITTING DEPARTMENT	Community Development - Engineering
PRESENTER	Holly Donoghue, P.E.
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY

The Rochester Road Improvements project from 13 Mile Road to 14 Mile Road is scheduled for 2026 construction, and it is time to begin the survey and design effort for this project. The project includes a 4-to-3 lane configuration, curb relocation, water main improvements, sidewalk ramps, and possible installation of green infrastructure. This is a Michigan Department of Transportation (MDOT) Local Agency Project, and the city is providing matching funds for construction of this project. The City of Clawson is also providing matching funds for their portion of the corridor, which is the west side of Rochester Road from Whitcomb Avenue to 14 Mile Road.

The engineering division does not have the necessary staffing or MDOT certifications required to design and oversee construction of the project and must contract for the design and construction engineering services. The engineering division sent a request for proposals dated July 24, 2024 to the three consultants under contract with the city and received three proposals as outlined in Attachment 1.

Based on staff's evaluation of the submitted proposals, the engineering division recommends the selection of Hubbell, Roth and Clark, Inc. of Bloomfield Hills, Michigan to provide design and construction engineering services for this project. This consultant is currently under contract with the city for general engineering services. The funding source for this work is the major road fund and water and sewer fund.

Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	\$721,000
AMOUNT CURRENTLY BUDGETED	\$900,000
BUDGET AMENDMENT REQUIRED	N/A
FUNDING SOURCE/ GL NUMBER	202.901.81402.CAP2606 (67%) \$483,070 592.901.81402.CAP2606 (33%) \$237,930
WAS THIS A BUDGETED EXPENSE?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☐ No fiscal impact

☐ Workload impact (details below)

☒ Revenue impact (details below)

☐ Operations Impact (details below)

REVENUE IMPACT:

The City of Clawson owns 25% of the road area within this project, and will be billed for 25% of the consultant's fees related to the roadwork at the end of each fiscal year. The total estimated amount to be billed is \$120,768.

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

This project is part of the city's road millage renewal program, and this meets the Sustainability and Climate Action Plan goal to fund, plan and develop well maintained infrastructure for all modes of travel.

COMMUNITY ENGAGEMENT

Not applicable.

BOARD AND COMMISSION FEEDBACK

Not applicable.

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

Be it resolved, the Royal Oak City Commission hereby awards professional engineering services for the 2026 Rochester Road Improvements Contract CAP2606 to Hubbell, Roth and Clark, Inc. of Bloomfield Hills, Michigan, currently under contract with the city, and directs staff to issue a purchase order in the amount of \$721,000.

ATTACHMENTS:

1. Summary of Professional Engineering Proposals for CAP2606

Attachment 1				
Summary of Professional Engineering Services Proposals 2026 Rochester Road Improvements Contract CAP2606				
Consultant	Design Fee*	Construction Engineering Fee**	Total Estimated Fees**	Proposal Score (out of 100 pts)
Hubbell, Roth & Clark, Inc.	\$271,000	10% \$450,000	\$721,000	91
Nowak & Fraus Engineers	\$195,000	9% \$405,000	\$600,000	75
OHM Advisors	\$368,200	8.2% \$369,000	\$737,200	84.5

* Hourly, not to exceed fee

**Construction engineering cost will be based on the actual construction cost of the project. Costs shown are based on the estimated construction budget of \$4,500,000.

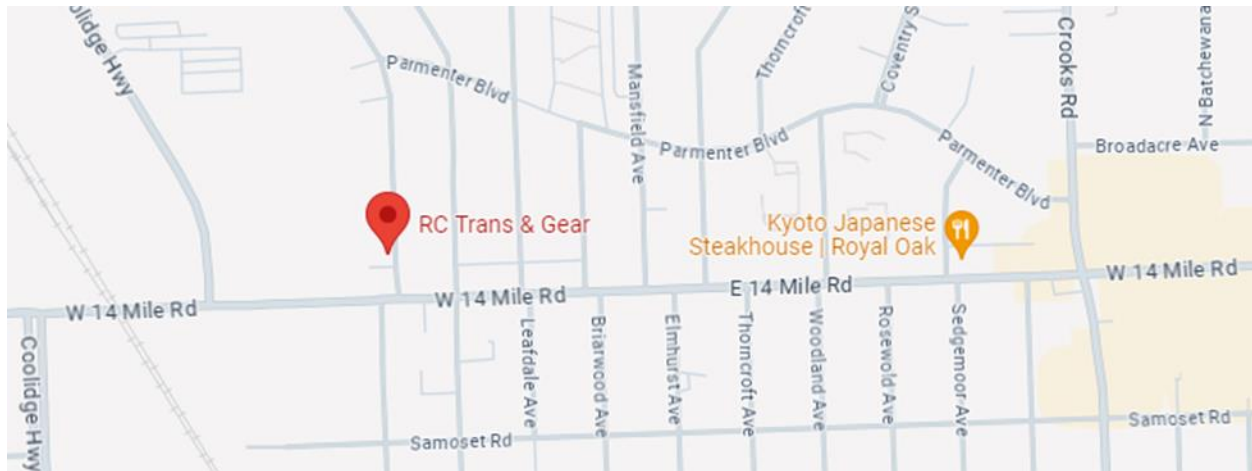
CITY COMMISSION AGENDA ITEM

TITLE	Approval of Business Mural at 4817 Fernlee Avenue
SUBMITTING DEPARTMENT	City Manager
PRESENTER	Susan Barkman
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
CERTIFIED RESOLUTION	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY *(include history of previous Commission action/discussion, background, scope of work, etc.):*

The Commission for the Arts reviews applications for murals on privately owned buildings in order to determine if the mural is art. This helps screen potential murals which could be interpreted as a sign which in some cases would cause the business to be in violation of the sign code.

Staff recently received an application for a mural to be done on the side of RC Transit & Gear Inc., a building located at 4817 Fernlee Avenue. This building is located near the intersection of Fernlee and 14 Mile Road.



The business owner is Yolanda Williams, and the artist is Rick Williams (along with his partner Matthew Michael Hutton). They are seeking approval so they can begin painting. RC Transit & Gear Inc. is a family-owned transmission team providing clutch repair, differential service, wheel bearing repair, and transmission services. The idea for the mural is to include the white outline of a broken-down car and truck displayed against a bright gradient backdrop.

There are two artists collaborating to do this mural. The gradient color in the background may look familiar as it is similar to another business on Fernlee which put a mural on the side of their business. Rick uses this feature in a number of his murals which are part of a series. The second artist, Ghostbeard indicated that the cars are representative of his grandfather and

father who passed away. He described himself as a CarToonist, who draws people as cars. You may note the design is similar to another mural located on the side of the Pet Supply Plus store on Woodward.

On August 19, 2024, the Commission for the Arts reviewed the application and design.



Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	\$0.00
AMOUNT CURRENTLY BUDGETED	
BUDGET AMENDMENT REQUIRED	\$0.00 (BA between dept; net -0- effect on FB)
FUNDING SOURCE/ GL NUMBER	
WAS THIS A BUDGETED EXPENSE?	<input type="checkbox"/> Yes <input type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☒ No fiscal impact

☐ Revenue impact (details below)

☐ Workload impact (details below)

☐ Operations Impact (details below)

REVENUE IMPACT: *Provide a description of how this item will impact revenue. (Is this item expected to create additional/new revenue? Will this item have a negative impact on revenue? Which funds would be impacted? Provide additional details, as necessary.)*

No impact.

WORKLOAD IMPACT: *If this item will require staff time to implement, operate or maintain, provide a description of the workload impact. (Will more staff be needed? Is this workload able to be absorbed by existing staff? If new FTE(s) are needed, provide details of position classification and duties. Provide additional details, as necessary.)*

No impact.

OPERATIONS IMPACT: *If the item requires a budget adjustment, please identify source of additional funds and any proposed cuts to other operations, programs and services.*

No impact.

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

Provide a description of how this item aligns with the strategic plan, aging in place plan, and sustainability and climate action plans. Include any specific goals or action steps it supports.

This item aligns with the following action step listed in the Strategic Plan: "Continue to build more opportunities to display art within the community and evaluate the maintenance needs for pieces the city owns."

COMMUNITY ENGAGEMENT

Provide a description of any community engagement efforts made for this item. Include information on tools used, participation information, and general sentiments.

None.

BOARD AND COMMISSION FEEDBACK

Was an advisory board or commission engaged in discussion on this item? If yes, please provide a summary of feedback received:

The Commission for the Arts unanimously voted to recommend the approval of this mural.

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

BE IT RESOLVED, the Royal Oak City Commission hereby approves the proposed mural at 4817 Fernlee Avenue as art.

ATTACHMENTS:

- 1- Art Application

Public Art Application



I. Contact Information

First Name: Rick Last Name: Williams
Address: 27319 Marshall
City: Southfield State: MI ZIP: 48076
Email: info@distinctlife.com
Phone: 248-895-1001
Website: www.distinctlife.com

II. Proposed Locations for Artwork (Please prioritize.)

Priority 1:

Priority 2:

Site: RC Trans & Gear Inc 4817 Fernside Site: _____
Please attach visual representations of proposed sites.

III. Artwork Identification

Artwork Name: RC Cars
Year: 2024
Artist: Rick Williams
Medium/Material: Spray Paint
Dimensions: 53 Ft by 17 Feet
Footing Requirements: _____
Value of Artwork: 7K

IV. Visual Representation of Artwork Attachment

- Drawing, photograph or other visual representation of artwork indicating its height, width, and relationship to desired site are to be attached with proposal.
- Additional information including brief narrative of proposal including concept or visual representation of footing requirements may be attached if necessary.

V. Artist Statement Attachment

- Brief description of artist's work.

VI. Artist Bio and References Attachment

- Please attach an artist biography and three (3) professional references.

VII. Liability and Legal Requirements

- All installed public art is subject to a contract and license agreement between the artist, owner, or representative and the City of Royal Oak for the duration of display. Projects shall not be initiated until legal requirements are approved by City Staff and the City Commission.

VIII. Submission of Application

- Send completed application with required attachments to ROCFA@romi.gov.

Failure to provide the information outlined above may result in the City's rejection of this proposal until all the requested information is provided.

For any questions regarding this application or the Royal Oak Commission for the Arts, please contact Assistant to the City Manager Susan Barkman at 248-246-3204 or Susanb@romi.gov

CITY COMMISSION AGENDA ITEM

TITLE	Resolution to Dissolve the Employee Relations Committee
SUBMITTING DEPARTMENT	City Attorney
PRESENTER	Nic Grochowski
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
CERTIFIED RESOLUTION	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY *(include history of previous Commission action/discussion, background, scope of work, etc.):*

On the agenda for your review is a Resolution that dissolves the Employee Relations Committee. This Committee was originally created in 1942 prior to the enactment of the Public Employment Relations Act and prior to the formation of most, if not all, collective bargaining units in the City. Based on those and other contractual and legal changes, the Employee Relations Committee no longer serves a viable role in public employment or civil service in the City.

Thus, attached is a proposed Resolution that would dissolve the Employee Relations Committee.

Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	\$0.00
AMOUNT CURRENTLY BUDGETED	
BUDGET AMENDMENT REQUIRED	\$0.00 (BA between dept; net -0- effect on FB)
FUNDING SOURCE/ GL NUMBER	
WAS THIS A BUDGETED EXPENSE?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☒ No fiscal impact

☐ Workload impact (details below)

☐ Revenue impact (details below)

☐ Operations Impact (details below)

REVENUE IMPACT: *Provide a description of how this item will impact revenue. (Is this item expected to create additional/new revenue? Will this item have a negative impact on revenue? Which funds would be impacted? Provide additional details, as necessary.)*

WORKLOAD IMPACT: *If this item will require staff time to implement, operate or maintain, provide a description of the workload impact. (Will more staff be needed? Is this workload able to be absorbed by existing staff? If new FTE(s) are needed, provide details of position classification and duties. Provide additional details, as necessary.)*

OPERATIONS IMPACT: *If the item requires a budget adjustment, please identify source of additional funds and any proposed cuts to other operations, programs and services.*

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

Provide a description of how this item aligns with the strategic plan, aging in place plan, and sustainability and climate action plans. Include any specific goals or action steps it supports.

COMMUNITY ENGAGEMENT

Provide a description of any community engagement efforts made for this item. Include information on tools used, participation information, and general sentiments.

BOARD AND COMMISSION FEEDBACK

Was an advisory board or commission engaged in discussion on this item? If yes, please provide a summary of feedback received:

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

BE IT RESOLVED, the Royal Oak City Commission hereby approves the Resolution to Dissolve the Employee Relations Committee

ATTACHMENTS:

Resolution to Dissolve the Employee Relations Committee



Resolution to Dissolve the Employee Relations Committee

WHEREAS, on March 27, 1942, the Royal Oak City Commission, by resolution, created the Municipal Employees Relations Board, “to hear grievances or other important matters concerning relations between the City Administration and its employees, other than matters coming within the jurisdiction of the Civil Service Commission;” and

WHEREAS, on March 3, 1959, the Royal Oak City Commission, by resolution, renamed the Municipal Employees Relations Board to the Employees Relations Committee composed of three (3) City Commissioners, “to hear employee requests relating to salary and wage adjustments, fringe benefits and employee grievances involving matters of policy;” and

WHEREAS, on August 3, 1959, the Employees Relations Committee adopted Rules of Procedure for the Employee Relations Committee; and

WHEREAS, the Employee Relations Committee was created by the City before the Public Employment Relations Act was adopted; and

WHEREAS, the Employees Relations Committee has rarely been utilized due to collective bargaining agreements, changes to collective bargaining agreements and changes to the laws and regulations applicable to civil service and the Public Employment Relations Act; and

WHEREAS, the Employees Relations Committee no longer serves a viable role in employment related grievances and should be dissolved; and

WHEREAS, the City Commission desires to dissolve the Employees Relations Committee.

NOW THEREFORE BE IT RESOLVED, that the Royal Oak City Commission repeals the March 27, 1942, Resolution creating the Municipal Employees Relations Board; and

BE IT FURTHER RESOLVED, that the Royal Oak City Commission repeals the March 3, 1959, Resolution renaming the Municipal Employees Relations Board to the Employees Relations Committee; and

BE IT FURTHER RESOLVED, that the Royal Oak City Commission repeals the August 3, 1959, Rules of Procedure for the Employee Relations Committee; and

BE IT FINALLY RESOLVED, that the Royal Oak City Commission dissolves the Employee Relations Committee.

Adopted by City Commission
August 26, 2024

CITY COMMISSION AGENDA ITEM

TITLE	American Rescue Plan Act Enabled Project Funding Report
SUBMITTING DEPARTMENT	Finance
PRESENTER	Kymberly Coy
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
CERTIFIED RESOLUTION	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY *(include history of previous Commission action/discussion, background, scope of work, etc.):*

In an ongoing effort to provide fully transparent reporting on the use of the American Rescue Plan Act (ARPA) funding received by the city, totaling \$28,107,502, we are providing this report of expenditures and encumbrances through June 30, 2024 (Attachment 1) as a 'receive and file' item on this meeting's agenda.

Background

The American Rescue Plan Act (ARPA) was signed into law by President Joseph Biden in March 2021. Pursuant to ARPA, the city's direct allocation of \$28,107,502.00 can be spent on four broad eligible uses:

- 1.To respond to the COVID-19 public health emergency and its negative impacts;
- 2.To provide premium pay for essential workers;
- 3.To make necessary water, sewer, and broadband infrastructure investments; and
- 4.To provide government services to the extent of eligible governments' revenue losses.

On September 28, 2022, leaders representing Royal Oak's business, academic, and non-profit communities attended a listening session hosted by city staff and shared their perspectives as to the desired use of these funds. The city also commissioned a mailed survey from Cobalt Community Research in September 2022, and held an open house on October 5, 2022, to further solicit community feedback. The results of this community engagement were presented to the city commission at a working session on November 29, 2022.

On February 27, 2023, based on the public feedback received and the strategic goals of the city, the city commission adopted an ARPA allocation plan. This plan provides a roadmap to guide the use of this one-time source of funding. On May 30, 2023, the city commission took the further step to formally obligate all remaining unspent ARPA funds toward the provision of government services per federal grant guidelines.

Authorization to Spend

While the adopted ARPA allocation plan provides the framework for how these funds are expected to be used, authorization to spend or encumber must be further approved by the city

commission through adopting the annual budget and budget amendments, and approvals of contracts, purchase orders, and claims.

Using this Report

The attached report incorporates the proposed expenditures from the adopted ARPA allocation plan and gives the spending summary, by project. This report will be issued on a quarterly basis until the ARPA allocation is fully expended. The following is an explanation of some of the terms used in the report:

Cumulative Expenditures through March 31, 2024 – actual amount expended, or paid, as of the end of the prior fiscal quarter.

Additional Expenditures for the Quarter ended June 30, 2024 – actual amount expended from April 1, 2024, through June 30, 2024. Note: These amounts may include the transfers that occurred during the quarter to reimburse other funds for qualifying expenditures incurred by those other funds in prior periods.

Additional Funds Encumbered but not yet Expended as of June 30, 2024 – the spending of these funds has been approved by the city commission and purchase orders have been issued to the vendor. These amounts are considered fully committed for this purpose and are no longer available for other projects or uses.

Cumulative Expenditures and Encumbrances through June 30, 2024 – total amount of ARPA funding that has been spent and/or fully committed through the end of the reporting quarter.

Remaining Balance of Obligated Funds as of June 30, 2024 – based on the ARPA allocation plan adopted by the city commission on February 27, 2023 (and any subsequent plan amendments that may occur), this column reflects the roadmap of how future ARPA spending is planned. Because these funds have not yet been expended or committed through contracts or purchase orders, these balances may be reallocated by a future action of the city commission. This provides maximum flexibility as the plan moves forward to ensure these ARPA funds are spent according to the community priorities and to leverage opportunities to pair these funds with additional sources of grants, when available, creating an even greater community benefit.

Activity to Date

During the quarter ending June 30, 2024, ARPA funds were used to further these initiatives:

	Expended April 1, 2024 – June 30, 2024
1(d) Green infrastructure / watermain – Arden Place and Grandview Road	\$152,532.32
1(l) Tree canopy restoration program	\$12,880.00
2(d) Matching grant funding (Oakland County Senior Center ARPA grant)	\$82,590.00
6(b) Animal Shelter build-out (soft costs)	\$45,001.50
6(d) Library IT upgrades	\$19,948.97
6(h) Parking fund transfer (deficit elimination plan)	\$2,500,000.00
7(a) ARPA Administration – Guidehouse	\$204.00
Total	\$2,813,156.79
Expenditures prior to April 1, 2024	\$11,602,059.64
Cumulative Expenditures through June 30, 2024	\$14,415,216.43

Respectfully submitted,
Kymberly Coy
Finance Director

Approved,

Mark Wollenweber
Interim City Manager

1 Attachment

AMERICAN RESCUE PLAN ACT (ARPA)					
CURRENT AND PROPOSED EXPENDITURES					
	Total Allocation of Funds, per plan adopted Feb. 27, 2023	Subsequent Commission approved Modifications to Allocation Plan	Total Approved Allocation of Funds, as of June 30, 2024	Expended/ Encumbered through June 30, 2024	Remaining Balance of Allocated Funds as of June 30, 2024
Total ARPA Funding Allocation	\$ 28,107,502.00	\$ -	\$ 28,107,502.00	\$ 14,420,561.67	\$ 13,686,940.33
Proposed Expenditures:					
1 Investments in Infrastructure	\$ 11,713,300.00	\$ 700,862.60	\$ 12,414,162.60	\$ 5,175,678.62	\$ 7,238,483.98
2 Eligible Investments in Public Buildings	\$ 1,478,070.69	\$ 78,899.08	\$ 1,556,969.77	\$ 428,137.83	\$ 1,128,831.94
3 Non-Profit Funding to Support Community Programming	\$ 1,800,000.00	\$ 14,000.00	\$ 1,814,000.00	\$ 314,000.00	\$ 1,500,000.00
4 Premium Pay For Essential Workers	\$ 310,000.00	\$ -	\$ 310,000.00	\$ -	\$ 310,000.00
5 Affordable Housing	\$ 2,050,000.00	\$ 10,000.00	\$ 2,060,000.00	\$ 58,095.83	\$ 2,001,904.17
6 City Revenue Loss - COVID-19 Reimbursement (unrestricted)	\$ 5,501,798.58	\$ 2,561,250.00	\$ 8,063,048.58	\$ 7,857,436.08	\$ 205,612.50
7 Public Engagement and Administration of ARPA Funds	\$ 443,312.53	\$ -	\$ 443,312.53	\$ 396,994.36	\$ 46,318.17
8 Aid to Tourism, Travel or Hospitality	\$ 190,218.95	\$ -	\$ 190,218.95	\$ 190,218.95	\$ -
Total Proposed Expenditures	\$ 23,486,700.75	\$ 3,365,011.68	\$ 26,851,712.43	\$ 14,420,561.67	\$ 12,431,150.76
Allocation Balance Remaining for General Provision of Government Services	\$ 4,620,801.25	\$ (3,365,011.68)	\$ 1,255,789.57	\$ -	\$ 1,255,789.57 *

* At the July 8, 2024 regular meeting, City Commission approved the allocation of \$115,000 to support the Arts, Beats and Eats Dining Promotions programs. This will be reflected on the next quarterly report.

PROPOSED EXPENDITURES			Cumulative Expenditures through March 31, 2024	Remaining Balance of Obligated Funds as of March 31, 2024	Additional Expenditures for the Quarter Ended June 30, 2024	Additional Funds Encumbered but not yet Expended as of June 30, 2024	Cumulative Expenditures and Encumbrances through June 30, 2024	Remaining Balance of Obligated Funds as of June 30, 2024
ITEM 1: INVESTMENTS IN INFRASTRUCTURE								
Expected Completion	Description	Total						
2023	1(a) Green infrastructure - Rochester Road Rain Gardens and Water Main	\$ 318,700.00	\$ 318,700.00	\$ -	\$ -	\$ -	\$ 318,700.00	\$ -
2024	1(b) Green infrastructure - Dondero and Sheffield	\$ 200,000.00	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -	\$ 200,000.00
2025 - 2026	1(c) Green infrastructure (location TBD / two projects)	\$ 400,000.00	\$ -	\$ 400,000.00	\$ -	\$ -	\$ -	\$ 400,000.00
2024	1(d) Green infrastructure / water main - Arden Place and Grandview Road	\$ 913,000.00	\$ -	\$ 913,000.00	\$ 152,532.32	\$ -	\$ 152,532.32	\$ 760,467.68
2024-2026	1(e) VFW Park green infrastructure improvements	\$ 1,100,000.00	\$ -	\$ 1,100,000.00	\$ -	\$ -	\$ -	\$ 1,100,000.00
2023-26	1(f) Lead water pipe replacements	\$ 3,600,000.00	\$ 2,142,162.70	\$ 1,457,837.30	\$ -	\$ -	\$ 2,142,162.70	\$ 1,457,837.30
2023 - 2025	1(g) Water main improvements	\$ 3,612,000.00	\$ 1,204,000.00	\$ 2,408,000.00	\$ -	\$ -	\$ 1,204,000.00	\$ 2,408,000.00
2024	1(h) SMART bus stop accessibility upgrades	\$ 88,727.60	\$ 88,727.60	\$ -	\$ -	\$ -	\$ 88,727.60	\$ -
2025	1(i) Library solar upgrades	\$ 362,000.00	\$ -	\$ 362,000.00	\$ -	\$ -	\$ -	\$ 362,000.00
2024	1(j) LED Streetlight conversion (city owned)	\$ 400,000.00	\$ -	\$ 400,000.00	\$ -	\$ -	\$ -	\$ 400,000.00
2024	1(k) LED Streetlight conversion (DTE owned)	\$ 550,000.00	\$ 499,821.00	\$ 50,179.00	\$ -	\$ -	\$ 499,821.00	\$ 50,179.00
2022-2023	1(l) Tree Canopy Restoration Program	\$ 406,042.00	\$ 393,162.00	\$ 12,880.00	\$ 12,880.00	\$ -	\$ 406,042.00	\$ -
2024	1(m) Hudson Park Improvements	\$ 363,693.00	\$ 363,693.00	\$ -	\$ -	\$ -	\$ 363,693.00	\$ -
2025	1(n) Potential match for non-DDA façade improvements	\$ 100,000.00	\$ -	\$ 100,000.00	\$ -	\$ -	\$ -	\$ 100,000.00
Total Proposed - Investments in Infrastructure		\$ 12,414,162.60	\$ 5,010,266.30	\$ 7,403,896.30	\$ 165,412.32	\$ -	\$ 5,175,678.62	\$ 7,238,483.98

			Cumulative Expenditures through March 31, 2024	Remaining Balance of Obligated Funds as of March 31, 2024	Additional Expenditures for the Quarter Ended June 30, 2024	Additional Funds Encumbered but not yet Expended as of June 30, 2024	Cumulative Expenditures and Encumbrances through June 30, 2024	Remaining Balance of Obligated Funds as of June 30, 2024
PROPOSED EXPENDITURES								
ITEM 2: ELIGIBLE INVESTMENTS IN PUBLIC BUILDINGS AND TECHNOLOGY								
Expected Completion	Description	Total						
2023	2(a) Farmers Market generator	\$ 200,000.00	\$ -	\$ 200,000.00	\$ -	\$ -	\$ -	\$ 200,000.00
2023	2(b) Farmers Market restrooms	\$ 750,000.00	\$ 36,919.20	\$ 713,080.80	\$ -	\$ -	\$ 36,919.20	\$ 713,080.80
2024	2(c) City IT infrastructure upgrade	\$ 22,000.00	\$ 22,000.00	\$ -	\$ -	\$ -	\$ 22,000.00	\$ -
2024	2(d) Matching Grant funding (Oakland County Senior Center ARPA grant)	\$ 237,571.00	\$ -	\$ 237,571.00	\$ 82,590.00	\$ -	\$ 82,590.00	\$ 154,981.00
2023	2(e) Addition of wifi to Orson Starr home	\$ 8,296.27	\$ 2,951.03	\$ 5,345.24	\$ -	\$ 5,345.24	\$ 8,296.27	\$ -
2023	2(f) OpenGov Budget Software - Effective Service Delivery	\$ 120,838.00	\$ 112,817.86	\$ 8,020.14	\$ -	\$ -	\$ 112,817.86	\$ 8,020.14
2024	2(g) Storage Area Deconstruction	\$ 168,264.50	\$ 165,514.50	\$ -	\$ -	\$ -	\$ 165,514.50	\$ 2,750.00
2025	2(h) Senior Center generator	\$ 50,000.00	\$ -	\$ 50,000.00	\$ -	\$ -	\$ -	\$ 50,000.00
Total Proposed - Eligible Investments in Public Buildings			\$ 1,556,969.77	\$ 340,202.59	\$ 1,214,017.18	\$ 82,590.00	\$ 5,345.24	\$ 428,137.83
PROPOSED EXPENDITURES			\$ 341,272.39					
ITEM 3: NONPROFIT FUNDING TO SUPPORT COMMUNITY PROGRAMMING								
Expected Completion	Description	Total						
2023	3(a) Revenue loss driven (estimate 6 x \$50,000 grants)	\$ 314,000.00	\$ 314,000.00	\$ -	\$ -	\$ -	\$ 314,000.00	\$ -
2026	3(b) YMCA Community Center	\$ 1,500,000.00	\$ -	\$ 1,500,000.00	\$ -	\$ -	\$ -	\$ 1,500,000.00
Total Proposed - Non-Profit Funding to Support Community Programming			\$ 1,814,000.00	\$ 314,000.00	\$ 1,500,000.00	\$ -	\$ -	\$ 314,000.00
PROPOSED EXPENDITURES								
ITEM 4: PREMIUM PAY FOR ESSENTIAL WORKERS (Police and Fire)								
Expected Completion	Description	Total						
2023	4(a) Premium pay (cannot exceed \$25,000 per worker), \$2000 x 155 people	\$ 310,000.00	\$ -	\$ 310,000.00	\$ -	\$ -	\$ -	\$ 310,000.00
Total Proposed - Premium Pay for Essential Workers (Police & Fire)			\$ 310,000.00	\$ 310,000.00	\$ -	\$ -	\$ -	\$ 310,000.00
PROPOSED EXPENDITURES								
ITEM 5: AFFORDABLE HOUSING								
Expected Completion	Description	Total						
2023-2026	5(a) Financial assistance to develop new affordable housing	\$ 2,000,000.00	\$ -	\$ 2,000,000.00	\$ -	\$ -	\$ -	\$ 2,000,000.00
2023-2026	5(b) Rental assistance	\$ 60,000.00	\$ 58,095.83	\$ 1,904.17	\$ -	\$ -	\$ 58,095.83	\$ 1,904.17
Total Proposed - Affordable Housing			\$ 2,060,000.00	\$ 58,095.83	\$ 2,001,904.17	\$ -	\$ -	\$ 58,095.83

			Cumulative Expenditures through March 31, 2024	Remaining Balance of Obligated Funds as of March 31, 2024	Additional Expenditures for the Quarter Ended June 30, 2024	Additional Funds Encumbered but not yet Expended as of June 30, 2024	Cumulative Expenditures and Encumbrances through June 30, 2024	Remaining Balance of Obligated Funds as of June 30, 2024
PROPOSED EXPENDITURES								
ITEM 6: CITY REVENUE LOSS COVID-19 REIMBURSEMENT								
Expected Completion	Description	Total						
N/A	6(a) Royal Oak Civic Center COVID-19 overruns	\$ 279,798.58	\$ 279,798.58	\$ -	\$ -	\$ -	\$ 279,798.58	\$ -
2024	6(b) Animal Shelter Build-out (soft costs)	\$ 200,000.00	\$ 10,636.00	\$ 189,364.00	\$ 45,001.50	\$ -	\$ 55,637.50	\$ 144,362.50
2023-2024	6(d) Library IT upgrades	\$ 22,000.00	\$ 2,051.03	\$ 19,948.97	\$ 19,948.97	\$ -	\$ 22,000.00	\$ -
2022-2023	6(e) FY 2022-2023 Budget	\$ 4,000,000.00	\$ 4,000,000.00	\$ -	\$ -	\$ -	\$ 4,000,000.00	\$ -
2022-2023	6(f) Parking Fund Transfer	\$ 1,000,000.00	\$ 1,000,000.00	\$ -	\$ -	\$ -	\$ 1,000,000.00	\$ -
2023-2024	6(g) Mental Health Co-Response Team	\$ 61,250.00	\$ -	\$ 61,250.00	\$ -	\$ -	\$ -	\$ 61,250.00
2023-2024	6(h) Parking Fund Transfer	\$ 2,500,000.00	\$ -	\$ 2,500,000.00	\$ 2,500,000.00	\$ -	\$ 2,500,000.00	\$ -
Total Proposed - City Revenue Loss COVID-19 Reimbursement		\$ 8,063,048.58	\$ 5,292,485.61	\$ 2,770,562.97	\$ 2,564,950.47	\$ -	\$ 7,857,436.08	\$ 205,612.50
PROPOSED EXPENDITURES								
ITEM 7: PUBLIC ENGAGEMENT AND ADMINISTRATION OF ARPA FUNDS								
Expected Completion	Description	Total						
2026	7(a) ARPA Administration - Guidehouse	\$ 421,612.53	\$ 375,090.36	\$ 46,522.17	\$ 204.00	\$ -	\$ 375,294.36	\$ 46,318.17
2022-2023	7(b) ARPA Community Outreach - Siren Communications	\$ 15,000.00	\$ 15,000.00	\$ -	\$ -	\$ -	\$ 15,000.00	\$ -
2022-2023	7(c) ARPA Community Outreach Survey - Cobalt	\$ 6,700.00	\$ 6,700.00	\$ -	\$ -	\$ -	\$ 6,700.00	\$ -
Total Proposed - Public Engagement and Administration of ARPA Funds		\$ 443,312.53	\$ 396,790.36	\$ 46,522.17	\$ 204.00	\$ -	\$ 396,994.36	\$ 46,318.17
PROPOSED EXPENDITURES								
ITEM 8: AID TO TOURISM, TRAVEL OR HOSPITALITY								
Expected Completion	Description	Total						
2021	8(a) Arts, Beats & Eats 2021 Festival Grant	\$ 80,000.00	\$ 80,000.00	\$ -	\$ -	\$ -	\$ 80,000.00	\$ -
2022	8(b) Arts, Beats & Eats 2022 Festival Grant	\$ 60,000.00	\$ 60,000.00	\$ -	\$ -	\$ -	\$ 60,000.00	\$ -
2022-2023	8(c) Library PPE purchases	\$ 218.95	\$ 218.95	\$ -	\$ -	\$ -	\$ 218.95	\$ -
2023	8(d) Arts, Beats & Eats 2023 Festival Grant	\$ 50,000.00	\$ 50,000.00	\$ -	\$ -	\$ -	\$ 50,000.00	\$ -
Total Proposed - Aid to Tourism, Travel or Hospitality		\$ 190,218.95	\$ 190,218.95	\$ -	\$ -	\$ -	\$ 190,218.95	\$ -
TOTAL ALL PROPOSED EXPENDITURES		\$ 26,851,712.43	\$ 11,602,059.64	\$ 15,249,652.79	\$ 2,813,156.79	\$ 5,345.24	\$ 14,420,561.67	\$ 12,431,150.76
REMAINING ALLOCATION OBLIGATED FOR THE PROVISION OF GOVERNMENT SERVICES (Specific use to be appropriated by future action of City Commission)		\$ 1,255,789.57	\$ -	\$ 1,255,789.57	\$ -	\$ -	\$ -	\$ 1,255,789.57
TOTAL ARPA ALLOCATION		\$ 28,107,502.00	\$ 11,602,059.64	\$ 16,505,442.36	\$ 2,813,156.79	\$ 5,345.24	\$ 14,420,561.67	\$ 13,686,940.33

CITY COMMISSION AGENDA ITEM

TITLE	Proposed Ordinance Amendment 2024-09, High School Student Appointments to Boards and Commission – Second Reading
SUBMITTING DEPARTMENT	City Attorney
PRESENTER	Niccolas Grochowski
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
CERTIFIED RESOLUTION	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY (include history of previous Commission action/discussion, background, scope of work, etc.):

On the agenda for second reading is Ordinance Amendment 2024-09 that would permit student members appointed to a city advisory board and commission to be voting members should that advisory board or commission determine to permit the activity.

Section 12-3 of the City of Royal Oak Code of Ordinances provides for and “encourages high school student representation on City boards and committees so as to provide opportunities to students to serve the community, to participate in democratic government, to enhance input from students in governmental decisions that affect them, to create positive interaction between adult and student leaders of the community, and to give students an opportunity to gain valuable experience in the public sector decision-making process.” However, Section 12-11E of the City Code states that students *shall* serve as *nonvoting* members.

The Royal Oak Environmental Advisory Board (EAB) has two (2) high school students that are appointed to that Board and who are very active within the EAB. In the spirit of Section 12-3, the EAB has formally requested that the student representatives be provided the ability to vote on matters that are taken up by the EAB. This would provide a greater opportunity for those students to have a more meaningful participation in democratic government and provide a voice to the students on the various advisory boards and commissions that have active student representatives. The Ordinance establishing the EAB is silent as to student members. Thus, Section of 12-11, which designate student members as nonvoting members, applies.

Initially, in exploring this issue, our office was requested to determine whether the City can lawfully permit a student representative to serve as a voting member on a City board or commission. In general, this is uncommon in Michigan as most student representatives have not attained the age to legally vote in a federal, state, or local election. However, our research has revealed that there does not appear to be any prohibition at the state level applicable to student members, “youth members,” or limiting voting rights by age for those student members of advisory boards or commissions.

Statutory boards, such as those created by the Michigan Planning Enabling Act (Planning Commission), are limited to “qualified electors” in the state. MCL 125.3815(4). Thus, for certain “decision-making,” statutorily created boards such as the ZBA or Planning Commission, student members would not be allowed to be appointed to such a board and consequently would not be

allowed to vote. However, as to non-statutory, *advisory* boards, the Michigan Home Rule City Act places no relevant limitation on qualification to be a voting member and my office was unable to find any other statutory authority that would prevent the City from allowing student members to vote as a member of a non-statutory advisory board or commission.

Absent a controlling state statute, the Michigan Constitution recognizes wide authority of municipalities in the adoption of local ordinances (Const. 1963, Art. VII, § 34), and the Michigan Supreme Court has interpreted those constitutional provisions to reflect a strong policy of local control. *Associated Builders & Contractors v City of Lansing*, 499 Mich. 177, 195 (2016). While we were unable to find any municipalities that specifically permit student or youth board members to vote, as most ordinances deem them “nonvoting members”, there are examples at both the state and county level which bolster the conclusion that the practice is not barred by state statute. Specifically, the enabling statute for the Michigan Community Service Commission requires the inclusion of an “individual between the ages of 16 and 25...” as a voting member. MCL 408.233(2)(h). Likewise, the Washtenaw County Housing and Human Services Advisory Board specifies “one youth representative” as a voting member. Thus, the practice, although seemingly rare, is not prohibited.

Currently, “student appointments” to City boards and committees are designated as nonvoting members by Section 12-11E of the City Code of Ordinances, but there does not appear to be any state statute or other controlling authority that would prevent the City from amending our ordinances to designate student members as voting members on non-statutory advisory City boards or commissions.

Thus, attached for your consideration is a proposed amendment that amends Section 12-11E of the Code of Ordinances by adding language that allows advisory boards and commissions to grant their student members the ability to be voting members. In this regard, as you are aware, over the years the City’s various boards and commissions have been created either by ordinance or resolution. As such, the proposed amendment would permit each advisory board or commission to recommend an amendment to either their establishing ordinance or resolution if designating a student member as nonvoting or, in the alternative, the proposed ordinance permits the advisory board or commission to amend their Bylaws to permit students to be voting members when their enacting ordinance or resolution is silent as to student members. As presently drafted, the proposed ordinance amendment only applies to “advisory” boards and commissions and would *not* be applicable to statutory decision-making boards such as the Planning Commission or ZBA as those require members who are qualified electors.

Update from First Reading:

At first reading on this proposed ordinance amendment, a concern was discussed pertaining to the effect, if any, on the overall composition of the board or commission and the effect on maintaining an odd number of members on the board or commission should student members become voting members. If a particular advisory board or commission were to desire to make its student member(s) a voting member then, as a voting member, that student would legally be considered an official member of the board for composition and quorum on that board or commission. Thus, should an advisory board or commission desire to make a change that would include a student member as a voting member, the change would require a broader discussion on the overall number of members serving on that board or commission and it would likely necessitate a further change to that advisory board or commission’s enacting ordinance or resolution to adjust for the underlying composition of that board or commission. As such, it would be incumbent upon any board or commission considering such inclusion of students as voting members to consult with the City Attorney’s office to determine the appropriate amendments to its enacting ordinance or resolution and subsequent by-laws. This would include a broader discussion as to the practicality of making such a change and the effect on the composition of the advisory board or commission and what other ancillary effects that may have on the duties and

responsibilities of the board, both now and in the future. This would need to be reviewed and administered on a case-by-case bases for each advisory board or commission that desires to proceed in this manner.

Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	\$0.00
AMOUNT CURRENTLY BUDGETED	\$0.00
BUDGET AMENDMENT REQUIRED	\$0.00 (BA between dept; net -0- effect on FB)
FUNDING SOURCE/ GL NUMBER	
WAS THIS A BUDGETED EXPENSE?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☒ No fiscal impact

☐ Revenue impact (details below)

☐ Workload impact (details below)

☐ Operations Impact (details below)

REVENUE IMPACT: *Provide a description of how this item will impact revenue. (Is this item expected to create additional/new revenue? Will this item have a negative impact on revenue? Which funds would be impacted? Provide additional details, as necessary.)*

WORKLOAD IMPACT: *If this item will require staff time to implement, operate or maintain, provide a description of the workload impact. (Will more staff be needed? Is this workload able to be absorbed by existing staff? If new FTE(s) are needed, provide details of position classification and duties. Provide additional details, as necessary.)*

OPERATIONS IMPACT: *If the item requires a budget adjustment, please identify source of additional funds and any proposed cuts to other operations, programs and services.*

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

Provide a description of how this item aligns with the strategic plan, aging in place plan, and sustainability and climate action plans. Include any specific goals or action steps it supports.

This aligns with the stated goals contained in Section 12-3 of the Code of Ordinances.

COMMUNITY ENGAGEMENT

Provide a description of any community engagement efforts made for this item. Include information on tools used, participation information, and general sentiments.

BOARD AND COMMISSION FEEDBACK

Was an advisory board or commission engaged in discussion on this item? If yes, please provide a summary of feedback received:

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

BE IT RESOLVED, the Royal Oak City Commission hereby approves, upon second reading, Ordinance Amendment 2024-09, to Section 12-11E, Student Appointments, to provide for high school student members on advisory boards and commissions to be voting members.

ATTACHMENTS:

- 1- Proposed Ordinance Amendment 2024-09, High School Student Appointments to Boards and Commission. (Redline Version)
- 2- Proposed Ordinance Amendment 2024-09, High School Student Appointments to Boards and Commission. (Clean Version)

Report Approval Details

Document Title:	Proposed Ordinance Amendment 2024-09, High School Student Appointments to Boards and Commissions.docx
Attachments:	- Ordinance Amendment 2024-09 Student Voting REDLINE.docx- Ordinance Amendment 2024-09 Student Voting Clean.docx
Final Approval Date:	Jul 29, 2024

This report and all of its attachments were approved and signed as outlined below:

Mark Wollenweber

Report Approval Details

Document Title:	Proposed Ordinance Amendment 2024-09, High School Student Appointments to Boards and Commissions - Second Reading.docx
Attachments:	<ul style="list-style-type: none"> - Ordinance Amendment 2024-09 Student Voting REDLINE.docx - Ordinance Amendment 2024-09 Student Voting Clean.docx
Final Approval Date:	Aug 20, 2024

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Mark Wollenweber was completed by workflow administrator Carol Schwanger

Mark Wollenweber

ORDINANCE NO. 2024-09

**CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part I: Administrative Legislation; Chapter 12, Appointments to Advisory Boards, Commissions and Committees; Section 12-11 Student Appointments; Subsection E, to provide that high school student appointees to advisory boards and commission may be voting members.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendments.

That Subsection E, of Section 12-11 Student Appointments, of Chapter 12, Appointments to Advisory Boards, Commissions and Committees, of Part I: Administrative Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

E. Students appointed to City advisory boards and commissions under this section may serve as voting members if provided in the ordinance, resolution or by-laws of the advisory board or commission.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted:

Date Published:

Effective Date:

ORDINANCE NO. 2024-09

**CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part I: Administrative Legislation; Chapter 12, Appointments to Advisory Boards, Commissions and Committees; Section 12-11 Student Appointments; Subsection E, to provide that high school student appointees to advisory boards and commission may be voting members.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendment.

That Subsection E, of Section 12-11 Student Appointments, of Chapter 12, Appointments to Advisory Boards, Commissions and Committees, of Part I: Administrative Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

E. Students appointed to City advisory boards and commissions under this section may serve as voting members if provided in the ordinance, resolution or by-laws of the advisory board or commission.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted:

Date Published:

Effective Date:

CITY COMMISSION AGENDA ITEM

TITLE	Proposed Ordinance Amendment 2024-11, Fugitive Dust Regulations -Second Reading
SUBMITTING DEPARTMENT	City Attorney
PRESENTER	Niccolas Grochowski
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
CERTIFIED RESOLUTION	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY *(include history of previous Commission action/discussion, background, scope of work, etc.):*

On the Agenda for second reading is proposed ordinance amendment 2024-11, Fugitive Dust Regulations. In September of 2023, the Commission discussed various issues pertaining to the fugitive dust ordinance and made recommendations as to desired changes to the ordinance to fine tune the ordinance to better address the intended reduction of fugitive dust from demolition activities. To refresh your recollection, I have attached my previous correspondence to the Commission that discusses the topic and some of the restrictions placed upon the city for such regulations. Staff also reviewed the previous meeting and discussions in which the Commission gave direction to staff pertaining to an ordinance amendment.

The attached proposed ordinance amendment fully incorporates the direction of the Commission and specifically addresses the interests that were discussed by the Commission. We believe that the proposed change will have a significant impact on demolition activities by requiring dust mitigation during any demolition activity on a particular site. As you also may remember, as part of the permit process for demolitions, signage will be required to be posted by the contractor indicating that dust mitigation is required during construction activities and that a continuous water spray of sufficient volume or size to contain any fugitive dust during demolition activities.

Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	\$0.00
AMOUNT CURRENTLY BUDGETED	\$0.00
BUDGET AMENDMENT REQUIRED	\$0.00 (BA between dept; net -0- effect on FB)
FUNDING SOURCE/ GL NUMBER	
WAS THIS A BUDGETED EXPENSE?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☒ No fiscal impact

☐ Workload impact (details below)

☐ Revenue impact (details below)

☐ Operations Impact (details below)

REVENUE IMPACT: *Provide a description of how this item will impact revenue. (Is this item expected to create additional/new revenue? Will this item have a negative impact on revenue? Which funds would be impacted? Provide additional details, as necessary.)*

WORKLOAD IMPACT: *If this item will require staff time to implement, operate or maintain, provide a description of the workload impact. (Will more staff be needed? Is this workload able to be absorbed by existing staff? If new FTE(s) are needed, provide details of position classification and duties. Provide additional details, as necessary.)*

OPERATIONS IMPACT: *If the item requires a budget adjustment, please identify source of additional funds and any proposed cuts to other operations, programs and services.*

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

Provide a description of how this item aligns with the strategic plan, aging in place plan, and sustainability and climate action plans. Include any specific goals or action steps it supports.

S-CAP, Quality of Life, for a healthy and safe community.

COMMUNITY ENGAGEMENT

Provide a description of any community engagement efforts made for this item. Include information on tools used, participation information, and general sentiments.

BOARD AND COMMISSION FEEDBACK

Was an advisory board or commission engaged in discussion on this item? If yes, please provide a summary of feedback received:

The City Commission previously provided direction as to this proposed amendment.

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

BE IT RESOLVED, the Royal Oak City Commission hereby approves, upon second reading, ordinance amendment 2024-11, Fugitive Dust Regulations, to update and modify the city's fugitive dust regulations to control dust created from demolition activities in the city.

ATTACHMENTS:

- 1 – Original legal memo regarding fugitive dust discussion
- 2 - Proposed Ordinance Amendment 2024-11, Fugitive Dust Regulations. (Redline Version)
- 3 - Proposed Ordinance Amendment 2024-11, Fugitive Dust Regulations. (Clean Version)

Report Approval Details

Document Title:	Proposed Ordinance Amendment 2024-11, Fugitive Dust Regulations.docx
Attachments:	- 2023 Fugitive Dust Memo.pdf- Ordinance Amendment 2024-11, Fugitive Dust REDLINE.docx- Ordinance Amendment 2024-11, Fugitive Dust CLEAN FINAL.docx
Final Approval Date:	Jul 31, 2024

This report and all of its attachments were approved and signed as outlined below:

Mark Wollenweber

Report Approval Details

Document Title:	Ordinance Amendment 2024-11, Fugitive Dust - Second Reading.docx
Attachments:	- 2023 Fugitive Dust Memo.pdf - Ordinance Amendment 2024-11, Fugitive Dust REDLINE.docx - Ordinance Amendment 2024-11, Fugitive Dust CLEAN FINAL.docx
Final Approval Date:	Aug 20, 2024

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Mark Wollenweber was completed by workflow administrator Carol Schwanger

Mark Wollenweber

Fugitive Dust Discussion

September 7, 2023

The Honorable Mayor Fournier and
Members of the City Commission

I have been asked to provide a legal update regarding a voiced concern of demolition of single-family homes and the potential for the emission of dust containing hazardous substances such as asbestos or lead. As the City Commission is aware, this has been a topic of discussion previously and subject to previous review and action by the City. In 2019, a very wise and astute environmental law attorney, within the Royal Oak organization, wrote the following regarding this precise topic:

“Air quality in the State of Michigan is regulated under state and federal statutes such as the federal Clean Air Act and the comparable Michigan statute. Regulations to implement these statutes are promulgated by USEPA and the Michigan Department of Environmental Quality (MDEQ). Regulation of human exposure to toxic substances such as lead and asbestos through any exposure pathway (inhalation, dermal absorption, ingestion through drinking water, etc.) is also regulated by the federal Toxic Substances Control Act and the regulations that USEPA issues to implement it. Local governments have limited or no authority to regulate in this area. All of these state and federal statutes preempt more stringent local ordinances.

Congress passed the Residential Lead-Based Paint Hazard Reduction Act in 1992 which required USEPA to develop regulations to decrease lead exposure in private housing. The regulations require sellers of private homes to notify buyers of the potential of lead-based paint in the home if it was built before a certain date. The statute also requires USEPA to issue guidelines for persons renovating or remodeling a home, and the agency has published pamphlets which are available from federal agencies to give advice on methods to reduce exposure to lead during construction activities. But Congress specifically did NOT place language in any of these statutes that requires a contractor or private property owner to remove or abate a potential lead hazard before construction or demolition. The exception are properties owned by HUD. USEPA and MDEQ both require significant monitoring and reporting and abatement of activities which place lead particulate matter into the air, such as certain manufacturing activities, incineration, etc. But so far neither agency has felt it necessary to regulate potential airborne lead exposure in private residential construction or demolition activities. If you feel that either the state or federal government should take a closer look at this issue, you should contact USEPA or MDEQ.

The regulation of asbestos is another matter. Here again, it's the state and federal governments that have authority to regulate this toxic substance. But in the case of asbestos, USEPA has issued very stringent rules about asbestos removal and disposal during construction and demolition. If asbestos containing materials (ACM) are discovered in any building, even private residences, its removal and disposal must follow strict guidelines for containment. Contractors removing ACM must wear protective clothing, and

the areas where ACM materials are found must be sealed off from other areas within the building to prevent escape into unprotected areas. MDEQ is the state agency that has the authority to enforce these regulations. No city has the staff with the expertise to handle this task. If you think that MDEQ is not doing enough to inspect demolition sites to make sure contractors are following the rules, you need to contact them directly.

Disposal of construction debris is also highly regulated by the state and federal government. Construction debris is classified as hazardous waste and as such must be disposed in a licensed facility. Each load of debris must have a manifest describing the debris and must be transported along with the manifest. The manifest system was put in place decades ago so that hazardous waste can be tracked from "cradle to grave" in case some enforcement process is necessary later on. Here again, the enforcement agency in Michigan is MDEQ. Illegal dumping or other disposal can be reported to MDEQ. If it happens in Royal Oak, the city can also cite illegal dumping as a nuisance and require its removal and proper disposal as such, or contact MDEQ to also get them involved in an enforcement action."

"State and federal clean air regulations exempt residential properties with less than four units from a lot of their rules, including those dealing with asbestos. They also preempt local ordinances on the subject. The obligation to inspect the property for potential asbestos and to arrange for appropriate remediation falls on the building owner. Usually only certified asbestos inspectors and remediation contractors are trained to spot it and/or test for it. I don't think city building inspectors are generally certified to identify the myriad places where it can turn up, and it's often hidden in tile, cement, etc which requires testing, which no city does. City inspectors may develop some good understanding of the possibility that asbestos may be present, but if they're smart they should defer to the certified guys.

Disposal of hazardous waste from the demolition site is highly regulated by a cradle-to-grave regulatory scheme that exists in both federal and identical state laws. Generators of the waste (owner) have to contract with a licensed transporter to haul it to a licensed disposal facility, and it is all tracked by manifest. If the waste gets mishandled, everybody in the chain of custody can be liable. The state and federal laws here preempt local ordinances. MDEQ is the enforcer here. People that suspect improper disposal practices need to contact the MDEQ regional office."

These learned observations were in direct response to the exact issue that is again before the City Commission. These legal conclusions are still correct and an accurate summation of the law that local municipal governments are preempted from enacting local ordinances on the subject and that State and federal clean air regulations exempt residential properties, with less than four units, from most of the regulations, including those dealing with asbestos. Thus, for all the reasons stated above, I do not believe that we are able to adopt ordinances that would specifically address asbestos or lead in residential properties because of the state and federal exemptions and preemption.

Even though the city is preempted by state and federal law regarding asbestos and lead, the City may enact reasonable regulations regarding other related demolition activities such as nuisances created by the demolition activity including the mitigation of dust. In this regard, dust mitigation during demolition is regulated by the Royal Oak City Code, Section 278-37(D) which states:

“At all times the necessary steps shall be taken to ensure that dust, soil, or other material shall not become airborne and travel beyond the construction site property lines. Such steps could include water, chemical treatment, or other ground cover treatment as approved by the Building Official. In addition, fencing and/or screening pursuant to the City's building code may be required by the Building Official. Such activity will be maintained throughout the duration of the construction activity or until a permanent covering is installed.”

In accordance with Section 278-37(D), the City requires, pursuant to a demolition permit, a sign be posted on the property that states the following:

“At all times the necessary steps shall be taken to ensure that dust, soil, or other material shall not become airborne and travel beyond the construction site property lines.”

Use of water spray as dust control is REQUIRED during demolition activities at this site.

The advisory sign must remain affixed in a visible location on the required site fencing.

To report violations contact:

Building Department - 248.246.3210 during normal business hours

Police Non-Emergency Dispatch – 248.246.3500 on evenings/weekends”

Thus, it appears that the City has taken some lawful and appropriate measures to mitigate and minimize any dust or nuisance caused by demolition activities for any buildings whether or not exempted by state and federal law for asbestos and lead regulation. Even though the City has these regulations in place and enforces them uniformly throughout the City, the City Commission may certainly examine and discuss other lawful enforcement mechanisms and ordinance amendments should the City Commission believe that there are additional legally permissible safeguards, such as those in Section 278-37(D), that the City can enact to further address the issue.

Respectfully submitted,



Nicolas J. Grochowski
City Attorney

ORDINANCE NO. 2024-11

**CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part II: General Legislation; Chapter 278, Disorderly Conduct; Article VI Offenses Directed Against Public Order; Section 278-37D Disturbances of the peace, construction activity, to amend the fugitive dust regulations to require treatment for dust prevention for demolition activities pursuant to the city's police power to protect the public health, safety and welfare.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendment.

That Section 278-37D Disturbances of the peace, construction activity, of Article VI Offenses Directed Against Public Order, of Chapter 278, Disorderly Conduct, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

- D. At all times the necessary steps shall be taken to ensure that dust, soil, or other material shall not become airborne and travel beyond the construction site property lines. Such steps could include water, chemical treatment, or other ground cover treatment as approved by the Building Official. The treatment shall be of sufficient volume or size to contain the dust. In the instance of structure demolition, a continuous water spray of sufficient volume or size shall be required during any demolition activity on the site. In addition, fencing and/or screening pursuant to the City's building code may be required by the Building Official. Such activity will be maintained throughout the duration of the construction activity or until a permanent covering is installed.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted:

Date Published:

Effective Date:

ORDINANCE NO. 2024-11

**CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part II: General Legislation; Chapter 278, Disorderly Conduct; Article VI Offenses Directed Against Public Order; Section 278-37D Disturbances of the peace, construction activity, to amend the fugitive dust regulations to require treatment for dust prevention for demolition activities pursuant to the city's police power to protect the public health, safety and welfare.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendment.

That Section 278-37D Disturbances of the peace, construction activity, of Article VI Offenses Directed Against Public Order, of Chapter 278, Disorderly Conduct, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

- D. At all times the necessary steps shall be taken to ensure that dust, soil, or other material shall not become airborne and travel beyond the construction site property lines. Such steps could include water, chemical treatment, or other ground cover treatment as approved by the Building Official. The treatment shall be of sufficient volume or size to contain the dust. In the instance of structure demolition, a continuous water spray of sufficient volume or size shall be required during any demolition activity on the site. In addition, fencing and/or screening pursuant to the City's building code may be required by the Building Official. Such activity will be maintained throughout the duration of the construction activity or until a permanent covering is installed.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

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SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted:

Date Published:

Effective Date:

CITY COMMISSION AGENDA ITEM

TITLE	Proposed Ordinance Amendment 2024-10, Marihuana Regulations – Second Reading
SUBMITTING DEPARTMENT	City Attorney
PRESENTER	Niccolas Grochowski
MEETING DATE	August 26, 2024
SECOND READING REQUIRED	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
CERTIFIED RESOLUTION	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

EXECUTIVE SUMMARY *(include history of previous Commission action/discussion, background, scope of work, etc.):*

On the agenda for second reading is proposed ordinance amendment 2024-10 that includes two (2) revisions to the city's marihuana regulations. The first proposed revision incorporates a class A marihuana microbusiness into the current definition of marihuana microbusiness in the definition section of the marihuana regulations. In 2022, the Cannabis Regulatory Agency (CRA) amended the Michigan Administrative Code and added a class A marihuana microbusiness to the types of marihuana establishments permitted in the state in response to an overwhelming request from microbusiness across the state to expand the ability of a micro business to grow and obtain marihuana products.

As you know, the city granted and issued one permit for a marihuana microbusiness to Best Lyfe located at 32767 Woodward, which has been in operation since July of 2023. I have recently been contacted by representatives and an attorney representing Best Lyfe who are requesting that the city consider amending its ordinances to permit Best Lyfe to operate a class A marihuana microbusiness license created by the CRA. I have attached their request and correspondence in support that I received from their attorney for your review and consideration that more fully explains the request and reasons supporting their request.

The proposed ordinance amendment, by including a class A marihuana microbusiness in the current definition of marihuana microbusiness, would permit the business to administratively change their operations to the new class A marihuana microbusiness license type under the city ordinances as long as the required and corresponding state class A marihuana microbusiness license is obtained by the business. In addition, this definitional change, by referring to the definitions in the Michigan Administrative Code creates a better living code for the City as it will incorporate any future changes that may occur to the state laws, administrative codes or rules.

The second proposed revision relates to the hours of operations for all marihuana establishments in the city. I have attached a letter from the attorney representing Gatsby Cannabis Co. ("Gatsby") requesting that the city Commission consider an amendment to the marihuana regulations to amend the permissible hours of operations for marihuana establishments. This correspondence also provides the reasons for the request.

Currently, the code of ordinances establishes that marihuana establishments may only operate between 8:00 a.m. and 8:00 p.m. Consistent with the attached request, the proposed

revision would change those hours to allow operations between 9:00 a.m. and 10:00 p.m. for all marihuana establishments in the city.

City staff have no objections to either request and should the Commission desire to pass the amendments a proposed resolution is provided herein.

Fiscal Impact

BUDGET SUMMARY	
EXPENDITURE REQUIRED	\$0.00
AMOUNT CURRENTLY BUDGETED	N/A
BUDGET AMENDMENT REQUIRED	\$0.00 (BA between dept; net -0- effect on FB)
FUNDING SOURCE/ GL NUMBER	
WAS THIS A BUDGETED EXPENSE?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

OTHER FISCAL IMPACTS: (Select all that apply.)

☒ No fiscal impact

☐ Revenue impact (details below)

☐ Workload impact (details below)

☐ Operations Impact (details below)

REVENUE IMPACT: *Provide a description of how this item will impact revenue. (Is this item expected to create additional/new revenue? Will this item have a negative impact on revenue? Which funds would be impacted? Provide additional details, as necessary.)*

WORKLOAD IMPACT: *If this item will require staff time to implement, operate or maintain, provide a description of the workload impact. (Will more staff be needed? Is this workload able to be absorbed by existing staff? If new FTE(s) are needed, provide details of position classification and duties. Provide additional details, as necessary.)*

OPERATIONS IMPACT: *If the item requires a budget adjustment, please identify source of additional funds and any proposed cuts to other operations, programs and services.*

ALIGNMENT WITH COMMISSION APPROVED PLANS, POLICIES, AND PROGRAMS

Provide a description of how this item aligns with the strategic plan, aging in place plan, and sustainability and climate action plans. Include any specific goals or action steps it supports.

COMMUNITY ENGAGEMENT

Provide a description of any community engagement efforts made for this item. Include information on tools used, participation information, and general sentiments.

BOARD AND COMMISSION FEEDBACK

Was an advisory board or commission engaged in discussion on this item? If yes, please provide a summary of feedback received:

LEGAL COMMENTS

PROPOSED COMMISSION RESOLUTION:

BE IT RESOLVED, the Royal Oak City Commission hereby approves, upon second reading, ordinance Amendment 2024-10, Marihuana Regulations, to the Royal Oak Code of Ordinances.

ATTACHMENTS:

- 1-Proposed Ordinance Amendment 2024-10, Marihuana Regulations. (Redline Version)
- 2-Proposed Ordinance Amendment 2024-10, Marihuana Regulations. (Clean Version)
- 3-Letter from Best Lyfe
- 4-Letter from Gatsby

Report Approval Details

Document Title:	Proposed Ordinance Amendment 2024-10, Marihuana Regulations.docx
Attachments:	- Ordinance Amendment 2024-10 Marihuana Regulations REDLINE FINAL.pdf- Ordinance Amendment 2024-10 Marihuana Regulations CLEAN FINAL.pdf- City of Royal Oak - Request for Class A Microbusiness.pdf- Letter to Royal Oak City Commission re_ Request for Ordinance Change _ Hours of Operation (Ocean Capital_Gatsby) 2024_07_03.PDF
Final Approval Date:	Aug 6, 2024

This report and all of its attachments were approved and signed as outlined below:

Mark Wollenweber

Report Approval Details

Document Title:	Ordinance Amendment 2024-10 Marihuana Regulations Second Reading.docx
Attachments:	<ul style="list-style-type: none"> - Ordinance Amendment 2024-10 Marihuana Regulations REDLINE.docx - Ordinance Amendment 2024-10 Marihuana Regulations CLEAN FINAL.docx - City of Royal Oak - Request for Class A Microbusiness.pdf - Letter to Royal Oak City Commission re_ Request for Ordinance Change _ Hours of Operation (Ocean Capital_Gatsby) 2024_07_03.PDF
Final Approval Date:	Aug 19, 2024

This report and all of its attachments were approved and signed as outlined below:

No Signature - Task assigned to Mark Wollenweber was completed by workflow administrator Carol Schwanger

Mark Wollenweber

ORDINANCE NO. 2024-10

**CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part II: General Legislation; Chapter 435, Marihuana; Article I Recreational Marihuana Establishments; Section 435-1 Definitions and Section 435-5A(4) Operational requirements for marihuana establishments, to amend the definition of micro business consistent with the state rules for a class A marihuana micro business and to amend the permitted hours of operations for all marihuana establishments in the City.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendments.

That Section 435-1 Definitions, of Article I Recreational Marihuana Establishments, of Chapter 435, Marihuana, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

MARIHUANA MICROBUSINESS

~~A person licensed to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments. A “marihuana microbusiness” or “class A marihuana microbusiness” as defined by the Michigan Administrative Code.~~

That Section 435-5A(4) Operational requirements for marihuana establishments, of Article I Recreational Marihuana Establishments, of Chapter 435, Marihuana, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

(4) Operating hours. No retailer or retail portion of a microbusiness shall operate between the hours of ~~8~~10:00 p.m. and ~~8~~9:00 a.m.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted:

Date Published:

Effective Date:

ORDINANCE NO. 2024-10

**CITY OF ROYAL OAK,
OAKLAND COUNTY, MICHIGAN**

AMENDMENT TO THE CODE OF ORDINANCES

An Ordinance to amend the 2008 Ordinance Adopting the Royal Oak Code of Ordinances, codifying and adopting a new Code of the City of Royal Oak to amend: Part II: General Legislation; Chapter 435, Marihuana; Article I Recreational Marihuana Establishments; Section 435-1 Definitions and Section 435-5A(4) Operational requirements for marihuana establishments, to amend the definition of micro business consistent with the state rules for a class A marihuana micro business and to amend the permitted hours of operations for all marihuana establishments in the City.

THE CITY OF ROYAL OAK ORDAINS:

SECTION 1. Amendments.

That Section 435-1 Definitions, of Article I Recreational Marihuana Establishments, of Chapter 435, Marihuana, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

MARIHUANA MICROBUSINESS

A “marihuana microbusiness” or “class A marihuana microbusiness” as defined by the Michigan Administrative Code.

That Section 435-5A(4) Operational requirements for marihuana establishments, of Article I Recreational Marihuana Establishments, of Chapter 435, Marihuana, of Part II: General Legislation, of the Code of Ordinances, City of Royal Oak, Michigan, is hereby amended, to read as follows:

(4) Operating hours. No retailer or retail portion of a microbusiness shall operate between the hours of 10:00 p.m. and 9:00 a.m.

SECTION 2. Repealer.

All ordinances, or parts of ordinances, in conflict with this ordinance are repealed only to the extent necessary to give this ordinance full force and effect.

SECTION 3. Severability.

Should any section, subdivision, clause, or phrase of this ordinance be declared by the courts to be invalid, the validity of the ordinance as a whole, or in part, shall not be affected other than the part invalidated.

SECTION 4. Savings.

All proceedings pending and all rights and liabilities existing, acquired or incurred at the time this ordinance takes effect, are saved and may be consummated according to the law in force when they were commenced.

SECTION 5. Effective Date.

This ordinance as ordered shall take effect ten (10) days after its adoption and upon publication.

SECTION 6. Inspection.

A copy of this ordinance may be inspected or purchased at the city clerk's office between the hours of 8:00 a.m. and 4:30 p.m. on regular business days and between the hours of 8:00 a.m. and 12:00 p.m. on Fridays.

Michael Fournier, Mayor

Melanie Halas, City Clerk

Date Adopted:

Date Published:

Effective Date:



CANNABIS

LEGAL GROUP

July 31, 2024

Royal Oak City Commission, and
Royal Oak City Attorney
Niccolas Grochowski, Esq.

Sent via email to Niccolas.Grochowski@romi.gov

Re: Request for Ordinance Amendment for a Class A
Microbusiness.
Best Lyfe Cannabis Company – 32767 Woodward Avenue

City Commission,

Best Lyfe is the City's only permitted licensed marihuana microbusiness, located at 32767 Woodward Avenue. They obtained the highest point total for a microbusiness license in a merit-based application process. Best Lyfe have been licensed and operational since July 26, 2023. The microbusiness license type was the only of its kind available at the time of the application process. Due to the microbusiness license type limitations, in March of 2023, the State of Michigan's Cannabis Regulatory Agency created a new microbusiness license type called the class A microbusiness license. This correspondence is a request to amend the ordinance to permit the operation of Best Lyfe as a Class A Microbusiness.

Pursuant to state law, a microbusiness can only grow, process and retail goods produced from 150 marijuana plants. A microbusiness licensee cannot obtain product or inventory from any other sources. This number of plants does not produce enough inventory to even maintain regular business hours. More importantly, it is not enough to maintain a viable and profitable business.

On March 1st, 2021, the Cannabis Regulatory Agency (then the Marijuana Regulatory Agency) created the first Diversity, Equity and Inclusion Workgroup (DEIW). The undersigned was appointed as a member of the original workgroup and acted as the chairman of the local equity subcommittee. The first meeting was March 16th, 2021, and one of the first proposals was to create a new license type, that being the class A

microbusiness license. In our report of final recommendations, we proposed that the MRA create, by administrative rule, the Class A Microbusiness license and stated the following:

“By allowing the Class A Marijuana Microbusiness to both grow more plants and to procure mature plants from licensed growers, the model both insulates the license type against crop failures due to infestation, but also to ensure that the micro business has a continuous supply of marijuana, as opposed to potentially ling out of certain products while waiting for the next harvest”

Additionally, by allowing the Class A Microbusiness license to utilize the services of outside processors, Class A Microbusiness licenses are able to increase the available products that they carry and are also able to protect themselves against issues with their processing systems, and to significantly reduce the amount of capital required to establish their operation. Please reference the Racial Equity Advisory Workgroup Final Recommendation (Page 9).

The Microbusiness license was statutorily created in the Michigan Regulation and Taxation of Marijuana Act (MRTMA) which was the ballot initiative that legalized adult use marijuana passed in the November 2020 election. Contained therein, is the definition of a Microbusiness permits the licensee to cultivate not more than 150 marijuana plants, process and package marijuana, as well as sell marijuana to persons 21 years of age or older. Because the MRTMA was a ballot initiative, this definition cannot be amended without a three quarters majority vote, by both houses of the legislature.

Best Lyfe is requesting a simple amendment of the city’s cannabis ordinance and not the issuance of a new license. We are aware of the city’s fear of litigation. While the desire to avoid litigation is legitimate, as explained below, the likelihood for additional litigation is extremely low.

I see that the City is involved in at least two cases in litigation, currently in the appeals court, regarding its commercial marijuana licensing process. Two Sixth Circuit Court judges, Mary Ellen Brennen regarding Attitude Wellness, and Rae Lee Chabot regarding Quality Roots, ruled in favor of the city clearly upholding Royal Oak’s licensing process and upheld their broad discretion to choose the best operators to operate in the city (Best Lyfe being one of them). Given the overwhelming number of appellate rulings in favor of a municipality's right to choose the best applicant for their city, those plaintiffs have little chance on appeal. In Yellow Tail Ventures vs. The City of Berkley (which also included Attitude Wellness as a Plaintiff) the court of appeals rejected all of Plaintiffs' constitutional and statutory challenges stating:

"If a municipality decides to permit but restrict the number of licenses, then that municipality can apply criteria that, among other things, (1) ensure that a licensee is best suited to comply with the law within that particular municipality, (2) regulate the time, place, and manner of operation of the

marijuana establishment, and (3) do not impose unreasonably impracticable conditions on the licensee."

Yellow Tail Ventures, Inc. v. City of Berkley, 344 Mich. App. 689, 693. Further, a change to the definition of a micro business has absolutely no bearing on the issues concerning the current litigation. There have been at least five similar municipal ordinance amendments, in other local Michigan jurisdictions, that have successfully done the same thing we are requesting, without any threat of litigation.

Examples of Municipal Ordinance Amendments to allow a Class A Microbusiness

There are five (5) operating Class A Micro licenses in the State of Michigan, located within the City of Niles, Buchanan, Kalamazoo, Westland and Hartford. Each municipality amended their ordinance to adopt the definition of Microbusiness to be inclusive of a Class A Micro.

On June 20, 2023, the City of Niles changed their ordinance and amended the definition of a Microbusiness license to include a Class A Microbusiness license. On September 11, 2023, the City awarded two (2) class A Micro licenses. See attached meeting minutes. No additional litigation ensued due to this change. This can be confirmed by speaking with Tina Bergman, Niles City Clerk (269) 340-1641, cityclerk@nilesmi.org.

On December 27, 2022, the City of Buchanan amended their ordinance to permit their Microbusiness ordinance to include a Class A Micro license. See attached minutes. This can be confirmed by contacting Kalla Langston (269) 695-3844 Ext. 17, clerk@cityofbuchanan.com.

On June 5, 2023, the City of Kalamazoo authorized a change of their ordinance to permit a Microbusiness to operate as a Class A Microbusiness license. See attached City Commission Agenda Report, issued by Kalamazoo City Attorney. For confirmation contact Scott Borling, City Clerk at (269) 337-8000, cokcityclerk@kalamazoo-city.org.

On February 26th, 2024, the City of Hartford amended the definition of their Microbusiness license to include all Microbusinesses authorized by the MRTMA. See attached Commission Business Meeting Agenda (page 7) from February 20th, 2024. This authorized the one (1) Microbusiness in the city to obtain a license as a Class A Micro license.

On July 17th, 2023, Ancient Herbs was awarded a Microbusiness license by the City of Westland. At a city council meeting held on November 20th, 2023, a change to their ordinance was authorized to allow Ancient Herbs to operate as a Class A Micro license. (Minutes Attached). It should be noted that, like Royal Oak, Westland is currently in litigation regarding the issuance of their original licenses. The change to their statute did

not inspire any additional litigation. You may contact Mr. Ayoub for confirmation and details (734) 467-3210, mayoub@cityofwestland.com.

The city's current microbusiness license type is not viable. Best Lyfe will not survive in with this license type due to its limitations. The Class A micro business was created for this very reason, and it would be unfortunate for the city not to acknowledge that after awarding a license type that simply does not work, especially in today's difficult commercial cannabis industry. Further, the Class A Microbusiness maintains the local small business characteristics that the microbusiness license was intended to fulfill. If the city does not amend the ordinance and Best Lyfe does not renew its license, no other operator will apply for it. A simple change to the definition of a microbusiness in the ordinance is all that is necessary.

Respectfully,
Barton Morris
Barton W. Morris, Esq.
Counsel for Best Lyfe

Racial Equity Advisory Workgroup

Final Recommendations



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Executive Summary

According to the Bureau of Justice Statistics, nearly 80% of people in federal prison and almost 60% of people in state prison for drug offenses are black or Latino.¹ As state laws regarding the legality of marijuana have evolved, concerns about equitable opportunity in the industry for people of color have been at the forefront of the conversation.

To address this key issue, many states have implemented forms of social equity programs. Similarly, the Marijuana Regulatory Agency (MRA) has established such a program and is committed to making Michigan the model agency in the country, including being a leader on diversity, equity, and inclusion in the marijuana industry.

The commercial marijuana industry is in its infancy in Michigan. Medical marijuana has been legal in the state since 2008 and commercialized in 2016. Adult-use marijuana was legalized and commercialized in 2018. As the agency responsible for implementing and administering the laws governing commercial licensure, the MRA recognizes the importance of equity in opportunity for businesses operating in this newly legalized industry.

The Michigan Regulation and Taxation of Marijuana Act (MRTMA) directed the MRA to create a plan “to promote and encourage participation in the marijuana industry by people from communities that have been disproportionately impacted by marijuana prohibition and enforcement and to positively impact those communities.”

As the MRA implemented and expanded this plan, it became clear that the broad language of the statute was not enough to address the specific issue of racial inequities within the commercial industry. Data collected in December 2020 by the MRA on individuals who have an ownership interest in a licensed adult-use establishment in Michigan showed that only 3.8% are black or African American and 1.5% are Hispanic or Latino.²

¹ Bureau of Justice Statistics, “Federal Justice Statistics Program,” <http://www.bjs.gov/fjsrc/>; E. Ann Carson, “Prisoners in 2016,” Washington, DC: U.S. Department of Justice, Bureau of Justice Statistics, (2017). <https://www.bjs.gov/content/pub/pdf/p16.pdf>

² MRA adult-use licensee demographic survey results, December 2020: 79.0% white, 3.8% black or African American, 0.8% American Indian or Alaska Native, 3.8% Asian or Pacific Islander, 1.5% Hispanic, Latino, or Spanish Origin, 6.4% other, 4.6% prefer not to answer.

Accordingly, the MRA established a Racial Equity Advisory Workgroup as authorized by Section 2(h) of Executive Reorganization Order No. 2019-2, MCL 333.27001(2)(h), composed of state and local officials and industry stakeholders as follows:

- Representatives of the Michigan Legislature.
- Representatives of municipalities with significant minority populations.
- Representatives of minority-focused marijuana industry groups.
- Representatives of minority-focused business groups.
- Attorneys with experience in racial disparities and equity issues pertaining to marijuana.
- Individuals with experience in common barriers to the marijuana industry such as banking, finance, and real estate.

The Racial Equity Advisory Workgroup was charged with developing policy ideas and recommendations to address the disparities in ownership and participation in the marijuana industry by people of color and establishing the State of Michigan as a leader on diversity, equity, and inclusion in this industry.

The workgroup met first in July 2020 and continued to meet monthly through December 2020. Subcommittees were established to focus on key concepts and develop proposals to present to the full body.

The subcommittees were established as follows:

- **Social justice** - Focused on expungement and medical marijuana and health disparities in communities of color.
- **Business development** - Focused on access to capital; acceleration, mentorship, and coaching; and talent and placement acquisition.
- **Local equity** - Focused on land acquisition and ownership and local guidance and ordinances.
- **Process and pathways** - Focused on an online one-stop on-demand pipeline; additional license types; and innovation in health, science, and entrepreneurship.
- **Resource deployment and strategic partnerships** - Focused on procurement and supplier diversity and strategic partnerships.

Each subcommittee developed and presented proposals to the full workgroup that included the following elements for the implementation of the proposal:

- A summary of the concept
- Identification of necessary statutory changes
- Identification of necessary administrative rule changes
- Funding required and the proposed source of the funding
- The role of the MRA
- Any external partners

Updates on the proposals were provided at each workgroup meeting and finally presented to the full workgroup for consideration. Members were also asked to identify the implementation priority of the proposals adopted by the group. The adopted proposals are included in this final report in the recommended order of priority.

As suggested by the workgroup, the MRA will establish a standing Diversity, Equity, and Inclusion Workgroup to continue the focus on these key areas in future policy making and to provide support for the implementation of the proposals adopted by the ad hoc Racial Equity Advisory Workgroup.

Andrew Brisbo, Executive Director
Marijuana Regulatory Agency

Committee Members

- Business Development
 - Cimone Casson, Chair
 - Berton Brown
 - Chris Jackson
 - Felipe Lopez-Sustaita
- Local Equity
 - Barton Morris, Chair
 - Rep. Sarah Anthony
 - Derek Brown
 - Mark Washington (Designees: Ciarra Adkins and Lou Canfield)
- Process and Pathways
 - Eric Foster, Chair
 - Jim LaPorte
 - Shanita Penny
 - Andrew Sims
 - Camilo Suero
- Resource Deployment and Strategic Partnerships
 - Tatiana Grant, Chair
 - Sen. Marshall Bullock
 - Rep. Sarah Anthony
 - Kenneth Harris
 - Shoran Reid Williams
 - Andrew Sims
- Social Justice
 - Anqunette Sarfoh, Chair
 - Sen. Marshall Bullock
 - Courtney Adams
 - Dexter Mitchell
 - Denavvia Mojet

License Type Proposal

Summary

Create a new license type, to be known as a class A marijuana microbusiness, pursuant to the Marijuana Regulatory Agency's (MRA) authority under Sec. 8(2)(a) of the Michigan Regulation and Taxation of Marijuana Act (MRTMA) that combines attributes of the existing marijuana microbusiness license.

Statute Changes

No statutory changes would be required.

Rules Changes

(1) An applicant for a class A marijuana microbusiness license is subject to and shall meet the requirements of the MRTMA and these rules.

(2) A class A marijuana microbusiness license authorizes the following:

(a) The cultivation of not more than 300 marijuana plants. Only mature marijuana plants are included in the plant count in this subdivision.

(b) Purchasing or otherwise obtaining mature marijuana plants from a marijuana grower only by means of a marijuana secure transporter.

(c) Selling or otherwise transferring marijuana to a marijuana processor only by means of a marijuana secure transporter.

(d) Purchasing or otherwise obtaining marijuana products that are processed or manufactured by a marijuana processor from marijuana sold or otherwise transferred under this rule and only by means of a marijuana secure transporter.

(e) The processing and packaging of marijuana.

(f) The retail sale or transfer of marijuana to individuals who are 21 years of age or older, but not to other marijuana establishments except as authorized under this rule.

(g) The transfer of marijuana to a marijuana safety compliance facility for testing.

(3) Except as otherwise provided in these rules and the MRTMA, a class A marijuana microbusiness license authorizes the class A marijuana microbusiness to transfer marijuana from the marijuana grower area to the marijuana processor and marijuana retailer areas of the class A marijuana microbusiness and from the marijuana processor area to marijuana grower and marijuana retailer areas of the class A marijuana microbusiness without using a marijuana secure transporter if all areas of the class A marijuana microbusiness enter each

transfer between different areas of the marijuana microbusiness into the statewide monitoring system.

(4) A class A marijuana microbusiness shall not operate at multiple locations.

(5) A class A marijuana microbusiness must enter all transactions, current inventory, and other information into the statewide monitoring system as required in these rules.

(6) A class A marijuana microbusiness may accept the transfer of marijuana seeds, tissue cultures, clones, and mature marijuana plants at any time from a marijuana grower licensed under the acts, these rules, or both. A class A marijuana microbusiness shall not sell or transfer marijuana seeds, tissue cultures, or clones received under this subrule.

(7) A class A marijuana microbusiness may accept the transfer of mature marijuana plants once upon licensure from a registered primary caregiver if the registered primary caregiver was an applicant for that class A marijuana microbusiness license.

(8) A class A marijuana microbusiness license is subject to all applicable provisions in the Michigan regulation and taxation of marijuana act and these rules related to a marijuana grower, marijuana retailer, and marijuana processor license except for R 420.102(8).

(9) A person may apply for a class A marijuana microbusiness license on the form created by the agency accompanied by the nonrefundable application fee as prescribed in these rules. An application for a class A marijuana microbusiness license must be made under oath on a form provided by the agency and must contain information as prescribed by the agency.

(10) An applicant for a class A marijuana microbusiness license shall pay applicable fees required under these rules.

(11) The agency may determine an applicant is ineligible or deny an application for the reasons specified in these rules, as applicable.

(12) Payment of the initial licensure fee must be received prior to issuance of the state license.

(13) An applicant shall pay the initial licensure fee for a class A marijuana microbusiness license within 10 days of approval or within 90 days of a complete application being submitted, whichever date is first.

Funding Needed and Sources of Funding

No funding or sources would be needed.

The MRA's Role

Promulgate a rule creating the license type.

External Partnerships

No external partnerships would be needed.

Details

The class A marijuana microbusiness is designed to allow a licensee to grow, process, and sell marijuana under a single license. However, the class A marijuana microbusiness would differ from the existing marijuana microbusiness license type in three primary ways: (1) to grow 300 plants, as opposed to the 150 plants currently allowed to be cultivated by a marijuana microbusiness; (2) to obtain mature marijuana plants from licensed growers; and (3) to utilize outside licensed processors.

By allowing the class A marijuana microbusiness to both grow more plants and to procure mature plants from licensed growers, the model both insulates the license type against crop failures due to infestation, but also to ensure that the microbusiness has a continuous supply of marijuana, as opposed to potentially selling out of certain products while waiting for the next harvest.

Additionally, by allowing the class A microbusiness license to utilize the services of outside processors, class A microbusiness licensees are able to increase the range of available products that they carry, and also able to protect themselves against issues with their processing systems, and to significantly reduce the amount of capital required to establish their operation, as processing equipment can often cost hundreds of thousands of dollars.

Council Proceedings
City of Westland
Meeting No. 22
November 20, 2023

The Westland City Council held a regular meeting November 20, 2023, in the City Council Chambers of Westland City Hall, 36300 Warren Road Westland, Michigan, 48185.

The meeting was called to order at 7:00 p.m. by City Council President James Hart with roll call showing as follows:

<u>Present</u>	<u>Absent (excused)</u>
Emily Bauman	
James Godbout	
Peter Herzberg	
Michael McDermott	
Andrea Rutkowski	
Melissa Sampey	
James Hart	

Also present were Mayor Kevin Coleman, Assessor Jennifer Nieman, Budget Director Dan Block, Cable Producer Craig Hebert, Assistant City Attorney Brandon Grysko, Community Development Director Joanne Campbell, DEI Director Paschal Eze, DPS Director Ramzi El-Gharib, Finance Director Steve Smith, Fire Chief Darrell Stamper, IT Director Craig Brown, MSB Director Joe Burton, Neighborhood Services Director Hassan Saab, Parks & Recreation Director Kyle Mulligan, Personnel Director Stephani Field, Police Chief Kyle Dawley, Purchasing Director Devin Adams, Youth Assistance Director Paul Motz, Water and Sewer Superintendent Doug Morton, Deputy City Clerk Shannon Inman, and City Clerk Richard LeBlanc.

The Pledge of Allegiance was led by Council Pro Tem Andrea Rutkowski.

Mayor Kevin Coleman presented Halloween Decorating Contest award certificates to three Westland homeowners.

- 2023-11-180 Motion by McDermott, supported by Sampey
RESOLVED that Council grants approval of the Consent Calendar as follows:
- Approval of request from Don Nicholson Enterprises, LLC, to organize and promote the 12th Annual All American Wayne Road Cruise which will take place on June 8, 2024.
 - Traffic Control Order 2023-10:
Install one (1) “HANDICAP PARKING” sign in front of 31074 Steinhauer.
 - Adoption of Ordinance 248-A-114, an ordinance to amend Chapter 27 of the Westland City Code by amending Article VI, to add Section 27-36, to provide existing marijuana microbusiness conditional licensees an opportunity to operate as Class A marijuana microbusinesses consistent with Cannabis Regulatory Agency Rules.
 - Approval of Extension of the 2023 Winter Tax Payments without additional penalty, until Thursday, February 29, 2024.
Unanimously carried.

- 2023-11-181 Motion by Herzberg, supported by Sampey
RESOLVED that Council grants approval of the voucher list as follows: Checklist Activity: \$2,382,767.08.
Unanimously carried.

- 2023-11-182 Motion by Rutkowski, supported by Godbout
RESOLVED that Council grants approval of minutes of regular meeting held November 6, 2023.

Roll Call Vote:

Ayes: Godbout, McDermott, Rutkowski, Sampey, Hart
Nays: None
Abstain: Bauman, Herzberg (Herzberg was absent/excused)
Absent: None
Motion carried.

2023-11-183 Motion by Rutkowski, supported by Herzberg

RESOLVED that Council grants approval of request for closed study session on December 4, 2023, at 6:00 p.m. to consult with counsel in connection with France vs Westland and M. Johnson, Case No. 23-02229 and to consider material exempt from discussion or disclosure by State law pursuant to MCL 15.268(e) and (h).

Roll Call Vote:

Ayes: Bauman, Godbout, Herzberg, McDermott, Rutkowski, Sampey, Hart
Nays: None
Abstain: None
Absent: None
Unanimously carried.

2023-11-184 Motion by Godbout, supported by Herzberg

To approve Introduction of Manpower Budget Amendments for Fiscal Year 2024

2023-11-185 Motion by Sampey, supported by Bauman

To Postpone to a date uncertain Motion 2023-11-184 to hold a Study Session.

Roll Call Vote:

Ayes: Sampey
Nays: Bauman, Godbout, Herzberg, McDermott, Rutkowski, Hart
Abstain: None
Absent: None
Motion failed.

Returning to Motion 2023-11-184:

RESOLVED that Council grants approval of Introduction of Manpower Budget Amendments for Fiscal Year 2024: Increase (1) Assistant Parks and Recreation Director position within the Appointed Officials & Mayor's Office and City Clerk's Pay Plan.

Roll Call Vote:

Ayes: Bauman, Godbout, Herzberg, McDermott, Rutkowski, Sampey, Hart
Nays: None
Abstain: None
Absent: None
Unanimously carried.

2023-11-186 Motion by Herzberg, supported by McDermott

RESOLVED that Council grants approval of request to waive procedure to allow Introduction and Adoption of Manpower Budget Amendments for Fiscal Year 2024, in the same meeting.

Roll Call Vote:

Ayes: Godbout, Herzberg, McDermott, Rutkowski, Hart
Nays: Bauman, Sampey
Abstain: None
Absent: None
Motion carried.

2023-11-187 Motion by Godbout, supported by Herzberg

RESOLVED that Council grants Adoption of Manpower Budget Amendments for Fiscal Year 2024: Increase (1) Assistant Parks and Recreation Director position within the Appointed Officials & Mayor's Office and City Clerk's Pay Plan.

Roll Call Vote:

Ayes: Bauman, Godbout, Herzberg, McDermott, Rutkowski,
Sampey, Hart
Nays: None
Abstain: None
Absent: None
Unanimously carried.

2023-11-188 Motion by Herzberg, supported by McDermott
RESOLVED that the meeting be adjourned.
Unanimously carried.

The meeting adjourned at 9:15 PM.

James Hart
Council President

Richard LeBlanc
City Clerk

**REGULAR CITY COUNCIL MEETING
MINUTES COUNCIL CHAMBERS,
1345 E. Main Street City of Niles, Michigan**

Monday, September 11, 2023

PRESENT: Council Members: Georgia Boggs, Gretchen Bertschy, Amanda Dunnem, Timothy Rogers, William Weimer, John DiCostanzo, Michael Thompson, and Mayor Nick Shelton

ABSENT: Charlie McAfee

STAFF: Huff, Bergman, Landgraf

REGULAR COUNCIL MEETING

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m. September 11, 2023. The Pledge of Allegiance was led by Mayor Nick Shelton.

APPROVAL OF THE AGENDA:

Councilmember Rogers moved, **Councilmember Thompson** seconded to approve the agenda as submitted with the removal of Public Comment.

ROLL CALL: YEA: Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem, Rogers

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

PUBLIC HEARINGS

To receive public comment on the creation of a Residential Housing District at 411 Fort Street.

CITIZEN PARTICIPATION: (PUBLIC COMMENTS)

Theresa Briand of 1615 N 15th St, Apt 175 expressed gratitude to Ric Huff for his continued responsiveness to her inquiries and to all the Councilmembers who have taken the time to engage with her. Theresa explained that she seeking to raise awareness about instances where public agencies may have disregarded the FOIA laws, violated the Open Meetings Act and about a DDA employee, that in her opinion, appeared to have strayed from their oath and used their position for personal gain. She stated that she is holding public trustees accountable and her quest to understand our local government better.

Brian Crespo of 2112 Industrial Dr. addressed Council as to why he felt that NMR should be granted the Microbusiness Class A license.

Marie Weimer said that she hopes that we never forget 9/11.

PRESENTATIONS:

CONSENT AGENDA:

1. Consideration of approving the minutes of August 28, 2023.
2. Consideration of approving the list of bills dated September 5, 2023.
3. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed Commercial Facilities Exemption Application for Wolverine Investments, LLC at 411 Fort Street.

4. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed tax abatement program district for 411 Fort Street.
5. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed Commercial Facilities Exemption Application for Round Barn/Local Libations at 501 Grant Street.
6. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed tax abatement program district for Round Barn/Local Libations, LLC at 501 Grant Street.

Councilmember Thompson moved, **Councilmember Dunnem** seconded to approve the consent agenda as submitted.

ROLL CALL: YEA: DiCostanzo, Thompson, Boggs, Bertschy, Dunnem, Rogers, Weimer

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

CITY ADMINISTRATOR'S REPORT:

7. Consideration of authorizing the Utilities Department to accept water and sewer infrastructure, on behalf of the City of Niles, within Bertrand Crossing Industrial Park, authorize the Mayor to sign the Utilities Agreement, accept easements to access water and sewer mains and authorize the Utilities Manager to sign as the owner's authorized representative on the EGLE permit applications.

Councilmember Bertschy moved, **Councilmember Rogers** seconded to authorize the Utilities Department to accept water and sewer infrastructure, on behalf of the City of Niles, within Bertrand Crossing Industrial Park, authorize the Mayor to sign the Utilities Agreement, accept easements to access water and sewer mains and authorize the Utilities Manager to sign as the owner's authorized representative on the EGLE permit applications.

ROLL CALL: YEA: Thompson, Boggs, Bertschy, Dunnem, Rogers, Weimer, DiCostanzo

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

8. Consideration of authorizing the Department of Public works to purchase 2023 F-250 Pickup Truck from Tony Betten Ford of Grand Rapids, Michigan in the amount of \$51,021.00 for use by the Street Department and charge the purchase to Vehicle Capital Equipment Outlay Account.

Councilmember Rogers moved, **Councilmember Bertschy** seconded to authorize the Department of Public works to purchase 2023 F-250 Pickup Truck from Tony Betten Ford of Grand Rapids, Michigan in the amount of \$51,021.00 for use by the Street Department and charge the purchase to Vehicle Capital Equipment Outlay Account.

ROLL CALL: YEA: Boggs, Bertschy, Dunnem, Rogers, Weimer, DiCostanzo, Thompson

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

9. Consideration of authorizing budget amendments to the 2023 Fiscal Year General Fund revenue of \$2,253,998, the General Fund expense of \$2,337,747, and other funds, including Utility funds expense, of \$798,098.

Councilmember Bertschy moved, **Councilmember Dunnem** seconded to authorize budget amendments to the 2023 Fiscal Year General Fund revenue of \$2,253,998, the General Fund expense of \$2,337,747, and other funds, including Utility funds expense, of \$798,098.

ROLL CALL: YEA: Bertschy, Dunnem, Rogers, Weimer, DiCostanzo, Thompson, Boggs

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

10. Consideration of awarding a Microbusiness Class A Facility License to BS Ironwood, LLC of at 1641 E. Main Street.

Councilmember Bertschy moved, **Councilmember Dunnem** seconded to award a Microbusiness Class A Facility License to BS Ironwood, LLC of at 1641 E. Main Street.

ROLL CALL: YEA: Dunnem, Rogers, Weimer, DiCostanzo, Thompson, Boggs, Bertschy

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

11. Consideration of awarding a Microbusiness Class A Facility License to Native Michigan Remedies of 2112 Industrial Drive.

Council Member Bertschy moved, **Council Member Dunnem** seconded to award a Microbusiness Class A Facility License to Native Michigan Remedies of 2112 Industrial Drive.

ROLL CALL: YEA: Rogers, Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

12. Consideration of accepting a grant from Michigan Gateway Community Foundation in the amount of \$27,075.00 for use by the Help for Homes Initiative program for revitalization of owner-occupied homes in the 3rd Street corridor and authorize the Mayor to sign the agreement.

Council Member DiCostanzo moved, **Council Member Bertschy** seconded to accept a grant from Michigan Gateway Community Foundation in the amount of \$27,075.00 for use by the Help for Homes Initiative program for revitalization of owner-occupied homes in the 3rd Street corridor and authorize the Mayor to sign the agreement.

ROLL CALL: YEA: Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem, Rogers

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

APPOINTMENTS:

CITY ATTORNEY'S REPORT:

COUNCILMEMBER'S REPORT:

Councilmember Thompson thanked the Underground Laugh Lounge for the tickets that allowed his daughter and son-in-law to attend. They enjoyed it and would recommend others to attend. They also plan to return again. Thompson stated that he emailed Council links to videos on the difference of currency and money along with how our financial system basically works to prepare for discussing City fund investing. Thompson also shared an article on the scamdemic also known as the election variant.

Councilmember Bertschy moved, Thompson supported to excuse Mayor Shelton from the August 28, 2023 meeting. **AYES: 7 NAYES: 0 MOTION CARRIED**

Bertschy also announced that this Sunday will be the last Free Concerts in the Park. She acknowledged Caryn Adler and all the wonderful things that she has contributed to.

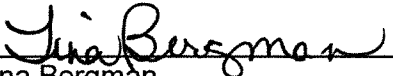
MAYORS REPORT:

Mayor Shelton gave thanks for being excused from the last meeting as he was in Ireland for the Notre Dame game where he was able to meet the Lord Mayor of Belfast. The Mayor congratulated the two businesses that were approved for a Class A Microbusiness License. He also announced that the Apple Festival begins September 28, 2023 and encouraged everyone to go. Lastly, he attended the ribbon cutting for the Underground Laugh Lounge. He found it incredible what the Koebel's have done with that space and is really proud of their efforts with the Carnegie Library. He encouraged everyone to get tickets before they are sold out.

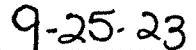
CLOSED SESSION:

ADJOURNMENT

Councilmember Weimer moved to adjourn at 6:26 p.m.



Tina Bergman
Niles City Clerk



Date

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION KL
TUESDAY, DECEMBER 27, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting was called to order by Mayor Denison at 7:00 P.M.

II. Recognition

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Dan Vigansky, Commissioner Larry Money

Absent: Commissioner Patrick Swem

Motion made by Denison, supported by Weedon to excuse Commissioner Swem absence for Special Meeting 12/27/2022. Roll call vote carries unanimously.

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett

V. Approve Agenda

Motion made by Money, supported by Weedon, to approve the agenda as presented. Roll call carries unanimously

VI. Public Comment - Agenda Items Only *(3-minute limit)*

Peter Lysy- Hopes the commission will proceed with Kurt Garners Buchanan Preservation Plan.

VII. Consent Agenda *(can be approved all in one motion, for general housekeeping items)*

- A. 1) **Planning Commission Appointment**- Consider appointing Anthony "Tony" Houser to the planning commission for a three-year term beginning January 2023 on the recommendation from the Planning Commission on December 13th.

- B. 2) **Minutes**- Consider approving the Regular Meeting Minutes from the December 12, 2022 City Commission meeting.
- C. 3) **Expenditures**- Consider approving expenditures for December 27, 2022, in the amount of **\$282,263.64**.

****NOTE:** \$279,864.70 of the amount above is for **GENERAL** expenditures. \$2,398.94 of the amount above is for the 11.1.22 - 11.30.22 **Summer Tax Disbursement**.

Motion made by Weedon, supported by Money, to approve the consent agenda as presented. Roll call carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

- A. 1) **Culvert Evaluation Agreement**- Consider authorizing Manager Grace to sign the proposed contract formalizing the agreement previously approved verbally by the City Commission during a special meeting on site at the culvert location.

This is a formality agreement, the Culvert Evaluation was approved at a prior special meeting.

Motion made by Money, supported by Denison to authorize Manager Grace to sign the Culvert Evaluation Agreement, as presented. Roll call vote carries unanimously.

2) **Front Street & Oak Traffic Signal Agreement**- Consider approving an agreement to authorize work to upgrade the traffic signal at Front & Oak. *(This project was contemplated since the inception of the larger infrastructure project concept first began back in 2022. MDOT funding is lined up to cover associated expenditures as part of the City's participation in NATS, the Niles Area Transportation System, which divides up federal highway road monies amongst road agencies in our part of Berrien County. Prein&Newhof needs the agreement formalized so that we can proceed with submitting it along with our entire MDOT road money grant applications in order to effectuate the federal road money allocations).*

The agreement is for the engineers to move forward in the grant application. This grant has been in the works since the previous administration. This allows them to pursue federal and state funding for the Traffic Signal.

Motion made by Vigansky, supported by Money to authorize Manager Grace to sign the Culvert Evaluation Agreement, as presented. Roll call vote carries unanimously.

3) **Engineering Change Order #1**- Consider approving the proposed change order. *(This change order updates the existing agreement with P&N to reflect the changes previously approved by the City Commission, following multiple public meetings and open houses regarding the streetscape design. These new figures have been submitted to NATS and are part of our application for increased street funding through MDOT/federal highway transportation funds, so need to be formalized in order for our requests for road money allocations to proceed).*

This change order agreement is to cover modifications that were made during public meetings. Such as the increased scope during conceptual design phase, Parshall flume, lead lines that are likely to be encountered, Rynearson Street for streetscape modifications, unforeseen delays in the funding approval process and construction material availability.

Motion made by Weedon, supported by Vigansky to authorize Manager Grace to sign the Engineering Change Order #1 agreement, as presented. Roll call vote carries unanimously.

4) **Engineering Change Order #2**- Consider approving the proposed change order.

This change order is to secure the 19 permanent easements from 14 property owners on Front St.

Motion made by Vigansky, supported by Money to authorize Manager Grace to sign the Engineering Change Order #2 Agreement, as presented. Roll call vote carries unanimously.

IX. Reports by: Departments, Committees, Boards

A. Friends of the Trail- Jerry Flenar update on Trail Grant Extension

Jerry Flenar, chairman of the Friends of the McCoy Creek Trail on December 14th went to Lansing to attend the Michigan Resource Meeting. There were a 100 grant requests being put forth for awards. Out of the hundred applications they ranked 3rd out of 100. Flenar thanked Murphy for looking at it to get their score up from 350 to 410. This grant gives them enough to finish phase 1 of the trail extension. They were also highly encouraged by the group to go after phase 2 next year. The entire room gave a standing ovation to Rich Murphy on the request of Flenar for helping put forth a great grant application.

B. Community Development Director Report

1) **Zen Leaf Renewals**- Consider approving the Zen Leaf marihuana medical and adult use retail permit renewals for 259 E. Front St.

Motion made by Weedon, supported by Vigansky to approve the Medical and adult use retail permit renewals for Zen Leaf at 259 E. Front St. Roll call vote carries unanimously.

2) **Blackbird Renewal**- Consider approving the Blackbird/Elkhorn Valley grower class C marihuana permit renewal for 402 - 404 S. Oak.

Rhett was able to give a powerful update on the status of the building. He has overcome a lot this past year but continues to make strides to open his dream business.

Motion made by Vigansky, supported by Weedon to approve the Class C Marihuana Permit renewal for Blackbird/ Elkhorn Valley at 402-404 S. Oak. Roll call vote carries unanimously.

3) **Stark School Façade Grant Request**- Consider approving the Stark School Façade Grant Application for 502 Claremont.

Murphy was seeking the Façade Grant for Stark School on behalf of owner Jen Tabor. Total amount spent \$8,345.03. Murphy is recommending Grant Award being at 60% of itemized invoices and receipts totaling \$5,007.02.

Motion made by Money, supported by Vigansky to approve the Façade Grant for Stark School at 502 Claremont. Roll call vote carries unanimously.

4) **Grant Updates & Awards**- McCoy's Creek Trail Extension Grant update, Spark grant update, A Vision for Buchanan Urban Guild Award

Murphy touched on the Grants that were awarded and future grants progression. Excited to see Buchanan making a name in the Grant awards.

5) Kurt Garner to present update on Buchanan Preservation Plan

Kurt Garner gave a brief presentation on the Buchanan Preservation Plan. With the help of the Preservation Society on the important areas they would like to work on next as well as keeping the plan going for years to come.

C. Clerk Report- Kalla Langston

1) Recount update from November 8, 2022, General Election

Langston updated the commission on the recount with Weedon winning by one vote. Unfortunately, AVCB was unable to be recounted due to recount process of hand counting ballots to match what was tabulated. Lemay was able to challenge but decided against it.

2) Prop-2 changes with the upcoming May 2023 Special Election.

Langston went over highlights of Prop-2 and some of the financial aspects that will come with the changes. There will be lot to navigate in the upcoming elections but will be working with clerks throughout the County to make sure that the law is upheld, and security is in place.

X. Unfinished Business

- A. Appointment of Commissioners as Alternates to serve on any boards/committees/commissions-**
Consider making motions to appoint Commissioners as alternates to serve on City Boards/Committees/Commissions, as desired.

Commissioners will decide which boards/committees they would like to be alternates for via survey that Grace will put together.

Langston wanted to clarify that no motion was made for ZBA alternate, that this one must be decided per charter.

Motion made by Denson, supported by Weedon to appoint Commissioner Dan Vigansky as the ZBA Alternate. Roll call vote carries unanimously.

- B. Microbusiness Ordinance-** *Consider the Second Reading of Ordinance 2022.12/435, Proposed Amendments to the Adult Use Microbusiness Ordinance to include Class A Microbusinesses, as is newly allowed via recently updated state law. If passed at second reading, the ordinance will take effect following publication.*

Motion made by Vigansky, supported by Weedon to approve the second reading of ordinance 2022.12/435, as presented. Roll call vote carries unanimously.

XI. New Business

- A. 1) Enter Closed Session-** *Consider entering Closed Session to discuss the potential lease or purchase of real property, pursuant to MCL 15.268 Section 8(1)(d).*

Motion made by Weedon, supported by Money to enter closed session pursuant to MC 15.268 Section 8(1)(d) to discuss the potential lease or purchase of real property at 8:39 P.M. Roll call vote carries unanimously.

2) Re-Enter Open Session- *Consider re-entering Open Session.*

Motion made by Weedon, supported by Money to re-enter Open Session at 9:04 P.M. Roll call vote carries unanimously.

3) Action- *Consider action pursuant to Closed Session discussions.*

Motion made by Weedon, supported by Money to authorize the City Administration to take action pursuant to discussion held in closed session. Roll call vote carries unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

- A. Downtown Infrastructure Road Right of Way Map Updates-** *maps are shared for informational purposes only, no action needed.*

- B. Previous Agenda Item, Progress Update-** *Andy Campbell indicated that he will not be ready to present information relating to the water/sewer rate proposals/USDA project until the January*

meeting. Similarly, the updated City credit card policies are planned to be presented at that time as well.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

XIV. Executive Comments

A. City Manager Comments

Hoped everyone had a Great Holiday. Is very pleased to have such an uplifting meeting this evening. It's amazing to see the accomplishment from the staff as well as our business owners and our community. Looking forward to seeing all the great things that are coming to Buchanan.

B. Commissioner Comments

Weedon- No comment

Vigansky- No comment

Money- thanked the Commissioners for what they do. Thanked Baker for the great work that his crew has done in the city during this blizzard. Please let the DPW crew know that he thanks them very much. Thanked Jen Tabor for bringing in cookies for us tonight.

C. Mayor Comments

Thanked the City Staff for all their hard work.

XV. Adjourn

Motion made by Money, supported by Weedon to adjourn the meeting at 9:07 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison



City Commission Agenda Report

City of Kalamazoo

Date: **6/5/2023**

Item: **H.6.**

TO: Mayor Anderson, Vice Mayor Cooney, and City Commissioners

FROM: Clyde J. Robinson, City Attorney

DATE: June 5, 2023

SUBJECT: Ordinance Amendment Permitting Class A Marihuana Microbusinesses

RECOMMENDATION:

It is recommended that the City Commission adopt an amendment to Chapter 20B addressing Marijuana Commercial Businesses to permit the operation of Class A Microbusinesses.

BACKGROUND:

Currently the City permits Microbusinesses to operate within the City. These licensees are permitted under State statute and local ordinance to cultivate not more than 150 mature marihuana plants, process and package marihuana, and sell or transfer marihuana to individuals 21 years of age and older. It is essentially a small scale vertically integrated (grow, process, and retail sales) business.

Class A Microbusinesses are authorized by the Cannabis Regulatory Agency by administrative rule. It is a larger operation which is permitted to cultivate not more than 300 mature marihuana plants; package marihuana; purchase marihuana concentrate and marihuana-infused products from licensed marihuana processors, and sell or transfer marihuana and marihuana-infused products to individuals 21 years of age and older. This business, while defined and identified in the City Code of Ordinances, is not presently permitted.

Recently the Zoning Board of Appeals granted a variance to a marijuana business located at 4525 West KL Avenue to operate a Class A Microbusiness. However, the granting of a use variance under the zoning code, cannot override the licensing ordinance which currently does not permit Class A Microbusinesses. The proposed amendment would address this matter by allowing Class A Microbusinesses.

Community Planning & Economic Development staff recommend this change. The only reason Class A Microbusinesses were not permitted in the previous amendment to the Marijuana Commercial Business ordinance was determining where such operations would be best located in the City under the zoning code. The location where the variance was granted is an acceptable site for this business.

The proposed amendment would place no limits on the number of Class A Microbusinesses, but the capitalization costs and State license fee (\$8,300 fee for a Microbusiness versus \$18,600 for a Class A Microbusiness) required for this type of business suggests that their number will be limited.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Economic Vitality - A supportive infrastructure for growing businesses and stabilizing the local economy for the benefit of all.

COMMUNITY ENGAGEMENT:

Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

FISCAL IMPACT:

Nominal.



City of Hartford
County of Van Buren, State of Michigan

Commission Business Meeting Agenda

Tuesday, February 20, 2024 at 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

GUESTS

1. Award Presentation

PUBLIC COMMENT

COMMUNICATIONS

2. Comm - Planning Commission Public Hearing February 26, 2024 7:30pm - Proposed Ordinance Amendments
3. Comm - Open Planning Commission Seat
- [4.](#) Comm - March Board of Review
- [5.](#) Comm - McDowell Apartments
- [6.](#) Comm - Raising a Grieving Child Workshop February 28, 2024 11am
- [7.](#) Comm - Kinship Care Workshop

REPORT OF OFFICERS BOARDS & COMMITTEES

- [8.](#) PZ - February 12, 2024
- [9.](#) VBCD - January 2024

Police & Ordinance

- [10.](#) HPD - January 2024

Fire Department

- [11.](#) HFB - February 12, 2024
- [12.](#) HFD - January 2024

Ambulance

[13.](#) AMB - January 2024

Van Buren County

Public Works

[14.](#) DPW - January 2024

Wastewater Treatment Plant

[15.](#) WWTP - January 2024

Treasurers, Investment & List of Bills

[16.](#) Treas - February 20, 2024

City Manager

[17.](#) CM - February 2024

APPROVAL OF COMMISSION MINUTES

[18.](#) January 22, 2024

[19.](#) January 29, 2024

[20.](#) February 5, 2024

[21.](#) February 12, 2024

APPROVAL OF REPORTS

GOALS/OBJECTIVES

OLD BUSINESS

NEW BUSINESS

[22.](#) HFD - 2024/2025 Proposed Budget

[23.](#) Discuss & Consider - Humvee Policy

[24.](#) Discuss & Consider - Extreme Risk Protection Order Policy

[25.](#) Discuss & Consider - Lien & Delinquent Tax Policy

[26.](#) Discuss & Consider - Police Department Garage Maintenance

[27.](#) Discuss & Consider - SWOT Analysis & Expectations Workshop Results

28. Discuss & Consider - Set Meeting for Colors Workshop

INTRODUCTION OF RESOLUTIONS OR AMENDMENTS

ADJOURNMENT

NOTICE

2024 BOARD OF REVIEW

CITY OF HARTFORD
19 WEST MAIN STREET
HARTFORD, MI 49057

THE CITY OF HARTFORD BOARD OF REVIEW FOR 2024 WILL BE HELD AT CITY HALL LOCATED AT 19 WEST MAIN STREET, HARTFORD, MI 49057 ON THE FOLLOWING DATES AND TIMES:

TUESDAY, MARCH 5, 2024- 1:00 P.M. ORGANIZATIONAL MEETING

APPEAL HEARINGS MEETING SCHEDULE:

MONDAY, MARCH 11, 2024- 1:00 P.M. TO 4:00PM AND 6:00 P.M. TO 9:00 P.M.

TUESDAY, MARCH 12, 2024- 9:00 A.M. TO NOON AND 1:00 P.M TO 4:00 P.M.

THE BOARD OF REVIEW WILL MEET AS MANY MORE DAYS AS DEEMED NECESSARY.

THE BOARD OF REVIEW WILL ACCEPT PROTESTS BY LETTER ASSUMING THE LETTER IS RECEIVED BY 1:00 P.M. ON MARCH 12, 2024

PLEASE CONTACT THE ASSESSOR’S OFFICE TO SCHEDULE AN APPOINTMENT- PHONE 269-207-2590

THE TENTATIVE RATIOS AND ESTIMATED MULTIPLIERS FOR EACH CLASS OF REAL PROPERTY AND PERSONAL PROPERTY FOR 2024 ARE AS FOLLOWS:

AGRICULTURAL.....	50.00%.....	1.0000
COMMERICAL.....	49.76%.....	1.0604
INDUSTRIAL.....	49.76%.....	1.0048
RESIDENTIAL.....	46.74%.....	1.0697
DEVELOPMENTAL.....	50.00%.....	1.0000
TIMBER CUTOVER.....	50.00%.....	1.0000
PERSONAL PROPERTY....	50.00%.....	1.0000

AMERICANS WITH DISABILITIES (ADA) NOTICE

THE CITY OF HARTFORD WILL PROVIDE NECESSARY REASONABLE SERVICES TO INDIVIDUALS DISABILITIES AT THE BOARD OF REVIEW MEETINGS UPON A TWO (2) DAY NOTICE. PLEASE CONTACT THE ASSESSOR’S OFFICE AT 269-207-2590 TO MAKE ARRANGEMENTS.

RoxAnn Rodney-Isbrecht, Clerk
City of Hartford
19 W Main St
Hartford MI 49057
269-621-2477
269-621-2054
cityclerk@cityofhartfordmi.org
www.cityofhartfordmi.org



321 Woodland Pass Ste 100
East Lansing, MI 48823

PHONE: (517) 351-1544 FAX: (517)-337-8345
MI TDD/TTY: 7-1-1 / TX TDD: 800-735-2989
Rev: 2-2021

January 25, 2024

Hartford City Hall
19 W. Main St. #1
Hartford, MI 49057

RECEIVED
JAN 29 2024
CITY OF HARTFORD

Dear Director,

I am writing today regarding McDowell II Apartments located at 55921 County Road 687 in Hartford. We are asking that you refer members of your clientele that may need housing. The rent is based on income and the apartments may be occupied only by very low to moderate income households. The contact telephone number is (269) 621-2089 and the office hours are Wednesday 9 am till 1 pm. The TDD/TTY number is 7-1-1. Barrier free units are available.

It would be greatly appreciated if you would notify appropriate members of your community of this rental opportunity. We are currently accepting applications for 1- and 2-bedroom apartments. Thank you again for your cooperation. We hope we can provide apartments to members of your clientele.

Sincerely,

Rebecca Hartupee

Rebecca Hartupee
Director of Affordable Compliance

This institution is an equal opportunity provider.

Equal Housing Opportunity



Raising a grieving child

A Kinship Care Speaker Series event featuring Lory's Place

1,192 children are newly bereaved each day in the United States, leaving parents, grandparents and caregivers navigating grief with their children. However, many of us don't feel equipped to know what to say or how to help.

In this presentation, we will talk through helpful strategies to support children and ask:

- What are normal reactions?
- What does their unique grief look like?
- What do kids need to find their footing again?

RECEIVED

FEB 07 2024

CITY OF HARTFORD

When: 11 a.m. Wednesday, Feb. 28

Where: Campus for Creative Aging, 2920 Lakeview Ave., St. Joseph



To RSVP to this free presentation, contact Meg Killips at megkillips@areaagencyonaging.org or call 269-983-0177.

Can't make it and want more information on how Kinship Care can support you and your family? Reach out to Meg!



Are you raising a family member's child?

Come learn about **Kinship Care** and resources that can help!

Kinship Care is a support system for families raising a family member's child, like a grandparent raising a grandchild. In this presentation, we'll cover what and who we are, and how we can support you and your family. Two presentations are being offered:

When: 10 a.m. Tuesday, March 26

Where: Front Street Crossing (COA), 227 Front St., Dowagiac

When: 10 a.m. Wednesday, April 3

Where: Lowe Center (COA), 60525 Decatur Road, Cassopolis

RECEIVED

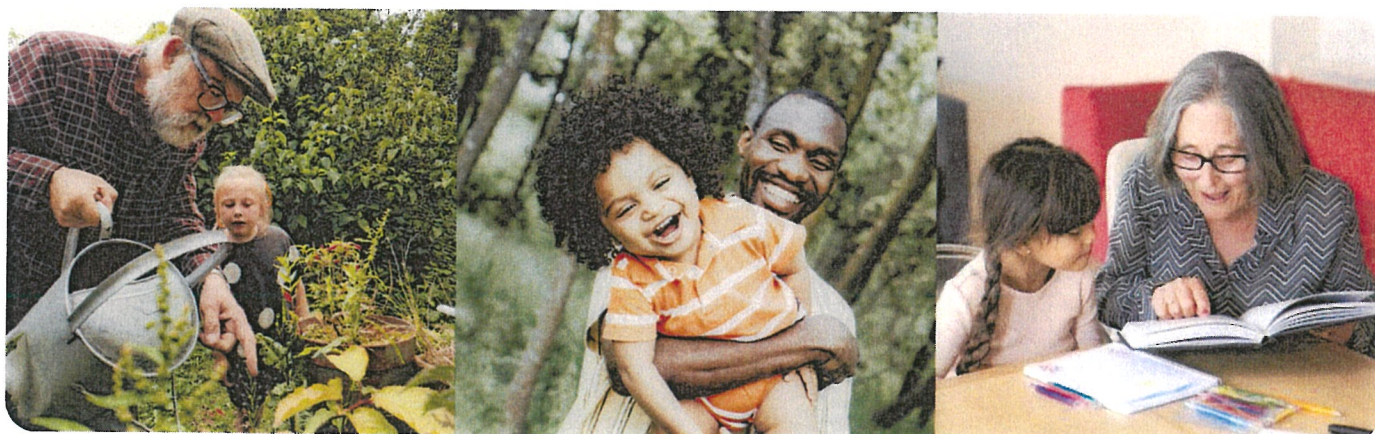
FEB 07 2024

CITY OF HARTFORD



Can't make it and want more information on how we can support you and your family?

Contact Meg Killips at
megkillips@areaagencyonaging.org
 or call 269-983-0177.



**City of Hartford Planning Commission
Regular Meeting, Hartford City Hall
February 12th, 2024, Minutes**

Called to Order: 7:30p.m. by T. Kling

Members Present: S. Ackerman, G. Gardner, J. Kling, & T. Kling

Members Absent: J. Fuller & A. Morales, both excused unable to attend.

Also Present: Linnea Rader, Interim City Manager

Note: We would like to extend a warm welcome to Gage Gardner, our newly appointed Planning Commission member.

Approval of the Agenda: Motion made by G. Gardner, seconded by S Ackerman, to approve the February 12th, 2024 agenda as written. All present in favor, motion carried.

Approval of the Minutes: Motion made by G. Gardner, seconded by J. Kling, to approve the December 11th, 2023 meeting minutes as written. All present in favor, motion carried.

Public Comments Not on the Agenda: Linnea Rader Brief Updates:

*New City Manager, Nicole Brown, under contract to start March 6th. Linnea will stay on to help with her transition.

*Once the weather is good, work will continue on the water project extension to the homes affected by PFAS. The residents have been contacted, either in person or by mail, but some are hesitant. If they hook up now, it's free. If they wait and anything goes wrong later, it will be very expensive for updates and repairs.

*City Council members are participating in an expectations workshop. One key aspect is to move forward in a positive manner. Linnea pointed out there was a lot of positive feedback & they had fun sharing all their ideas.

*Other projects are pretty much wrapped up, re: sewer line completed up to water treatment plant, not past the river.

*20% of homes in the city were chosen to be checked for lead (what kind of pipes are in place) wrapping up now, to update the Water Asset Management Plan.

*Grant for park submitted. Lots of great updates planned, however may be awhile before approval. We're high on the list. There are some deed restrictions (currently no playground allowed) Main goal is to balance the wants & needs of community.

*Library is interested in doing more on their property in the future. There are some legal issues to be addressed.

*T. Kling mentioned the Hum-vee the City acquired, donated at no cost, government surplus, to be used for emergencies, highway rescues. It's in really good shape. Can be sent back if there is a need to.

Public Hearing: None

Old Business:

*Need to have the election of officers. Tabled until next meeting.

*Need another Planning member to fill Nancy Spoula's position. Position has been posted. Reach out if know anyone.

New Business:

***Discuss & Consider Proposed Amendments to Marihuana Ordinances** – T. Kling re-capped our previous discussions. He reiterated the fact that we must continue to grow & evolve to meet the needs and changes in our community. We added a few modifications under Sec.110.12 regarding the number of temporary marihuana events & licenses required and updated the number of licenses for Microbusinesses. This ordinance is regulated by the State of Michigan, in compliance with the current laws. Upon completion of our discussion, all were in favor of moving forward with setting the Public Hearing date.

***Set Public Hearing Date – Amendments to Marihuana Ordinances** – Special Meeting for Public Hearing set for Monday, February 26th, at 7:30pm. Notices will be posted.

***Discuss & Consider Proposed Amendments to Zoning Ordinances** – T. Kling re-capped our previous discussions. Linnea added that updates to language, verbiage used for marihuana businesses re: signage, are needed to comply with the state. Upon completion of our discussion, all were in favor of moving forward with setting the Public Hearing date.

***Set Public Hearing Date – Proposed Amendments to Zoning Ordinances** - Special Meeting for Public Hearing set for Monday, February 26th, at 7:30pm. Notices will be posted.

***Application for re-appointment to Planning Commission** - applications have been given to all planning members to fill out and submit to Roxanne or Linnea once completed. Some have been turned in already.

***Training Opportunities** – there has been a good response to upcoming training being offered in Lawrence & Bangor. Most members have signed up. Online classes are also available if desired.

Other business: None

Adjournment:

Motion made by G. Gardner, seconded by S. Ackerman, to adjourn the meeting. All present in favor, motion carried. Meeting adjourned by T. Kling at 8:21 P.M.

Respectfully submitted by: Jenine Kling, Secretary

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; Charles Weeden; Mayor Richard A. Hall

Commissions Absent:

Staff Present: Rader; Rodney-Isbrecht; Ivy; Prince; Shultz; Staunton

Mayor Hall called the meeting to order at 5:30pm.

Pledge of Allegiance was said.

Motion by Commissioner Spoula, supported by Commissioner Miller, to approve the agenda as amended to include Resolution 2024 – 002 accepting the 2022/2023 Fiscal Year Audit.

Motion carried 7 – 0

Motion by Weeden, supported by Danger to nominate Commissioner John Miller as Mayor Pro-Tem for 2024.

Motion carried 7 – 0

Guests:

- Ryan Marschke, Hungerford Nichols CPSs + Advisors, gave a presentation on the City's 2022/2023 Audit. Capital Assets increased due to projects; also increased debt due to those projects. There are about six months' worth of Fund Balance if no additional income were received and within the recommended guidelines. The City was required to do a single audit due to the \$750,000 spent in Federal funds. One material weakness was noted on page 13 and no material weakness noted on the single audit. The City received an unmodified opinion on the audit & the single audit.
- Terry Tibbs, Van Buren Senior Services Board Member - Offering Tax preparation in South Haven for Seniors, Call for an appointment; Rides available for Dr. Appointments must be scheduled in advance; Grants to install Handicap Ramps on a first come, first serve basis. For Handyman services call 269-637-3607; 866-627-8904;

Public Comment:

- John Spoula, 112 Bennett Ave, comments on the cost to dismiss the former City Manager; comments in support of the acquired Humvee.
- Rachel Ballard, Ballard's Bake Goods of Paw Paw, looking to sell her baked goods in Hartford.
- Mike Menick, 38 Marion Ave, comments on the former City Manager costs of dismissal & Council's attendance record.
- Tim Kling, 105 East Street, concerns about demolition of 106 South Center St, DPW did a Great job clearing the roads.
- Joe, Zip Cannabis, 801 Prospect – Update on the Marijuana Ordinance amendments.

Communications:

- Southwest Michigan CAA Weatherization Assistance Program Available
- Hartford Area Chamber of Commerce Annual Banquet February 12, 2024 6pm at El Primo Res
- Public Notice – EGLE – AEP/Indiana Michigan Transmission
- Market Van Buren Communication
- Notice of Public Accuracy Test for Early Voting Site February 1, 2024
- Early Voting begins February 17th thru February 25 for the Presidential Primary at the VBC West Building on CR 681, Hartford, or you can vote on election day at your precinct located at the Vanderlyn Community Center/12 Church Street on February 27, 2024 polls will be open 7am-8pm. Contact the Clerk if you need an absent voter ballot.

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

- Van Buren County Voter Information Guide
- Hartford Chamber of Commerce has a new redesigned website.

Reports of Officers, Boards & Committees; Routine Monthly Reports from Departments:

- Van Buren Conservation District December 2023 Program Update.
- A. **Police & Ordinance** – Chief Prince & LT Ivy – Report on file. Working to fill crossing guard position. Radio System will be obsolete at the end of the year, seeking funding to cover the costs. Hiring/Recruiting is a challenge; MCOLES Grant available to cover costs of education program, which begins in April; Working on a training schedule; end of the year reports; Lt Ivy is planning a bike rodeo and safety course in the spring, seeking grant to cover the cost; Commissioner Weeden has some concerns about 24/7 coverage with five officers. Seeking a grant on reducing gun violence programs.
- B. **Fire Department** – Robbie Harting, Fire Chief – Report on File; 501c3 completed & filed which will allow application of federal funding; Met with Mayor & Township Supervisor to go over the new 2024/2025 budget. Pancake Breakfast scheduled in May; Smoke detectors are available for install. Pole Barn has been completed.
- C. **Ambulance** – No report filed, currently living at the fire station, working out well.
- D. **Van Buren County** – Mike Chappel, Commissioner, Public Defender disengaging from Allegan County; Kayak launch on CR 687, construction in 2025; working on County ORV ordinance.
- E. **Public Works** – Dan Staunton, Report on File; Snow Removal, hired a new employee. City has an ordinance regarding parking overnight in City Parking lots during snow events; car could be towed if left over night.
- F. **Wastewater Treatment Plant** – No Report on File –
- G. **Treasurers, Investment & List of Bills** – List of Bills \$396,411.29
- H. **City Manager** – Report on file – communications services permitting cannot have a moratorium, and have to be approved within 45 days; summary judgement was delayed until March 2024 regarding former employee; Police Recruit policy, worked hard to acquire a grant to send them through police academy; employee did not pass water license, working with them for additional training and reevaluate options; council expressed concerns on Humvee options; police union arbitration was dropped. Police Car does not need to be parked out front and directed the police department to park in the back by the garage.

Motion by Commissioner Weeden, to send the Humvee back.

Motion failed for lack of support

Commissioner Dockter went to some business in town and got enough donations to replace the blow-up Frosty in the park. He will be seeking additional donors to purchase blow up strawberries for the park.

Approval of Commission Minutes:

Motion by Commissioner Dockter, supported by Commissioner Spoula, to approve the minutes of the December 11, 2023 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

Motion by Commissioner Dockter, supported by Commissioner Danger, to approve the minutes of the December 13, 2023 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

Motion by Commissioner Spoula, supported by Commissioner Dockter, to approve the minutes of the December 18, 2023 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

Motion by Commissioner Dockter, supported by Commissioner Danger, to approve the minutes of the January 3, 2024 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

Approval of Reports:

Motion by Commissioner Miller, supported by Commissioner Spoula, to approve the January 22, 2024 list of bills in the amount of \$396,411.29

Motion carried 7 – 0

Motion by Commissioner Miller, supported by Commissioner Frank, to accept the December, 2023 reports of Officers, Boards & Committees and place them on file.

Motion carried 7 – 0

Goals/Objectives:

- Discuss & Consider – Expectations Workshop set for January 29, 2024 at 4:30pm

Old Business:

- Discuss & Consider Spark Grant Update – Results of survey, public meeting & priorities of improvements. Even though it was a priority based on survey results a splash pad is not recommended due to the maintenance costs. The grant is due January 31, 2024. Council is in favor of moving forward with the proposed improvements of parking lot, fencing, upgrades to pavilion, lighting, restrooms, electric, benches & picnic areas, outdoor game tables & pickle ball court.
- Discuss & Consider Voluntary Well Metering -

Discussion: A flat rate customer has requested the City meter his well because it is cost prohibitive to tap into the water system. Council is not in favor of moving forward with an ordinance or policy to meter wells of flat rate customers.

- Discuss & Consider – City Manager Position – A Contract Agreement has been reached

Motion by Commissioner Morsaw supported by Commissioner Miller to authorize the Mayor to enter into a contract agreement, with wording similar to what was presented at this meeting, with Nicole Brown as the next City Manager pending successful background check & drug screen.

Motion carried 6 – 1 (Danger)

New Business:

- Discuss & Consider – Hungerford Nichols Engagement Letter for Single Audit

Motion by Commissioner Miller, supported by Commissioner Dockter to accept the engagement letter for single audit from Hungerford Nichols.

Motion carried 7 – 0

- Discuss & Consider – Freedom of Information Act Procedures & Guidelines & Fee Schedule

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

Motion by Commissioner Miller, supported by Commissioner Dockter, to adopt the Freedom of Information Act Procedures & guidelines & fee schedule as presented.

Motion carried 7 – 0

- Discuss & Consider – HPD Recruit Policy

Motion by Commissioner Miller, supported by Commissioner Danger to adopt the Hartford police Department Recruit Policy as presented.

Motion carried 6 – 1 (Weeden)

- Discuss & Consider – MML Training – Invitation received from Bangor City to participate in elected officials training February 21, 2024, 1-4pm.

Discussion: Notify the Clerk if you wish to participate in the training.

Resolutions, Ordinance, Proclamation's:

- Discuss & Consider – Proposed Ordinance 335-2023 Establish Planning Commission

Motion by Commissioner Miller, supported by Commissioner Spoula, to adopt Ordinance 335-2023 Establish Planning Commission. .

Motion carried 7 – 0

- Discuss & Consider – Proposed Ordinance Amendment No. 336 – 2023 Designate Zoning Board of Appeals.

Motion by Commissioner Miller supported by Commissioner Danger to adopt Ordinance 335-2023 Designate Zoning Board of Appeals.

Motion carried 7 – 0

- Discuss & Consider – Proposed Ordinance Amendment to Zoning 151, 291, 151.309, 151.310, 151.311

Discussion: Council is in favor of sending the proposed zoning ordinance amendments to the Planning Commission for review & recommendation.

- Discuss & Consider – Resolution 2024 – 001 Appoint Members of the City of Hartford Planning Commission

Motion by Commissioner Danger supported by Commissioner Dockter, to adopt Resolution 2024-001 appointment members of the City of Hartford Planning Commission.

Motion carried 7 – 0

Discussion: Council appointed Eric Germinder to the Planning Commission & Fire Board which meets on the same night. Mr. Germinder resigned from the Planning Commission leaving a vacancy on the Planning Commission.

- Discuss & Consider – Resolution 2024 – 003 Fiscal Year 2023/2024 Budget Adjustments no. One.

Motion by Commissioner Miller supported by Commissioner Danger, to adopt Resolution 2024 - 003 accepting the Fiscal Year 2023/2024 Budget Adjustments no. one.

Motion carried 7 – 0

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

- Discuss & Consider – Resolution 2024 – 002 accepting Fiscal Year 2022/2023 Audit

Motion by Commissioner Miller supported by Commissioner Danger, to adopt Resolution 2024 – 002 accepting the Fiscal Year 2022/2023 Fiscal Year Audit.

Motion carried 7 – 0

Adjournment:

Motion by Commissioner Dockter, supported by Mayor Hall, to adjourn the meeting at 7:29pm.

Motion carried 7 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD
SPECIAL BUSINESS MEETING MINUTES
JANUARY 29, 2024

Item 19.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; Charles Weeden and Mayor Richard A. Hall;

Commissioners Absent:

Staff Present: Rader; Rodney-Isbrecht;

Mayor Richard A. Hall called the special meeting to order at 4:30pm.

- Discuss & Consider – Expectations & Goals

Discussion: Council's expectations of the City Manager. Council set another special meeting to continue discussion for February 5, 2024 at 4:30pm

Adjournment:

Motion by Commissioner Miller, supported by Commissioner Spoula, to adjourn the meeting at 5:39pm.

Motion carried 7 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD
SPECIAL BUSINESS MEETING MINUTES
FEBRUARY 5, 2024

Item 20.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; and Mayor Richard A. Hall;

Commissioners Absent: Charles Weeden

Staff Present: Rader; Rodney-Isbrecht;

Mayor Richard A. Hall called the special meeting to order at 4:30pm.

- Discuss & Consider – Peddlers Mobile Food Vendors Permit Fee Schedule

Discussion: Commissioner Danger requested an amendment to the Mobile Food Vendors Permit for Farm Produce/Baked Goods. Council will consider amending the ordinance. The Fee Schedule will be considered during the budgeting process.

- Discuss & Consider – Expectations & Goals

Discussion: Expectations of Council. Continue Discussion at Special Meeting set for February 12, 2024 @ 4:30pm.

Adjournment:

Motion by Commissioner Spoula, supported by Commissioner Miller, to adjourn the meeting at 5:34pm.
Motion carried 6 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD
SPECIAL BUSINESS MEETING MINUTES
FEBRUARY 12, 2024

Item 21.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; and Mayor Richard A. Hall;

Commissioners Absent: Charles Weeden

Staff Present: Rader; Rodney-Isbrecht;

Mayor Richard A. Hall called the special meeting to order at 4:30pm.

- Discuss & Consider – Expectation & Goals

Discussion: City Manager expectations of Council, effective team management and ground rules. Council will have another special meeting to discuss Strengths, Weakness, Opportunities and Threats analysis.

Adjournment:

Motion by Commissioner Miller, supported by Commissioner Spoula, to adjourn the meeting at 5:33pm.

Motion carried 6– 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk



CITY OF HARTFORD

CITY COUNCIL AGENDA REPORT

Meeting Date: February 20, 2024
Department: Administration
Submitted By: Hartford Fire board
Prepared By: RoxAnn Rodney-Isbrecht, Clerk
Agenda Title: 2024/2025 Proposed Fire Department Budget

RECOMMENDED ACTION:

The Hartford Fire Board has set the date for the joint meeting with the Hartford Township Board and The City Council to Discuss & Consider the 2024/2025 Proposed Fire Department Budget for April 3, 2024, 7:00pm at the Fire Station.

GL NUMBER	DESCRIPTION	2023-2024 Budget	2024/2025 Budget	(+/-)	
Fund 206 - FIRE	FUND				
Revenues					
Dept 000					
206-000-401.000	HARTFORD TOWNSHIP	157,305.85	169,840.00	\$12,534.15	8%
206-000-402.000	HARTFORD CITY	128,704.78	138,960.00	\$10,255.22	8%
206-000-411.000	Hartford Township Millage	67,000.00	67,000	0	
206-000-412.00	Hartford City Millage	46,000.00	46,000	0	
206-000-420.000	BANGOR TWP COST RECOVERY	4,142.47	5,200	\$1,057.53	
206-000-421.000	COST RECOVERY	6,743.10	1,000	(\$5,743.10)	
206-000-422.000	FIRE REPORTS/ FOIA	46.66	50	\$3.34	
206-000-539.000	GRANTS	2,500.00	2,500	0	
206-000-582.000	TOWNSHIP GRANTS	9,600.00	0	(\$9,600)	
206-000-584.000	VBEMS	2,198.33	10,000	\$7,801.67	
206-000-665.000	Interest	0.00	0	0	
Total Dept 000		424,241.19	440,550.00	\$16,308.81	
TOTAL REVENUES					
Expenditures					
Dept 336 - FIRE	OPERATING				
206-336-702.000	BOARD SALARY	4,200.00	4,200	0	
206-336-704.000	CHIEF SALARY	56,141.00	58,950	2,809	
206-336-705.000	Asst. CHIEF SALARY	0.00	24,000	24,000	
206-336-710.000	FIREFIGHTER/ MFR	55,000.00	50,000	-5,000	
206-336-712.000	SHIFT COVERAGE	14,400.00	14,400	0	
206-336-714.000	SUPPORT STAFF	9,000.00	0	-9,000	
206-336-720.000	PAYROLL TAXES	14,000.00	10,000	-4,000	
206-336-724.000	RETIREMENT	4,000.00	3,800	-200	
206-336-730.000	GASOLINE & DIESEL	9,400.00	9,400	0	
206-336-731.000	VEHICLE MAINTENANCE	9,500.00	9,500	0	
206-336-733.000	EQUIPMENT MAINTENANCE	12,900.00	13,000	100	
206-336-740.000	OPERATING SUPPLIES	350.00	400	50	
206-336-741.000	MEDICAL SUPPLIES	2,500.00	2,500	0	
206-336-742.000	ANNUAL TESTING	8,150.00	8,500	350	
206-336-751.000	PHONES	6,615.20	7,500	884.8	
206-336-753.000	UTILITIES	10,000.00	10,000	0	
206-336-763.000	BUILDING MAINTENANCE	11,550.00	10,000	-1,550	
206-336-767.000	DUES/ SUBSCRIPTIONS	4,125.00	4,200	75	
206-336-781.000	TURN OUT GEAR/ UNIFORMS	16,000.00	15,000	-1,000	
206-336-785.000	EDUCATION/ TRAINING	8,700.00	8,500	-200	
206-336-796.000	PHYSICALS	8,300.00	10,000	1,700	
206-336-799.000	OFFICE/ COMPUTER	5,910.00	4,700	-1,210	
206-336-801.000	PROFESSIONAL SERVICES	10,000.00	16,500	6,500	
206-336-810.000	GRANT MATCH	2,500.00	2,500	0	
206-336-815.000	GENERAL INSURANCE	28,000.00	30,000	2,000	
Total Dept 336 - FIRE OPERATING		311,241.20	327,550	16308.8	5.00%
206-336-965.000- Transfer to Millage Fund		113,000	113,000		
Total Budget		424,241.20	440,550		

Hartford Fire Department 2024/2025 Proposed Budget

Item 22.

GL NUMBER	DESCRIPTION	2024/2025 Budget
Fund 206 - FIRE	FUND	
Revenues		
Dept 000		
206-000-401.000	HARTFORD TOWNSHIP	169,840.00
206-000-402.000	HARTFORD CITY	138,960.00
206-000-411.000	Hartford Township Millage	67,000
206-000-412.00	Hartford City Millage	46,000
206-000-420.000	BANGOR TWP COST RECOVERY	5,200
206-000-421.000	COST RECOVERY	1,000
206-000-422.000	FIRE REPORTS/ FOIA	50
206-000-539.000	GRANTS	2,500
206-000-582.000	TOWNSHIP GRANTS	0
206-000-584.000	VBEMS	10,000
206-000-665.000	Interest	0
Total Dept 000		440,550.00
TOTAL REVENUES		
Expenditures		
Dept 336 - FIRE	OPERATING	
206-336-702.000	BOARD SALARY	4,200
206-336-704.000	CHIEF SALARY	58,950
206-336-705.000	Asst. CHIEF SALARY	24,000
206-336-710.000	FIREFIGHTER/ MFR	50,000
206-336-712.000	SHIFT COVERAGE	14,400
206-336-714.000	SUPPORT STAFF	0
206-336-720.000	PAYROLL TAXES	10,000
206-336-724.000	RETIREMENT	3,800
206-336-730.000	GASOLINE & DIESEL	9,400
206-336-731.000	VEHICLE MAINTENANCE	9,500
206-336-733.000	EQUIPMENT MAINTENANCE	13,000
206-336-740.000	OPERATING SUPPLIES	400
206-336-741.000	MEDICAL SUPPLIES	2,500
206-336-742.000	ANNUAL TESTING	8,500
206-336-751.000	PHONES	7,500
206-336-753.000	UTILITIES	10,000
206-336-763.000	BUILDING MAINTENANCE	10,000
206-336-767.000	DUES/ SUBSCRIPTIONS	4,200
206-336-781.000	TURN OUT GEAR/ UNIFORMS	15,000
206-336-785.000	EDUCATION/ TRAINING	8,500
206-336-796.000	PHYSICALS	10,000
206-336-799.000	OFFICE/ COMPUTER	4,700
206-336-801.000	PROFESSIONAL SERVICES	16,500
206-336-810.000	GRANT MATCH	2,500
206-336-815.000	GENERAL INSURANCE	30,000
Total Dept 336 - FIRE OPERATING		327,550
206-336-965.000- Transfer to Millage Fund		113,000
	Total Budget	440,550



CITY OF HARTFORD

CITY COUNCIL AGENDA REPORT

Meeting Date: February 20, 2024
Department: Administration
Submitted By: Hartford Police Department
Prepared By: RoxAnn Rodney-Isbrecht, Clerk
Agenda Title: Humvee Utilization Policy

RECOMMENDED ACTION:

Included is a policy developed for use of the Humvee.

It is recommended Council consider & adopt the Humvee use policy.

Hartford Police Department Humvee Utilization Policy

Objective:

This policy outlines the guidelines and procedures for the appropriate use of the Humvee within the police department, ensuring responsible and effective deployment while maintaining community trust.

Authorization and Training:

Only authorized personnel who have completed training are permitted to operate the Humvee. The Chief or Lieutenant must approve each deployment of a Humvee, ensuring it aligns with the department's mission and objectives.

Purpose of Humvee Deployment:

The Humvee should be utilized for specific tactical situations, such as extreme weather conditions, natural disasters, or high-risk law enforcement operations. Routine patrolling using the Humvee is prohibited. The Humvee may participate in community parades and events at the discretion of the Police Chief and City Manager.

Equipment and Maintenance:

The Humvee must be equipped with necessary law enforcement tools. Regular maintenance checks are mandatory to ensure the Humvee is in optimal working condition. Any issues must be promptly reported to the Lieutenant.

Community Relations:

Transparent communication with the community is vital. The police department will provide information on the reasons for Humvee deployment when appropriate, addressing concerns and fostering understanding. Community feedback will be considered when evaluating the continued use of the Humvee in various scenarios.

Use of Force:

The Humvee is not to be used as a means of force unless absolutely necessary. The primary role is to provide support and logistics. Officers operating the Humvee must follow strict rules of engagement and the Department Use of Force Policy.

Documentation and Review:

Each Humvee deployment must be documented, including the rationale, outcomes, and any community interactions. Regular reviews of Humvee use will be conducted to assess effectiveness, adherence to policy, and community impact.

Accountability:

Violations of this policy will result in appropriate disciplinary action, which may include retraining, suspension, or termination. Officers are encouraged to report any concerns related to Humvee use through proper channels without fear of retaliation. This policy aims to strike a balance between the legitimate use of the Humvee in law enforcement operations and maintaining public trust by ensuring transparency and accountability.



CITY OF HARTFORD

CITY COUNCIL AGENDA REPORT

Meeting Date: February 20, 2024
Department: Administration
Submitted By: Hartford Police Department
Prepared By: RoxAnn Rodney-Isbrecht, Clerk
Agenda Title: Extreme Risk Protection Order Policy

RECOMMENDED ACTION:

2023-PA – 0038, Extreme Risks Protection Order (ERPO) also known as Red Flag gun laws are now in effect as of February 13, 2024. With the passage of the law come added responsibilities and requirements of the police department.

The department could potentially encounter a person with many weapons they would need to be seized if ordered by the courts or the person could surrender them to the department.

We have reached out to Michigan Municipal League for recommendations to meet risk management expectations.

Recommended Actions:

1. Adopt an extreme risk protection order policy
2. Consider how the department will hold firearms for up to a year
3. Meet with supporting law enforcement agencies, courts and prosecutor's office

Hartford City Police Department

Policy Manual

Extreme Risk Protection Orders

PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning for and serving extreme risk protection orders and accounting for firearms and concealed pistol licenses obtained pursuant to those orders.

DEFINITIONS

Definitions related to this policy include (MCL 691.1803):

Extreme risk protection order - An order prohibiting a named person from possessing prohibited items.

Petition - A summons and complaint filed with the court consistent with MCL 691.1805.

Prohibited items - Firearms and concealed pistol licenses that are prohibited by an extreme risk protection order.

POLICY

It is the policy of the Department to petition for and serve extreme risk protection orders in compliance with this policy and state law, and to properly account for prohibited items obtained by the Department pursuant to such orders.

EXTREME RISK PROTECTION ORDER COORDINATOR

The Chief of Police should act as or designate an extreme risk protection order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for an order or a renewal of an order by department members.
 - 1. Procedures should include criteria and other requirements related to making a verbal request by phone for an order and filing a subsequent written petition (MCL 691.1807).
- (b) Identifying factors to consider when assessing whether to seek an order, including:
 - 1. Whether threats have been made, and if so, whether the threats are credible and specific.
 - 2. Whether the potential victim is within close proximity.
 - 3. Whether the person has expressed suicidal tendencies.
 - 4. Whether the person has access to firearms.
 - 5. Whether the person has committed an act of violence toward themselves or another person.

Hartford City Police Department

Policy Manual

6. The criminal history of the person, in particular any history of criminal violence, including whether the person is currently on parole, probation, or monitored release.
 7. The mental health history of the person, in particular whether the person has any history of mental illness or has ever been detained for being a danger to themselves or others.
 8. Any known upcoming holidays, anniversaries, or other dates of significance that may serve as a trigger for the person, such as the death of a family member.
 9. Whether the person has any history of drug or alcohol abuse.
- (c) Developing and maintaining procedures for the receipt and service of orders. Procedures should include:
1. Evaluation of an order to determine appropriate service and necessary precautions.
 2. Forwarding orders to the operations director or the authorized designee.
 3. Recording in appropriate databases and required notice to the court, as applicable.
 4. Preparing or obtaining a search warrant prior to attempting service of an order, when appropriate.
 5. Any additional state requirements for receipt and service of orders as required by MCL 691.1813 and MCL 691.1815.
- (d) Coordinating with officers who may be involved in petitioning for or serving orders with training on such orders. Training should include determining when a petition is appropriate, the process for seeking an order, and the service of such orders.
- (e) Reviewing each petition and any associated court documents for an order prepared by members, for compliance with this policy, department procedures, and state law.
- (f) Reviewing any affidavits alleging that a person who is the subject of an extreme risk protection order is in possession or control of a firearm or a concealed pistol license in violation of the order (MCL 691.1810).
- (g) Developing and maintaining procedures for members to accept voluntarily surrendered prohibited items at times other than when an order is being served by the Department.
1. Procedures should include preparing and providing a receipt identifying all prohibited items to the person surrendering the items.

EXTREME RISK PROTECTION ORDERS

An officer who reasonably believes that an extreme risk protection order is appropriate should obtain approval from an appropriate supervisor and the extreme risk protection order coordinator or the authorized designee prior to seeking an order.

Hartford City Police Department

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STANDARDS

Extreme risk protection orders may be appropriate if a person can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure themselves or another person by possessing a firearm, and has engaged in an act or acts or made significant threats that are substantially supportive of the expectation (MCL 691.1807(1)).

An emergency extreme risk protection order, issued without written or oral notice to the person who is the subject of the order, may be appropriate if an officer is responding to a complaint involving the person and the person can reasonably be expected within the near future to intentionally or unintentionally seriously physically injure themselves or another person by possessing a firearm (MCL 691.1807(4)).

REQUIREMENTS OF PETITION

A petition for an extreme risk protection order should be prepared, filed, and served consistent with state law and the procedures developed by the extreme risk protection order coordinator (MCL 691.1805).

SERVICE OF ORDERS

If a court has ordered the immediate surrender of a person's firearms, officers shall personally serve a copy of an extreme risk protection order (along with any accompanying notice of hearing and petition) on the person named in the order or orally advise the person named in the order of the existence of the order (along with any accompanying information such as penalties for violating the order, specific conduct the respondent is ordered to stop doing, location of where to get a copy of the order) as soon as reasonably practicable.

Service of orders should take precedence over the service of other orders, except for orders of a similar emergency nature.

ADDITIONAL SERVICE REQUIREMENTS

If an officer provides oral notice of the order, the officer shall file proof of service with the court consistent with department procedures (MCL 691.1813).

SAFETY CONSIDERATIONS

Upon receipt of an extreme risk protection order, the Chief or the authorized designee should evaluate the circumstances of the order and consider what precautions are appropriate for service of the protection order.

At least two officers should be present when an order is being served.

SURRENDER OF PROHIBITED ITEMS

Officers serving an extreme risk protection order should request that the named person immediately surrender all prohibited items as required by the order. Officers shall take custody of any items surrendered pursuant to the order (MCL 691.1815).

The officer serving the order should prepare a tabulation identifying all surrendered items, and a copy of the tabulation should be given to the person (MCL 691.1815). The officers should ensure the original tabulation is included in the original case report.

All items collected should be handled and booked with the assistance from the Lieutenant.

Hartford City Police Department

Policy Manual

SEARCH WARRANTS

If an extreme risk protection order does not include a search warrant, officers should consider whether a search warrant may be reasonably necessary prior to attempting service of an order.

Officers should also consider whether to seek a search warrant if the named person refuses to surrender any prohibited items or if an officer serving an extreme risk protection order reasonably believes there are prohibited items within the persons custody, control, or possession that have not been surrendered (MCL 691.1810).

RELEASE OF PROHIBITED ITEMS

Any person requesting the release of any prohibited items in department custody pursuant to an extreme risk protection order should be referred to the Lieutenant.

RENEWAL OF EXTREME PROTECTION ORDER

The Chief or designee is responsible for the review of any extreme risk protection order obtained by the Department to determine if renewal or extension of the order should be requested (MCL 691.1817).



CITY OF HARTFORD

CITY COUNCIL AGENDA REPORT

Meeting Date: February 20, 2024
Department: Administration
Submitted By: Linnea Rader, Interim City Manager
Prepared By: RoxAnn Rodney-Isbrecht, Clerk
Agenda Title: Lien & Delinquent Taxes

RECOMMENDED ACTION:

With the demolition of blighted buildings, we have come into situations where the blight elimination grant does not cover 100% of costs, or a grant is not available at all. The City will need to develop a policy on how to handle the demolitions moving forward so we are consistent. We have three options, none of which are ideal.

1. If we add it to the tax bill and they don't pay, the property gets foreclosed on by the County Treasurer's office. If the property then sells in the first round of sale, we would receive payment for the lien. If it does not, the lien gets removed from the second auction and we would be billed chargeback for the lien plus penalties & interest.. This has the potential for a very high cost to the City.
2. We place a lien on the property. If we don't add it to the tax bill and they don't pay the lien, the lien is removed at foreclosure. However, we have the ability to file a notice of intent to claim excess proceeds and IF the property is sold for more than sale costs, we would get whatever excess exists back towards the lien amount. The costs here are in attorney fees. Recouping the cost is minimally assured.
3. We apply for grants whenever possible and the City pays for the balance or the full cost if no grants are available.

No option is perfect. Option one and two provide a possibility for partial funding, but also have additional costs that may or may not be recouped.

At this time we would like Council to discuss the three options. Depending on Council's conversation, we would work with the Attorney to ensure we haven't missed any details and write a formal policy.



CITY OF HARTFORD

CITY COUNCIL AGENDA REPORT

Meeting Date: February 20, 2024
Department: Administration
Submitted By: RoxAnn Rodney-Isbrecht, Clerk
Prepared By: RoxAnn Rodney-Isbrecht, Clerk
Agenda Title: Police Department Garage Maintenance

RECOMMENDED ACTION:

The City Hall/Police Department building is over 20+ years old and is now requiring maintenance to keep it in good condition and safe for employees and the public.

The garage doors & openers are original to the building and are in need of being replaced. The openers are currently not working which creates a safety issue, potential delay in response times, and not being able to park the police vehicles in the garage.

Also the drains in the garage have deteriorated and need to be repaired. Department of Public Works will be able to make this repair in the Spring/Summer. .

In your packet are two quotes for your consideration. There is a slight difference in the horse power of the opener between the two companies.

Quality Garage Door's quote was the lower of the two. It is recommended Council approve their quote to replace the garage doors & openers. They have repaired the current system in the past and the City has been satisfied with their work.

Expectations Workshop

PURPOSE: The purpose of an expectations workshop is to come to a general consensus of how we all work together in the most effective manner.

DISCUSSION: We will have specific discussions on the following questions:

1. What does Council expect of the City Manager?
2. What does the City Manager expect of Council?
3. What can we do as a team to be more effective?
4. What ground rules can we develop to ensure success?
 - a. When we disagree how do we work through it?
 - b. If we have concerns, how do we address them?

We will have our discussion and I'll make notes for all of us to be able to reference later. This should help us work together more effectively as well as lay the groundwork for the next City Manager's successful relationship with Council.

Next steps:

- Strengths, Weaknesses, Opportunities, and Threats Analysis for the City (SWOT).
- Development of goals for the City.
- City Manager to meet with Department heads to perform Expectations workshop, SWOT, goals, etc
- Workshop or Open house for City Residents to share their ideas and insight on the SWOT and goals.
- Council to evaluate their expectations, SWOT, and goals, with those of the City Departments and the residents.
- Completion of Strategic Plan

Expectations Workshop Results

What Council expects of the City Manager

- Carry out Council directives
 - Be Prepared; Be on time, Take notes, Have knowledge of topics, Anticipate needs of Council, Provide suggestions and options, Think outside the box, Investigate similar situations from other municipalities
- Listen to Citizens;
 - Attentive
 - Make sure they feel heard
 - Provide information
 - Filter what needs to come to Council
 - Diffuse situations
 - Keep scheduled time for citizens
 - General suggestions – wants and concerns
 - Be visible within the community
 - Attend public functions
 - Approachable
 - Treat citizens equally and fairly
- Know Ordinances and Laws – Keep up to date and know who is accountable – City Manager, Department Heads, Council, etc.
- Know Department schedules and priorities – When activities are happening. General timing. Regular communication with Departments
- Maintain relationships within Departments – Following Chain of Command
- Stay on top of City Projects; know schedules and timelines. Budget.
- Grants and Supplemental Funding; Prioritize, break down with master plan, knowledge, partnerships
- Relationships with other Municipalities; Infrastructure, Planning, Consolidation, County/State
- Reports back from different Boards and Organizations
- Economic Development;
 - Network with residents, county, state, etc.
 - Vacant Land
 - Blighted buildings
 - Build advantages and relationships
 - Give opportunities
 - Promote the City
 - Owner/buyer relationship/coordination
 - Work with the Chamber of Commerce
- Interlocal Agreements; Fire Board, Rec Council, School, Pokagen/Casino/Tribal Police, DDA, Planning.
 - Relationships
 - How does connection work?
- Promotion of the City; Educate, write our story, website, social media

- Communicate time/schedule availability
- Set Priorities; know how much can reasonably be accomplished and share with Council
- Participate
- Act legally and ethically

City Manager Expectations of Council

- Trust/Respect/Grace; Have her back, be positive, straight-forward, give the benefit of the doubt, show common courtesy, communicate
- Provide Feedback; praise publicly, criticize privately. Bring situations privately. Bring issues or concerns to the City Manager first.
- Communicate effectively – Have the conversation once Nicol starts about how she wants communication to come to her.
- Patient and Tolerant
- Don't bypass or go around – follow the chain of command
- Support Council decisions and City Manager Decisions – Come in to meetings with ideas and opinions, but leave with one decision
- Work as a team
- Get to know and build a relationship
- Provide facts and move forward
- Be engaged; take part in conversations and projects.
- Be open and forthcoming with details; ask follow up questions, be clear in communications, be forthright, give all information, don't assume
- Honesty
- Conscious of time
- Come prepared; read packets, be ready for meetings
- Use proper etiquette; professional and on time
- Listen – use active listening and have one conversation at a time
- Act legally and ethically
- Treat everyone equally and fairly

How can we be an Effective Team?

- Have one conversation
- Make one decision – support Council's decision
- Communicate openly and effectively – take responsibility for how you communicate
- Discuss ideas and concerns here
- Know each other's learning and communication styles, and strengths and weaknesses. Participate in a colors workshop.
- Give trust, respect and grace – know mistakes will happen
- Know each other as people and respecting individuals
- Work toward the same goals
- Represent ALL residents
- Seeing things through – stay focused

- Realize everything is a process
- Keep everyone updated
- Learn from mistakes and work together while doing it
- Think outside the box. Be open to new and old ideas
- Ask questions; take as a question and not an accusation. Don't jump to conclusions
- Get comfortable outside the comfort zone
- Be self-aware

What are our Ground Rules?

- Allow all Council members to express opinions and allow each other to process
- Bring concerns to the City Manager 1st – NOT related to agenda items
- Be able to ask questions without others jumping to defense. Watch tone and body language
- Public Comment Introduction/Disclaimer; 3 minutes, listen but no response, all comments at public comment, not during the agenda, follow up from the City Manager within 7 days, and collect preferred form of contact
- Active Listening
- Acknowledge the good
- Praise publicly – Criticize Privately
- Always representing Council and the City
- Be constructive
- Build each other up and help each other build self-awareness
- Be respectful
- Know how to legally interact; bcc on emails from the City to a group of Council members so there's no accidental "reply all"
- Develop communication guidelines for the City; chain of command, defining roles, how
- Don't overpromise
- Don't set each other up to fail

Council Proceedings
City of Westland
Meeting No. 22
November 20, 2023

The Westland City Council held a regular meeting November 20, 2023, in the City Council Chambers of Westland City Hall, 36300 Warren Road Westland, Michigan, 48185.

The meeting was called to order at 7:00 p.m. by City Council President James Hart with roll call showing as follows:

<u>Present</u>	<u>Absent (excused)</u>
Emily Bauman	
James Godbout	
Peter Herzberg	
Michael McDermott	
Andrea Rutkowski	
Melissa Sampey	
James Hart	

Also present were Mayor Kevin Coleman, Assessor Jennifer Nieman, Budget Director Dan Block, Cable Producer Craig Hebert, Assistant City Attorney Brandon Grysko, Community Development Director Joanne Campbell, DEI Director Paschal Eze, DPS Director Ramzi El-Gharib, Finance Director Steve Smith, Fire Chief Darrell Stamper, IT Director Craig Brown, MSB Director Joe Burton, Neighborhood Services Director Hassan Saab, Parks & Recreation Director Kyle Mulligan, Personnel Director Stephani Field, Police Chief Kyle Dawley, Purchasing Director Devin Adams, Youth Assistance Director Paul Motz, Water and Sewer Superintendent Doug Morton, Deputy City Clerk Shannon Inman, and City Clerk Richard LeBlanc.

The Pledge of Allegiance was led by Council Pro Tem Andrea Rutkowski.

Mayor Kevin Coleman presented Halloween Decorating Contest award certificates to three Westland homeowners.

- 2023-11-180 Motion by McDermott, supported by Sampey
RESOLVED that Council grants approval of the Consent Calendar as follows:
- Approval of request from Don Nicholson Enterprises, LLC, to organize and promote the 12th Annual All American Wayne Road Cruise which will take place on June 8, 2024.
 - Traffic Control Order 2023-10:
Install one (1) “HANDICAP PARKING” sign in front of 31074 Steinhauer.
 - Adoption of Ordinance 248-A-114, an ordinance to amend Chapter 27 of the Westland City Code by amending Article VI, to add Section 27-36, to provide existing marijuana microbusiness conditional licensees an opportunity to operate as Class A marijuana microbusinesses consistent with Cannabis Regulatory Agency Rules.
 - Approval of Extension of the 2023 Winter Tax Payments without additional penalty, until Thursday, February 29, 2024.
Unanimously carried.

- 2023-11-181 Motion by Herzberg, supported by Sampey
RESOLVED that Council grants approval of the voucher list as follows: Checklist Activity: \$2,382,767.08.
Unanimously carried.

- 2023-11-182 Motion by Rutkowski, supported by Godbout
RESOLVED that Council grants approval of minutes of regular meeting held November 6, 2023.

Roll Call Vote:

Ayes: Godbout, McDermott, Rutkowski, Sampey, Hart
Nays: None
Abstain: Bauman, Herzberg (Herzberg was absent/excused)
Absent: None
Motion carried.

2023-11-183 Motion by Rutkowski, supported by Herzberg

RESOLVED that Council grants approval of request for closed study session on December 4, 2023, at 6:00 p.m. to consult with counsel in connection with France vs Westland and M. Johnson, Case No. 23-02229 and to consider material exempt from discussion or disclosure by State law pursuant to MCL 15.268(e) and (h).

Roll Call Vote:

Ayes: Bauman, Godbout, Herzberg, McDermott, Rutkowski, Sampey, Hart
Nays: None
Abstain: None
Absent: None
Unanimously carried.

2023-11-184 Motion by Godbout, supported by Herzberg

To approve Introduction of Manpower Budget Amendments for Fiscal Year 2024

2023-11-185 Motion by Sampey, supported by Bauman

To Postpone to a date uncertain Motion 2023-11-184 to hold a Study Session.

Roll Call Vote:

Ayes: Sampey
Nays: Bauman, Godbout, Herzberg, McDermott, Rutkowski, Hart
Abstain: None
Absent: None
Motion failed.

Returning to Motion 2023-11-184:

RESOLVED that Council grants approval of Introduction of Manpower Budget Amendments for Fiscal Year 2024: Increase (1) Assistant Parks and Recreation Director position within the Appointed Officials & Mayor's Office and City Clerk's Pay Plan.

Roll Call Vote:

Ayes: Bauman, Godbout, Herzberg, McDermott, Rutkowski, Sampey, Hart
Nays: None
Abstain: None
Absent: None
Unanimously carried.

2023-11-186 Motion by Herzberg, supported by McDermott

RESOLVED that Council grants approval of request to waive procedure to allow Introduction and Adoption of Manpower Budget Amendments for Fiscal Year 2024, in the same meeting.

Roll Call Vote:

Ayes: Godbout, Herzberg, McDermott, Rutkowski, Hart
Nays: Bauman, Sampey
Abstain: None
Absent: None
Motion carried.

2023-11-187 Motion by Godbout, supported by Herzberg

RESOLVED that Council grants Adoption of Manpower Budget Amendments for Fiscal Year 2024: Increase (1) Assistant Parks and Recreation Director position within the Appointed Officials & Mayor's Office and City Clerk's Pay Plan.

Roll Call Vote:

Ayes: Bauman, Godbout, Herzberg, McDermott, Rutkowski,
Sampey, Hart
Nays: None
Abstain: None
Absent: None
Unanimously carried.

2023-11-188 Motion by Herzberg, supported by McDermott
RESOLVED that the meeting be adjourned.
Unanimously carried.

The meeting adjourned at 9:15 PM.

James Hart
Council President

Richard LeBlanc
City Clerk



City of Hartford
County of Van Buren, State of Michigan

Commission Business Meeting Agenda

Tuesday, February 20, 2024 at 5:30 PM

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF AGENDA

GUESTS

1. Award Presentation

PUBLIC COMMENT

COMMUNICATIONS

2. Comm - Planning Commission Public Hearing February 26, 2024 7:30pm - Proposed Ordinance Amendments
3. Comm - Open Planning Commission Seat
- [4.](#) Comm - March Board of Review
- [5.](#) Comm - McDowell Apartments
- [6.](#) Comm - Raising a Grieving Child Workshop February 28, 2024 11am
- [7.](#) Comm - Kinship Care Workshop

REPORT OF OFFICERS BOARDS & COMMITTEES

- [8.](#) PZ - February 12, 2024
- [9.](#) VBCD - January 2024

Police & Ordinance

- [10.](#) HPD - January 2024

Fire Department

- [11.](#) HFB - February 12, 2024
- [12.](#) HFD - January 2024

Ambulance

[13.](#) AMB - January 2024

Van Buren County

Public Works

[14.](#) DPW - January 2024

Wastewater Treatment Plant

[15.](#) WWTP - January 2024

Treasurers, Investment & List of Bills

[16.](#) Trea - February 20, 2024

City Manager

[17.](#) CM - February 2024

APPROVAL OF COMMISSION MINUTES

[18.](#) January 22, 2024

[19.](#) January 29, 2024

[20.](#) February 5, 2024

[21.](#) February 12, 2024

APPROVAL OF REPORTS

GOALS/OBJECTIVES

OLD BUSINESS

NEW BUSINESS

[22.](#) HFD - 2024/2025 Proposed Budget

[23.](#) Discuss & Consider - Humvee Policy

[24.](#) Discuss & Consider - Extreme Risk Protection Order Policy

[25.](#) Discuss & Consider - Lien & Delinquent Tax Policy

[26.](#) Discuss & Consider - Police Department Garage Maintenance

[27.](#) Discuss & Consider - SWOT Analysis & Expectations Workshop Results

28. Discuss & Consider - Set Meeting for Colors Workshop

INTRODUCTION OF RESOLUTIONS OR AMENDMENTS

ADJOURNMENT

NOTICE

2024 BOARD OF REVIEW

CITY OF HARTFORD
19 WEST MAIN STREET
HARTFORD, MI 49057

THE CITY OF HARTFORD BOARD OF REVIEW FOR 2024 WILL BE HELD AT CITY HALL LOCATED AT 19 WEST MAIN STREET, HARTFORD, MI 49057 ON THE FOLLOWING DATES AND TIMES:

TUESDAY, MARCH 5, 2024- 1:00 P.M. ORGANIZATIONAL MEETING

APPEAL HEARINGS MEETING SCHEDULE:

MONDAY, MARCH 11, 2024- 1:00 P.M. TO 4:00PM AND 6:00 P.M. TO 9:00 P.M.

TUESDAY, MARCH 12, 2024- 9:00 A.M. TO NOON AND 1:00 P.M TO 4:00 P.M.

THE BOARD OF REVIEW WILL MEET AS MANY MORE DAYS AS DEEMED NECESSARY.

THE BOARD OF REVIEW WILL ACCEPT PROTESTS BY LETTER ASSUMING THE LETTER IS RECEIVED BY 1:00 P.M. ON MARCH 12, 2024

PLEASE CONTACT THE ASSESSOR'S OFFICE TO SCHEDULE AN APPOINTMENT- PHONE 269-207-2590

THE TENTATIVE RATIOS AND ESTIMATED MULTIPLIERS FOR EACH CLASS OF REAL PROPERTY AND PERSONAL PROPERTY FOR 2024 ARE AS FOLLOWS:

AGRICULTURAL.....	50.00%.....	1.0000
COMMERICAL.....	49.76%.....	1.0604
INDUSTRIAL.....	49.76%.....	1.0048
RESIDENTIAL.....	46.74%.....	1.0697
DEVELOPMENTAL.....	50.00%.....	1.0000
TIMBER CUTOVER.....	50.00%.....	1.0000
PERSONAL PROPERTY....	50.00%.....	1.0000

AMERICANS WITH DISABILITIES (ADA) NOTICE

THE CITY OF HARTFORD WILL PROVIDE NECESSARY REASONABLE SERVICES TO INDIVIDUALS DISABILITIES AT THE BOARD OF REVIEW MEETINGS UPON A TWO (2) DAY NOTICE. PLEASE CONTACT THE ASSESSOR'S OFFICE AT 269-207-2590 TO MAKE ARRANGEMENTS.

RoxAnn Rodney-Isbrecht, Clerk
City of Hartford
19 W Main St
Hartford MI 49057
269-621-2477
269-621-2054
cityclerk@cityofhartfordmi.org
www.cityofhartfordmi.org



321 Woodland Pass Ste 100
East Lansing, MI 48823

PHONE: (517) 351-1544 FAX: (517)-337-8345
MI TDD/TTY: 7-1-1 / TX TDD: 800-735-2989
Rev: 2-2021

January 25, 2024

Hartford City Hall
19 W. Main St. #1
Hartford, MI 49057

RECEIVED
JAN 29 2024
CITY OF HARTFORD

Dear Director,

I am writing today regarding McDowell II Apartments located at 55921 County Road 687 in Hartford. We are asking that you refer members of your clientele that may need housing. The rent is based on income and the apartments may be occupied only by very low to moderate income households. The contact telephone number is (269) 621-2089 and the office hours are Wednesday 9 am till 1 pm. The TDD/TTY number is 7-1-1. Barrier free units are available.

It would be greatly appreciated if you would notify appropriate members of your community of this rental opportunity. We are currently accepting applications for 1- and 2-bedroom apartments. Thank you again for your cooperation. We hope we can provide apartments to members of your clientele.

Sincerely,

Rebecca Hartupee

Rebecca Hartupee
Director of Affordable Compliance

This institution is an equal opportunity provider.

Equal Housing Opportunity



Raising a grieving child

A Kinship Care Speaker Series event featuring Lory's Place

1,192 children are newly bereaved each day in the United States, leaving parents, grandparents and caregivers navigating grief with their children. However, many of us don't feel equipped to know what to say or how to help.

In this presentation, we will talk through helpful strategies to support children and ask:

- What are normal reactions?
- What does their unique grief look like?
- What do kids need to find their footing again?

RECEIVED

FEB 07 2024

CITY OF HARTFORD

When: 11 a.m. Wednesday, Feb. 28

Where: Campus for Creative Aging, 2920 Lakeview Ave., St. Joseph



To RSVP to this free presentation, contact Meg Killips at megkillips@areaagencyonaging.org or call 269-983-0177.

Can't make it and want more information on how Kinship Care can support you and your family? Reach out to Meg!



Are you raising a family member's child?

Come learn about **Kinship Care** and resources that can help!

Kinship Care is a support system for families raising a family member's child, like a grandparent raising a grandchild. In this presentation, we'll cover what and who we are, and how we can support you and your family. Two presentations are being offered:

When: 10 a.m. Tuesday, March 26

Where: Front Street Crossing (COA), 227 Front St., Dowagiac

When: 10 a.m. Wednesday, April 3

Where: Lowe Center (COA), 60525 Decatur Road, Cassopolis

RECEIVED

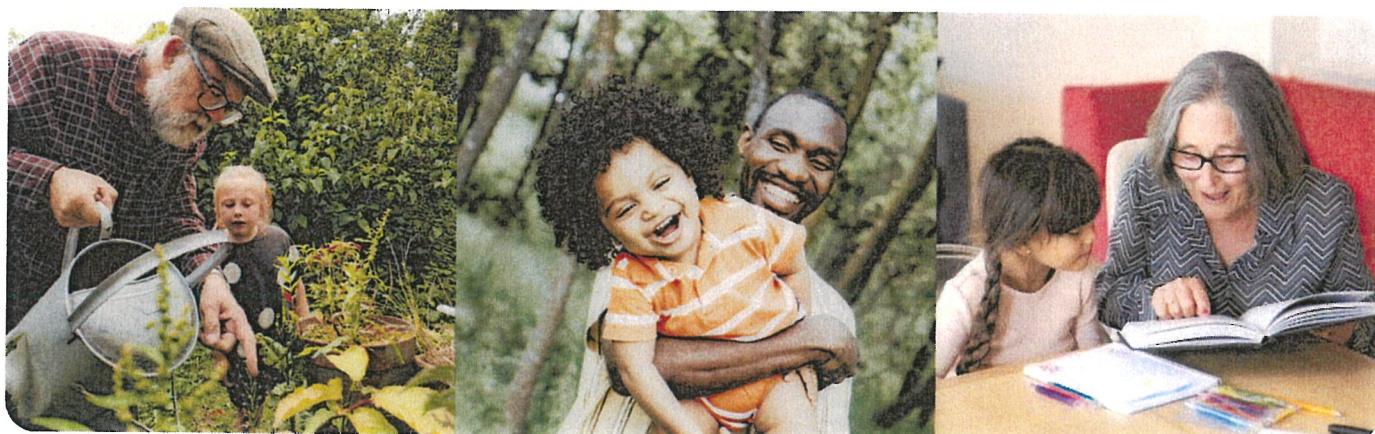
FEB 07 2024

CITY OF HARTFORD



Can't make it and want more information on how we can support you and your family?

Contact Meg Killips at
megkillips@areaagencyonaging.org
 or call 269-983-0177.



**City of Hartford Planning Commission
Regular Meeting, Hartford City Hall
February 12th, 2024, Minutes**

Called to Order: 7:30p.m. by T. Kling

Members Present: S. Ackerman, G. Gardner, J. Kling, & T. Kling

Members Absent: J. Fuller & A. Morales, both excused unable to attend.

Also Present: Linnea Rader, Interim City Manager

Note: We would like to extend a warm welcome to Gage Gardner, our newly appointed Planning Commission member.

Approval of the Agenda: Motion made by G. Gardner, seconded by S Ackerman, to approve the February 12th, 2024 agenda as written. All present in favor, motion carried.

Approval of the Minutes: Motion made by G. Gardner, seconded by J. Kling, to approve the December 11th, 2023 meeting minutes as written. All present in favor, motion carried.

Public Comments Not on the Agenda: Linnea Rader Brief Updates:

*New City Manager, Nicole Brown, under contract to start March 6th. Linnea will stay on to help with her transition.

*Once the weather is good, work will continue on the water project extension to the homes affected by PFAS. The residents have been contacted, either in person or by mail, but some are hesitant. If they hook up now, it's free. If they wait and anything goes wrong later, it will be very expensive for updates and repairs.

*City Council members are participating in an expectations workshop. One key aspect is to move forward in a positive manner. Linnea pointed out there was a lot of positive feedback & they had fun sharing all their ideas.

*Other projects are pretty much wrapped up, re: sewer line completed up to water treatment plant, not past the river.

*20% of homes in the city were chosen to be checked for lead (what kind of pipes are in place) wrapping up now, to update the Water Asset Management Plan.

*Grant for park submitted. Lots of great updates planned, however may be awhile before approval. We're high on the list. There are some deed restrictions (currently no playground allowed) Main goal is to balance the wants & needs of community.

*Library is interested in doing more on their property in the future. There are some legal issues to be addressed.

*T. Kling mentioned the Hum-vee the City acquired, donated at no cost, government surplus, to be used for emergencies, highway rescues. It's in really good shape. Can be sent back if there is a need to.

Public Hearing: None

Old Business:

*Need to have the election of officers. Tabled until next meeting.

*Need another Planning member to fill Nancy Spoula's position. Position has been posted. Reach out if know anyone.

New Business:

***Discuss & Consider Proposed Amendments to Marihuana Ordinances** – T. Kling re-capped our previous discussions. He reiterated the fact that we must continue to grow & evolve to meet the needs and changes in our community. We added a few modifications under Sec.110.12 regarding the number of temporary marihuana events & licenses required and updated the number of licenses for Microbusinesses. This ordinance is regulated by the State of Michigan, in compliance with the current laws. Upon completion of our discussion, all were in favor of moving forward with setting the Public Hearing date.

***Set Public Hearing Date – Amendments to Marihuana Ordinances** – Special Meeting for Public Hearing set for Monday, February 26th, at 7:30pm. Notices will be posted.

***Discuss & Consider Proposed Amendments to Zoning Ordinances** – T. Kling re-capped our previous discussions. Linnea added that updates to language, verbiage used for marihuana businesses re: signage, are needed to comply with the state. Upon completion of our discussion, all were in favor of moving forward with setting the Public Hearing date.

***Set Public Hearing Date – Proposed Amendments to Zoning Ordinances** - Special Meeting for Public Hearing set for Monday, February 26th, at 7:30pm. Notices will be posted.

***Application for re-appointment to Planning Commission** - applications have been given to all planning members to fill out and submit to Roxanne or Linnea once completed. Some have been turned in already.

***Training Opportunities** – there has been a good response to upcoming training being offered in Lawrence & Bangor. Most members have signed up. Online classes are also available if desired.

Other business: None

Adjournment:

Motion made by G. Gardner, seconded by S. Ackerman, to adjourn the meeting. All present in favor, motion carried. Meeting adjourned by T. Kling at 8:21 P.M.

Respectfully submitted by: Jenine Kling, Secretary

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; Charles Weeden; Mayor Richard A. Hall

Commissions Absent:

Staff Present: Rader; Rodney-Isbrecht; Ivy; Prince; Shultz; Staunton

Mayor Hall called the meeting to order at 5:30pm.

Pledge of Allegiance was said.

Motion by Commissioner Spoula, supported by Commissioner Miller, to approve the agenda as amended to include Resolution 2024 – 002 accepting the 2022/2023 Fiscal Year Audit.

Motion carried 7 – 0

Motion by Weeden, supported by Danger to nominate Commissioner John Miller as Mayor Pro-Tem for 2024.

Motion carried 7 – 0

Guests:

- Ryan Marschke, Hungerford Nichols CPSs + Advisors, gave a presentation on the City's 2022/2023 Audit. Capital Assets increased due to projects; also increased debt due to those projects. There are about six months' worth of Fund Balance if no additional income were received and within the recommended guidelines. The City was required to do a single audit due to the \$750,000 spent in Federal funds. One material weakness was noted on page 13 and no material weakness noted on the single audit. The City received an unmodified opinion on the audit & the single audit.
- Terry Tibbs, Van Buren Senior Services Board Member - Offering Tax preparation in South Haven for Seniors, Call for an appointment; Rides available for Dr. Appointments must be scheduled in advance; Grants to install Handicap Ramps on a first come, first serve basis. For Handyman services call 269-637-3607; 866-627-8904;

Public Comment:

- John Spoula, 112 Bennett Ave, comments on the cost to dismiss the former City Manager; comments in support of the acquired Humvee.
- Rachel Ballard, Ballard's Bake Goods of Paw Paw, looking to sell her baked goods in Hartford.
- Mike Menick, 38 Marion Ave, comments on the former City Manager costs of dismissal & Council's attendance record.
- Tim Kling, 105 East Street, concerns about demolition of 106 South Center St, DPW did a Great job clearing the roads.
- Joe, Zip Cannabis, 801 Prospect – Update on the Marijuana Ordinance amendments.

Communications:

- Southwest Michigan CAA Weatherization Assistance Program Available
- Hartford Area Chamber of Commerce Annual Banquet February 12, 2024 6pm at El Primo Res
- Public Notice – EGLE – AEP/Indiana Michigan Transmission
- Market Van Buren Communication
- Notice of Public Accuracy Test for Early Voting Site February 1, 2024
- Early Voting begins February 17th thru February 25 for the Presidential Primary at the VBC West Building on CR 681, Hartford, or you can vote on election day at your precinct located at the Vanderlyn Community Center/12 Church Street on February 27, 2024 polls will be open 7am-8pm. Contact the Clerk if you need an absent voter ballot.

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

- Van Buren County Voter Information Guide
- Hartford Chamber of Commerce has a new redesigned website.

Reports of Officers, Boards & Committees; Routine Monthly Reports from Departments:

- Van Buren Conservation District December 2023 Program Update.
- A. **Police & Ordinance** – Chief Prince & LT Ivy – Report on file. Working to fill crossing guard position. Radio System will be obsolete at the end of the year, seeking funding to cover the costs. Hiring/Recruiting is a challenge; MCOLES Grant available to cover costs of education program, which begins in April; Working on a training schedule; end of the year reports; Lt Ivy is planning a bike rodeo and safety course in the spring, seeking grant to cover the cost; Commissioner Weeden has some concerns about 24/7 coverage with five officers. Seeking a grant on reducing gun violence programs.
- B. **Fire Department** – Robbie Harting, Fire Chief – Report on File; 501c3 completed & filed which will allow application of federal funding; Met with Mayor & Township Supervisor to go over the new 2024/2025 budget. Pancake Breakfast scheduled in May; Smoke detectors are available for install. Pole Barn has been completed.
- C. **Ambulance** – No report filed, currently living at the fire station, working out well.
- D. **Van Buren County** – Mike Chappel, Commissioner, Public Defender disengaging from Allegan County; Kayak launch on CR 687, construction in 2025; working on County ORV ordinance.
- E. **Public Works** – Dan Staunton, Report on File; Snow Removal, hired a new employee. City has an ordinance regarding parking overnight in City Parking lots during snow events; car could be towed if left over night.
- F. **Wastewater Treatment Plant** – No Report on File –
- G. **Treasurers, Investment & List of Bills** – List of Bills \$396,411.29
- H. **City Manager** – Report on file – communications services permitting cannot have a moratorium, and have to be approved within 45 days; summary judgement was delayed until March 2024 regarding former employee; Police Recruit policy, worked hard to acquire a grant to send them through police academy; employee did not pass water license, working with them for additional training and reevaluate options; council expressed concerns on Humvee options; police union arbitration was dropped. Police Car does not need to be parked out front and directed the police department to park in the back by the garage.

Motion by Commissioner Weeden, to send the Humvee back.

Motion failed for lack of support

Commissioner Dockter went to some business in town and got enough donations to replace the blow-up Frosty in the park. He will be seeking additional donors to purchase blow up strawberries for the park.

Approval of Commission Minutes:

Motion by Commissioner Dockter, supported by Commissioner Spoula, to approve the minutes of the December 11, 2023 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

Motion by Commissioner Dockter, supported by Commissioner Danger, to approve the minutes of the December 13, 2023 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

Motion by Commissioner Spoula, supported by Commissioner Dockter, to approve the minutes of the December 18, 2023 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

Motion by Commissioner Dockter, supported by Commissioner Danger, to approve the minutes of the January 3, 2024 business meeting of the Hartford City Commission, as presented and place them on file.

Motion carried 7 – 0

Approval of Reports:

Motion by Commissioner Miller, supported by Commissioner Spoula, to approve the January 22, 2024 list of bills in the amount of \$396,411.29

Motion carried 7 – 0

Motion by Commissioner Miller, supported by Commissioner Frank, to accept the December, 2023 reports of Officers, Boards & Committees and place them on file.

Motion carried 7 – 0

Goals/Objectives:

- Discuss & Consider – Expectations Workshop set for January 29, 2024 at 4:30pm

Old Business:

- Discuss & Consider Spark Grant Update – Results of survey, public meeting & priorities of improvements. Even though it was a priority based on survey results a splash pad is not recommended due to the maintenance costs. The grant is due January 31, 2024. Council is in favor of moving forward with the proposed improvements of parking lot, fencing, upgrades to pavilion, lighting, restrooms, electric, benches & picnic areas, outdoor game tables & pickle ball court.
- Discuss & Consider Voluntary Well Metering -

Discussion: A flat rate customer has requested the City meter his well because it is cost prohibitive to tap into the water system. Council is not in favor of moving forward with an ordinance or policy to meter wells of flat rate customers.

- Discuss & Consider – City Manager Position – A Contract Agreement has been reached

Motion by Commissioner Morsaw supported by Commissioner Miller to authorize the Mayor to enter into a contract agreement, with wording similar to what was presented at this meeting, with Nicole Brown as the next City Manager pending successful background check & drug screen.

Motion carried 6 – 1 (Danger)

New Business:

- Discuss & Consider – Hungerford Nichols Engagement Letter for Single Audit

Motion by Commissioner Miller, supported by Commissioner Dockter to accept the engagement letter for single audit from Hungerford Nichols.

Motion carried 7 – 0

- Discuss & Consider – Freedom of Information Act Procedures & Guidelines & Fee Schedule

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

Motion by Commissioner Miller, supported by Commissioner Dockter, to adopt the Freedom of Information Act Procedures & guidelines & fee schedule as presented.

Motion carried 7 – 0

- Discuss & Consider – HPD Recruit Policy

Motion by Commissioner Miller, supported by Commissioner Danger to adopt the Hartford police Department Recruit Policy as presented.

Motion carried 6 – 1 (Weeden)

- Discuss & Consider – MML Training – Invitation received from Bangor City to participate in elected officials training February 21, 2024, 1-4pm.

Discussion: Notify the Clerk if you wish to participate in the training.

Resolutions, Ordinance, Proclamation's:

- Discuss & Consider – Proposed Ordinance 335-2023 Establish Planning Commission

Motion by Commissioner Miller, supported by Commissioner Spoula, to adopt Ordinance 335-2023 Establish Planning Commission. .

Motion carried 7 – 0

- Discuss & Consider – Proposed Ordinance Amendment No. 336 – 2023 Designate Zoning Board of Appeals.

Motion by Commissioner Miller supported by Commissioner Danger to adopt Ordinance 335-2023 Designate Zoning Board of Appeals.

Motion carried 7 – 0

- Discuss & Consider – Proposed Ordinance Amendment to Zoning 151, 291, 151.309, 151.310, 151.311

Discussion: Council is in favor of sending the proposed zoning ordinance amendments to the Planning Commission for review & recommendation.

- Discuss & Consider – Resolution 2024 – 001 Appoint Members of the City of Hartford Planning Commission

Motion by Commissioner Danger supported by Commissioner Dockter, to adopt Resolution 2024-001 appointment members of the City of Hartford Planning Commission.

Motion carried 7 – 0

Discussion: Council appointed Eric Germinder to the Planning Commission & Fire Board which meets on the same night. Mr. Germinder resigned from the Planning Commission leaving a vacancy on the Planning Commission.

- Discuss & Consider – Resolution 2024 – 003 Fiscal Year 2023/2024 Budget Adjustments no. One.

Motion by Commissioner Miller supported by Commissioner Danger, to adopt Resolution 2024 - 003 accepting the Fiscal Year 2023/2024 Budget Adjustments no. one.

Motion carried 7 – 0

CITY OF HARTFORD
PROPOSED BUSINESS MEETING MINUTES
JANUARY 22, 2024

Item 18.

- Discuss & Consider – Resolution 2024 – 002 accepting Fiscal Year 2022/2023 Audit

Motion by Commissioner Miller supported by Commissioner Danger, to adopt Resolution 2024 – 002 accepting the Fiscal Year 2022/2023 Fiscal Year Audit.

Motion carried 7 – 0

Adjournment:

Motion by Commissioner Dockter, supported by Mayor Hall, to adjourn the meeting at 7:29pm.

Motion carried 7 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD
SPECIAL BUSINESS MEETING MINUTES
JANUARY 29, 2024

Item 19.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; Charles Weeden and Mayor Richard A. Hall;

Commissioners Absent:

Staff Present: Rader; Rodney-Isbrecht;

Mayor Richard A. Hall called the special meeting to order at 4:30pm.

- Discuss & Consider – Expectations & Goals

Discussion: Council's expectations of the City Manager. Council set another special meeting to continue discussion for February 5, 2024 at 4:30pm

Adjournment:

Motion by Commissioner Miller, supported by Commissioner Spoula, to adjourn the meeting at 5:39pm.

Motion carried 7 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD
SPECIAL BUSINESS MEETING MINUTES
FEBRUARY 5, 2024

Item 20.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; and Mayor Richard A. Hall;

Commissioners Absent: Charles Weeden

Staff Present: Rader; Rodney-Isbrecht;

Mayor Richard A. Hall called the special meeting to order at 4:30pm.

- Discuss & Consider – Peddlers Mobile Food Vendors Permit Fee Schedule

Discussion: Commissioner Danger requested an amendment to the Mobile Food Vendors Permit for Farm Produce/Baked Goods. Council will consider amending the ordinance. The Fee Schedule will be considered during the budgeting process.

- Discuss & Consider – Expectations & Goals

Discussion: Expectations of Council. Continue Discussion at Special Meeting set for February 12, 2024 @ 4:30pm.

Adjournment:

Motion by Commissioner Spoula, supported by Commissioner Miller, to adjourn the meeting at 5:34pm.
Motion carried 6 – 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

CITY OF HARTFORD
SPECIAL BUSINESS MEETING MINUTES
FEBRUARY 12, 2024

Item 21.

Commissioners Present: Jane Danger; Frank Dockter; John Miller; Lindsay Morsaw; Nancy Spoula; and Mayor Richard A. Hall;

Commissioners Absent: Charles Weeden

Staff Present: Rader; Rodney-Isbrecht;

Mayor Richard A. Hall called the special meeting to order at 4:30pm.

- Discuss & Consider – Expectation & Goals

Discussion: City Manager expectations of Council, effective team management and ground rules. Council will have another special meeting to discuss Strengths, Weakness, Opportunities and Threats analysis.

Adjournment:

Motion by Commissioner Miller, supported by Commissioner Spoula, to adjourn the meeting at 5:33pm.

Motion carried 6– 0

Respectfully Submitted,

RoxAnn Rodney-Isbrecht, City Clerk

REGULAR MEETING OF THE BUCHANAN CITY COMMISSION KL
TUESDAY, DECEMBER 27, 2022 – 7:00 PM
CHAMBER OF BUCHANAN CITY HALL - 302 N REDBUD TRAIL, BUCHANAN MI

MINUTES

THE COMMISSION OF THE CITY OF BUCHANAN, in compliance with Michigan's Open Meetings Act, hereby gives notice of a regular meeting of the Buchanan City Commission to be held in the Chamber of City Hall.

** Requests to be added to the agenda as a "Scheduled Matter from the Floor" should be submitted in writing to the City Clerk at least 5 business days prior to the scheduled meeting during which the speaker wishes to appear, and the approval of such requests remain within the discretion of the Mayor. If denied, the speaker may nonetheless speak during the "non-agenda items only" public comments section of the agenda.*

** Those who are unable to appear during a meeting but who still wish to share public comment may submit such comments in written form to the City Clerk at least 4 hours in advance of the meeting.*

** Individuals with disabilities may request necessary reasonable accommodations by submitting requests to the City Clerk, preferably at least 24 hours in advance.*

** Written requests and comments may be submitted to the City Clerk either in person or via mail to Buchanan City Hall, 302 N. Redbud Trail, Buchanan, MI 49107, or via email to clerk@cityofbuchanan.com*

I. Call to Order

Meeting was called to order by Mayor Denison at 7:00 P.M.

II. Recognition

III. Pledge of Allegiance

Mayor Denison led in the Pledge of Allegiance.

IV. Roll Call

Present: Mayor Sean Denison, Mayor Pro Tem Mark Weedon, Commissioner Dan Vigansky, Commissioner Larry Money

Absent: Commissioner Patrick Swem

Motion made by Denison, supported by Weedon to excuse Commissioner Swem absence for Special Meeting 12/27/2022. Roll call vote carries unanimously.

City Staff: City Manager, Heather Grace; City Clerk, Kalla Langston; Community Development Director, Rich Murphy; Director of Public Services, Mike Baker; Director of Public Safety, Tim Ganus; Chief of Police Harvey Burnett

V. Approve Agenda

Motion made by Money, supported by Weedon, to approve the agenda as presented. Roll call carries unanimously

VI. Public Comment - Agenda Items Only *(3-minute limit)*

Peter Lysy- Hopes the commission will proceed with Kurt Garners Buchanan Preservation Plan.

VII. Consent Agenda *(can be approved all in one motion, for general housekeeping items)*

- A. 1) **Planning Commission Appointment**- Consider appointing Anthony "Tony" Houser to the planning commission for a three-year term beginning January 2023 on the recommendation from the Planning Commission on December 13th.

- B. 2) **Minutes**- Consider approving the Regular Meeting Minutes from the December 12, 2022 City Commission meeting.
- C. 3) **Expenditures**- Consider approving expenditures for December 27, 2022, in the amount of **\$282,263.64**.

****NOTE:** \$279,864.70 of the amount above is for **GENERAL** expenditures. \$2,398.94 of the amount above is for the 11.1.22 - 11.30.22 **Summer Tax Disbursement**.

Motion made by Weedon, supported by Money, to approve the consent agenda as presented. Roll call carries unanimously.

VIII. Scheduled Matters from the Floor *(if any)*

- A. 1) **Culvert Evaluation Agreement**- Consider authorizing Manager Grace to sign the proposed contract formalizing the agreement previously approved verbally by the City Commission during a special meeting on site at the culvert location.

This is a formality agreement, the Culvert Evaluation was approved at a prior special meeting.

Motion made by Money, supported by Denison to authorize Manager Grace to sign the Culvert Evaluation Agreement, as presented. Roll call vote carries unanimously.

2) **Front Street & Oak Traffic Signal Agreement**- Consider approving an agreement to authorize work to upgrade the traffic signal at Front & Oak. *(This project was contemplated since the inception of the larger infrastructure project concept first began back in 2022. MDOT funding is lined up to cover associated expenditures as part of the City's participation in NATS, the Niles Area Transportation System, which divides up federal highway road monies amongst road agencies in our part of Berrien County. Prein&Newhof needs the agreement formalized so that we can proceed with submitting it along with our entire MDOT road money grant applications in order to effectuate the federal road money allocations).*

The agreement is for the engineers to move forward in the grant application. This grant has been in the works since the previous administration. This allows them to pursue federal and state funding for the Traffic Signal.

Motion made by Vigansky, supported by Money to authorize Manager Grace to sign the Culvert Evaluation Agreement, as presented. Roll call vote carries unanimously.

3) **Engineering Change Order #1**- Consider approving the proposed change order. *(This change order updates the existing agreement with P&N to reflect the changes previously approved by the City Commission, following multiple public meetings and open houses regarding the streetscape design. These new figures have been submitted to NATS and are part of our application for increased street funding through MDOT/federal highway transportation funds, so need to be formalized in order for our requests for road money allocations to proceed).*

This change order agreement is to cover modifications that were made during public meetings. Such as the increased scope during conceptual design phase, Parshall flume, lead lines that are likely to be encountered, Ryneerson Street for streetscape modifications, unforeseen delays in the funding approval process and construction material availability.

Motion made by Weedon, supported by Vigansky to authorize Manager Grace to sign the Engineering Change Order #1 agreement, as presented. Roll call vote carries unanimously.

4) **Engineering Change Order #2**- Consider approving the proposed change order.

This change order is to secure the 19 permanent easements from 14 property owners on Front St.

Motion made by Vigansky, supported by Money to authorize Manager Grace to sign the Engineering Change Order #2 Agreement, as presented. Roll call vote carries unanimously.

IX. Reports by: Departments, Committees, Boards

A. Friends of the Trail- Jerry Flenar update on Trail Grant Extension

Jerry Flenar, chairman of the Friends of the McCoy Creek Trail on December 14th went to Lansing to attend the Michigan Resource Meeting. There were a 100 grant requests being put forth for awards. Out of the hundred applications they ranked 3rd out of 100. Flenar thanked Murphy for looking at it to get there score up from 350 to 410. This grant gives them enough to finish phase 1 of the trail extension. They were also highly encouraged by the group to go after phase 2 next year. The entire room gave a standing ovation to Rich Murphy on the request of Flenar for helping put forth a great grant application.

B. Community Development Director Report

1) **Zen Leaf Renewals**- Consider approving the Zen Leaf marihuana medical and adult use retail permit renewals for 259 E. Front St.

Motion made by Weedon, supported by Vigansky to approve the Medical and adult use retail permit renewals for Zen Leaf at 259 E. Front St. Roll call vote carries unanimously.

2) **Blackbird Renewal**- Consider approving the Blackbird/Elkhorn Valley grower class C marihuana permit renewal for 402 - 404 S. Oak.

Rhett was able to give a powerful update on the status of the building. He has overcome a lot this past year but continues to make strides to open his dream business.

Motion made by Vigansky, supported by Weedon to approve the Class C Marihuana Permit renewal for Blackbird/ Elkhorn Valley at 402-404 S. Oak. Roll call vote carries unanimously.

3) **Stark School Façade Grant Request**- Consider approving the Stark School Façade Grant Application for 502 Claremont.

Murphy was seeking the Façade Grant for Stark School on behalf of owner Jen Tabor. Total amount spent \$8,345.03. Murphy is recommending Grant Award being at 60% of itemized invoices and receipts totaling \$5,007.02.

Motion made by Money, supported by Vigansky to approve the Façade Grant for Stark School at 502 Claremont. Roll call vote carries unanimously.

4) **Grant Updates & Awards**- McCoy's Creek Trail Extension Grant update, Spark grant update, A Vision for Buchanan Urban Guild Award

Murphy touched on the Grants that were awarded and future grants progression. Excited to see Buchanan making a name in the Grant awards.

5) Kurt Garner to present update on Buchanan Preservation Plan

Kurt Garner gave a brief presentation on the Buchanan Preservation Plan. With the help of the Preservation Society on the important areas they would like to work on next as well as keeping the plan going for years to come.

C. Clerk Report- Kalla Langston

1) Recount update from November 8, 2022, General Election

Langston updated the commission on the recount with Weedon winning by one vote. Unfortunately, AVCB was unable to be recounted due to recount process of hand counting ballots to match what was tabulated. Lemay was able to challenge but decided against it.

2) Prop-2 changes with the upcoming May 2023 Special Election.

Langston went over highlights of Prop-2 and some of the financial aspects that will come with the changes. There will be lot to navigate in the upcoming elections but will be working with clerks throughout the County to make sure that the law is upheld, and security is in place.

X. Unfinished Business

- A. Appointment of Commissioners as Alternates to serve on any boards/committees/commissions-**
Consider making motions to appoint Commissioners as alternates to serve on City Boards/Committees/Commissions, as desired.

Commissioners will decide which boards/committees they would like to be alternates for via survey that Grace will put together.

Langston wanted to clarify that no motion was made for ZBA alternate, that this one must be decided per charter.

Motion made by Denson, supported by Weedon to appoint Commissioner Dan Vigansky as the ZBA Alternate. Roll call vote carries unanimously.

- B. Microbusiness Ordinance-** *Consider the Second Reading of Ordinance 2022.12/435, Proposed Amendments to the Adult Use Microbusiness Ordinance to include Class A Microbusinesses, as is newly allowed via recently updated state law. If passed at second reading, the ordinance will take effect following publication.*

Motion made by Vigansky, supported by Weedon to approve the second reading of ordinance 2022.12/435, as presented. Roll call vote carries unanimously.

XI. New Business

- A. 1) Enter Closed Session-** *Consider entering Closed Session to discuss the potential lease or purchase of real property, pursuant to MCL 15.268 Section 8(1)(d).*

Motion made by Weedon, supported by Money to enter closed session pursuant to MC 15.268 Section 8(1)(d) to discuss the potential lease or purchase of real property at 8:39 P.M. Roll call vote carries unanimously.

2) Re-Enter Open Session- *Consider re-entering Open Session.*

Motion made by Weedon, supported by Money to re-enter Open Session at 9:04 P.M. Roll call vote carries unanimously.

3) Action- *Consider action pursuant to Closed Session discussions.*

Motion made by Weedon, supported by Money to authorize the City Administration to take action pursuant to discussion held in closed session. Roll call vote carries unanimously.

XII. Communications *(informational only, formal board action is not necessary for these items, unless so desired)*

- A. Downtown Infrastructure Road Right of Way Map Updates-** *maps are shared for informational purposes only, no action needed.*

- B. Previous Agenda Item, Progress Update-** *Andy Campbell indicated that he will not be ready to present information relating to the water/sewer rate proposals/USDA project until the January*

meeting. Similarly, the updated City credit card policies are planned to be presented at that time as well.

XIII. Public Comment - Non-Agenda Items Only *(3-minute limit)*

XIV. Executive Comments

A. City Manager Comments

Hoped everyone had a Great Holiday. Is very pleased to have such an uplifting meeting this evening. It's amazing to see the accomplishment from the staff as well as our business owners and our community. Looking forward to seeing all the great things that are coming to Buchanan.

B. Commissioner Comments

Weedon- No comment

Vigansky- No comment

Money- thanked the Commissioners for what they do. Thanked Baker for the great work that his crew has done in the city during this blizzard. Please let the DPW crew know that he thanks them very much. Thanked Jen Tabor for bringing in cookies for us tonight.

C. Mayor Comments

Thanked the City Staff for all their hard work.

XV. Adjourn

Motion made by Money, supported by Weedon to adjourn the meeting at 9:07 P.M. Roll call vote carries unanimously.

Kalla Langston, City Clerk

Mayor Sean Denison

**REGULAR CITY COUNCIL MEETING
MINUTES COUNCIL CHAMBERS,
1345 E. Main Street City of Niles, Michigan**

Monday, September 11, 2023

PRESENT: Council Members: Georgia Boggs, Gretchen Bertschy, Amanda Dunnem, Timothy Rogers, William Weimer, John DiCostanzo, Michael Thompson, and Mayor Nick Shelton

ABSENT: Charlie McAfee

STAFF: Huff, Bergman, Landgraf

REGULAR COUNCIL MEETING

The regular Niles City Council meeting was called to order by Mayor Shelton at 6:00 p.m. September 11, 2023. The Pledge of Allegiance was led by Mayor Nick Shelton.

APPROVAL OF THE AGENDA:

Councilmember Rogers moved, **Councilmember Thompson** seconded to approve the agenda as submitted with the removal of Public Comment.

ROLL CALL: YEA: Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem, Rogers

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

PUBLIC HEARINGS

To receive public comment on the creation of a Residential Housing District at 411 Fort Street.

CITIZEN PARTICIPATION: (PUBLIC COMMENTS)

Theresa Briand of 1615 N 15th St, Apt 175 expressed gratitude to Ric Huff for his continued responsiveness to her inquiries and to all the Councilmembers who have taken the time to engage with her. Theresa explained that she seeking to raise awareness about instances where public agencies may have disregarded the FOIA laws, violated the Open Meetings Act and about a DDA employee, that in her opinion, appeared to have strayed from their oath and used their position for personal gain. She stated that she is holding public trustees accountable and her quest to understand our local government better.

Brian Crespo of 2112 Industrial Dr. addressed Council as to why he felt that NMR should be granted the Microbusiness Class A license.

Marie Weimer said that she hopes that we never forget 9/11.

PRESENTATIONS:

CONSENT AGENDA:

1. Consideration of approving the minutes of August 28, 2023.
2. Consideration of approving the list of bills dated September 5, 2023.
3. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed Commercial Facilities Exemption Application for Wolverine Investments, LLC at 411 Fort Street.

4. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed tax abatement program district for 411 Fort Street.
5. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed Commercial Facilities Exemption Application for Round Barn/Local Libations at 501 Grant Street.
6. Consideration of scheduling a public hearing on September 25, 2023 at 6:00 pm to receive public comment on the proposed tax abatement program district for Round Barn/Local Libations, LLC at 501 Grant Street.

Councilmember Thompson moved, **Councilmember Dunnem** seconded to approve the consent agenda as submitted.

ROLL CALL: YEA: DiCostanzo, Thompson, Boggs, Bertschy, Dunnem, Rogers, Weimer

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

CITY ADMINISTRATOR'S REPORT:

7. Consideration of authorizing the Utilities Department to accept water and sewer infrastructure, on behalf of the City of Niles, within Bertrand Crossing Industrial Park, authorize the Mayor to sign the Utilities Agreement, accept easements to access water and sewer mains and authorize the Utilities Manager to sign as the owner's authorized representative on the EGLE permit applications.

Councilmember Bertschy moved, **Councilmember Rogers** seconded to authorize the Utilities Department to accept water and sewer infrastructure, on behalf of the City of Niles, within Bertrand Crossing Industrial Park, authorize the Mayor to sign the Utilities Agreement, accept easements to access water and sewer mains and authorize the Utilities Manager to sign as the owner's authorized representative on the EGLE permit applications.

ROLL CALL: YEA: Thompson, Boggs, Bertschy, Dunnem, Rogers, Weimer, DiCostanzo

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

8. Consideration of authorizing the Department of Public works to purchase 2023 F-250 Pickup Truck from Tony Betten Ford of Grand Rapids, Michigan in the amount of \$51,021.00 for use by the Street Department and charge the purchase to Vehicle Capital Equipment Outlay Account.

Councilmember Rogers moved, **Councilmember Bertschy** seconded to authorize the Department of Public works to purchase 2023 F-250 Pickup Truck from Tony Betten Ford of Grand Rapids, Michigan in the amount of \$51,021.00 for use by the Street Department and charge the purchase to Vehicle Capital Equipment Outlay Account.

ROLL CALL: YEA: Boggs, Bertschy, Dunnem, Rogers, Weimer, DiCostanzo, Thompson

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

9. Consideration of authorizing budget amendments to the 2023 Fiscal Year General Fund revenue of \$2,253,998, the General Fund expense of \$2,337,747, and other funds, including Utility funds expense, of \$798,098.

Councilmember Bertschy moved, **Councilmember Dunnem** seconded to authorize budget amendments to the 2023 Fiscal Year General Fund revenue of \$2,253,998, the General Fund expense of \$2,337,747, and other funds, including Utility funds expense, of \$798,098.

ROLL CALL: YEA: Bertschy, Dunnem, Rogers, Weimer, DiCostanzo, Thompson, Boggs

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

10. Consideration of awarding a Microbusiness Class A Facility License to BS Ironwood, LLC of at 1641 E. Main Street.

Councilmember Bertschy moved, **Councilmember Dunnem** seconded to award a Microbusiness Class A Facility License to BS Ironwood, LLC of at 1641 E. Main Street.

ROLL CALL: YEA: Dunnem, Rogers, Weimer, DiCostanzo, Thompson, Boggs, Bertschy

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

11. Consideration of awarding a Microbusiness Class A Facility License to Native Michigan Remedies of 2112 Industrial Drive.

Council Member Bertschy moved, **Council Member Dunnem** seconded to award a Microbusiness Class A Facility License to Native Michigan Remedies of 2112 Industrial Drive.

ROLL CALL: YEA: Rogers, Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

12. Consideration of accepting a grant from Michigan Gateway Community Foundation in the amount of \$27,075.00 for use by the Help for Homes Initiative program for revitalization of owner-occupied homes in the 3rd Street corridor and authorize the Mayor to sign the agreement.

Council Member DiCostanzo moved, **Council Member Bertschy** seconded to accept a grant from Michigan Gateway Community Foundation in the amount of \$27,075.00 for use by the Help for Homes Initiative program for revitalization of owner-occupied homes in the 3rd Street corridor and authorize the Mayor to sign the agreement.

ROLL CALL: YEA: Weimer, DiCostanzo, Thompson, Boggs, Bertschy, Dunnem, Rogers

NAY: None **ABSENT:** McAfee **MOTION CARRIED**

APPOINTMENTS:

CITY ATTORNEY'S REPORT:

COUNCILMEMBER'S REPORT:

Councilmember Thompson thanked the Underground Laugh Lounge for the tickets that allowed his daughter and son-in-law to attend. They enjoyed it and would recommend others to attend. They also plan to return again. Thompson stated that he emailed Council links to videos on the difference of currency and money along with how our financial system basically works to prepare for discussing City fund investing. Thompson also shared an article on the scamdemic also known as the election variant.

Councilmember Bertschy moved, Thompson supported to excuse Mayor Shelton from the August 28, 2023 meeting. **AYES: 7 NAYES: 0 MOTION CARRIED**

Bertschy also announced that this Sunday will be the last Free Concerts in the Park. She acknowledged Caryn Adler and all the wonderful things that she has contributed to.

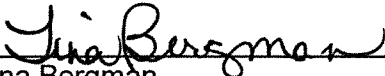
MAYORS REPORT:

Mayor Shelton gave thanks for being excused from the last meeting as he was in Ireland for the Notre Dame game where he was able to meet the Lord Mayor of Belfast. The Mayor congratulated the two businesses that were approved for a Class A Microbusiness License. He also announced that the Apple Festival begins September 28, 2023 and encouraged everyone to go. Lastly, he attended the ribbon cutting for the Underground Laugh Lounge. He found it incredible what the Koebel's have done with that space and is really proud of their efforts with the Carnegie Library. He encouraged everyone to get tickets before they are sold out.

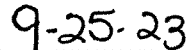
CLOSED SESSION:

ADJOURNMENT

Councilmember Weimer moved to adjourn at 6:26 p.m.



Tina Bergman
Niles City Clerk



Date



City Commission Agenda Report

City of Kalamazoo

Date: **6/5/2023**

Item: **H.6.**

TO: Mayor Anderson, Vice Mayor Cooney, and City Commissioners

FROM: Clyde J. Robinson, City Attorney

DATE: June 5, 2023

SUBJECT: Ordinance Amendment Permitting Class A Marihuana Microbusinesses

RECOMMENDATION:

It is recommended that the City Commission adopt an amendment to Chapter 20B addressing Marijuana Commercial Businesses to permit the operation of Class A Microbusinesses.

BACKGROUND:

Currently the City permits Microbusinesses to operate within the City. These licensees are permitted under State statute and local ordinance to cultivate not more than 150 mature marihuana plants, process and package marihuana, and sell or transfer marihuana to individuals 21 years of age and older. It is essentially a small scale vertically integrated (grow, process, and retail sales) business.

Class A Microbusinesses are authorized by the Cannabis Regulatory Agency by administrative rule. It is a larger operation which is permitted to cultivate not more than 300 mature marihuana plants; package marihuana; purchase marihuana concentrate and marihuana-infused products from licensed marihuana processors, and sell or transfer marihuana and marihuana-infused products to individuals 21 years of age and older. This business, while defined and identified in the City Code of Ordinances, is not presently permitted.

Recently the Zoning Board of Appeals granted a variance to a marijuana business located at 4525 West KL Avenue to operate a Class A Microbusiness. However, the granting of a use variance under the zoning code, cannot override the licensing ordinance which currently does not permit Class A Microbusinesses. The proposed amendment would address this matter by allowing Class A Microbusinesses.

Community Planning & Economic Development staff recommend this change. The only reason Class A Microbusinesses were not permitted in the previous amendment to the Marijuana Commercial Business ordinance was determining where such operations would be best located in the City under the zoning code. The location where the variance was granted is an acceptable site for this business.

The proposed amendment would place no limits on the number of Class A Microbusinesses, but the capitalization costs and State license fee (\$8,300 fee for a Microbusiness versus \$18,600 for a Class A Microbusiness) required for this type of business suggests that their number will be limited.

STRATEGIC VISION ALIGNMENT:

Strategic Goal Impact:

Economic Vitality - A supportive infrastructure for growing businesses and stabilizing the local economy for the benefit of all.

COMMUNITY ENGAGEMENT:

Inform (one-way conversation) – no feasible alternatives available due to legal/regulatory restrictions, standards and best practices, or resource limitations; the community will be made aware of the project.

FISCAL IMPACT:

Nominal.



July 3, 2024

City Commission
City of Royal Oak
203 S. Troy St.
Royal Oak, MI 48067

Re: Request for Amendment to Royal Oak Marihuana Ordinance/
Hours of Operation

Dear Mayor Fournier and City Commissioners:

Recently, our client, PGSH Holdings, LLC d/b/a Gatsby Cannabis Co. (“Gatsby”), received its State-issued Retailer License to operate at 5130 Meijer Drive. Gatsby wants to take this opportunity to thank the City Commission for its confidence in approving its Municipal License and providing extensions to complete its marihuana facilities.

While Gatsby has gotten off to a good start, they are finding current restrictions on the hours of operation to unnecessarily miss sales and customer visits to its business. During its first month of operation, Gatsby has had numerous instances where potential customers are arriving after 8:00 p.m. asking to be let in to make a purchase. Further, Gatsby has received telephone calls, emails and texts from potential customers complaining about the 8:00 p.m. closure.

Gatsby believes that these missed opportunities are due in large part to the hours of operation of the nearby Meijer store, which is open daily from 6:00 a.m. to midnight. Clearly, customers going to the Meijer store are then making a trip to Gatsby. As a result of the early closing hours, Gatsby is missing out on the opportunities of customers driving by and wanting to visit its business.

Attached is a chart of nearby communities’ hours of operation for marihuana retailers. Seven nearby Oakland County communities have hours of operation that end at 9:00 p.m. or 10:00 p.m. A few other Macomb County communities have adopted similar closing hours. Based on this, Gatsby believes it is losing customers to other retailers in nearby communities due to the early closing time of 8:00 p.m.

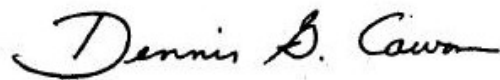
Gatsby is requesting that the operating hours for marihuana retailers be changed to allow operations between 9:00 a.m. and 10:00 p.m. Such a change is more consistent with the closing hours for neighboring marihuana businesses and will “level the playing field” for Royal Oak’s marihuana retailers.

The amended Ordinance, at Ordinance 435-5A.4, would read as follows:

Operating Hours. No retailer or retail portion of a microbusiness shall operate between the hours of 10:00 p.m. and 9:00 a.m.

Gatsby respectfully requests the City Commission adopt this Ordinance change. Gatsby stands prepared to work with the City to facilitate the change in the hours of operation, as stated above.

Sincerely,

A handwritten signature in black ink that reads "Dennis G. Cowan". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Dennis G. Cowan
Direct Dial: (248) 901-4029
Cell: (248) 321-2820
Email: dcowan@plunkettcooney.com

DGC/cmw
Attachment

cc: Mark Wollenweber
Tim Thwing
Niccolas Grochowski, Esq.
Michael Bianchi
Ricky Manjo

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Selected Metro Detroit Marijuana Business Operation Hours Ordinances

City	Ordinance No.	Open Time	Closing Time
Berkley	Sec. 30-812, Additional operational standards	8:00 am	10:00 pm
Center Line	Sec. 320, Marihuana facilities and establishments overlay district	9:00 am	9:00 pm
Detroit	No. 2022-11, Ch. 20, Article VI, Sec. 20-6-39(c)(6)	9:00 am	10:00 pm
Ferndale	Sec. 24-165, Medical Marihuana Facility, Provisioning Center, Marihuana Retailer and Safety Compliance Facility	9:00 am	9:00 pm
Hazel Park	5.04.040, Facility requirements, and where applicable, temporary marihuana event requirements	8:00 am	10:00 pm
Madison Heights	No. 2159, Article XVII, Sec. 7-412(e) – Marihuana Establishments, Operating Requirements	8:00 am	10:00 pm
Pleasant Ridge	No. 445, Sec. 18 – Facility Requirements; Operating Standards	10:00 am	9:00 pm
Pontiac	No. 2406, Adult Use Marihuana Business Licensing	7:00 am In Downtown Overlay District: 7:00 am	10:00 pm In Downtown Overlay District: 2:00 am
Royal Oak	No. 2020-06, Recreational Marihuana Licensing Ordinance	8:00 am	8:00 pm
Southfield	No. 1722, Zoning and Planning, Article 19, Sec. 5.179, Uses Permitted Subject to Special Approval and Licensing	Mon-Fri 9:00 am Sat 9:00 am Sun 10:00 am	Mon-Fri 9:00 pm Sat 6:00 pm Sun 6:00 pm
Utica	Marihuana Business Ordinance, Ch. 14, Article XI, Sec. 14-616, Sales prohibited during certain hours	7:00 am	10:00 pm
Waterford	No. 2023-005, Medical Marihuana Facility Licensing Ordinance	Mon-Sat 9:00 am Sun 10:00 am	Mon-Sat 10:00 pm Sun 6:00 pm

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