

Council Chamber
Hillsdale City Hall
97 N. Broad Street
Hillsdale, MI 49242

July 21, 2014
07:00 p.m.
(517)437-6441
www.cityofhillsdale.org

CITY COUNCIL AGENDA

CITY OF HILLSDALE REGULAR MEETING

- 7:02p 1. Call to Order and Pledge of Allegiance
2. Roll Call
3. Approval of Agenda
- 7:05 4. Public Comments on Agenda Items
- 7:10p 5. Consent Agenda
- A. Approval of Bills from claims of July 3, 2014 Claims of \$69,850.38 Payroll of \$95,949.08
Invoice GL Report 7.3.14
- B. Committee Reports (Pending Approval):
1. Planning Commission Minutes of June 17, 2014
6.17.14
- C. Council Minutes of July 7, 2014
7.7.14
6. Communications/Petitions
7. Introduction and Adoption of Ordinance/Public Hearing
- 7:11 A. Public Hearing - Reconvening for Zoning Amendments
Memo CM/Alan
Zoning Amendments (Ordinances)

B. 195 N. Manning St. Ordinance

Memo CM/Alan

Ordinance 2014-008

Apr 8-0

Keith, 7/21/14

I wanted to let you know I Did NOT

print - Unfinished Business - "B" - Open

Enforcements (147 pages) CE
CE - Pictures (100 pages)

let me know if you do want them.
KF

8. Unfinished Business

A. Local Streets Maintenance

B. Code Enforcement - June 2014

Memo -CM/KIM

Nuisance Properties Update

CE- Closed Enforcements

CE- New Enforcements

CE- Open Enforcements

CE- Pictures

PD- Code Violations

C. Clerk/Treasurer Duties and Hours

9. Old Business

8pm

A. Charter Amendments

Apr.

Memo -CM

Existing & Proposed Charter Sections

Resolution -Clerk

RES. # 3180

Apr. 8-0

Resolution -Treasurer

RES. # 3181

Apr. 8-0

B. Budget Reductions

Memo -CM

Police

Assessing/Code Enforcement

IFT Fees

8:30p City of Hillsdale

60 DAYS (90 days)
12 WEEKS FICA Allowance

Clerk Office

8:30pm Co CITY MANAGER ASSISTANCE

ISSUE
60 days - Leave in Charge
12 weeks - FMLA (Fed Law)

8:45pm

10. New Business

• NEED SUCCESSION PLAN
• " CONTRACT W/ M. TERRY

- A. Sewer Fund deficit Resolution For Michigan Treasury
Memo- CM/BPU

Appr. 8-0

State Treasury Letter

Resolution

#3182

- B. Airport Committee

Memo- CM

REFERRED
To; CDC TO RESEARCH Airport Committee Establishment
Sally Kinney }
Brian Watkins } CDC COMMITTEE
Bruce Sharp }

11. Miscellaneous

9pm

- 12. General Public Comment

1) Todd Wingate - Complaint of wrongdoing by
A Streets Park Committee member
(Tom Walworth) Re; Copper Fascia + Trim

- 13. Adjournment

9:15pm

2) Shirley? - Several Complaints



INVOICE GL DISTRIBUTION REPORT FOR CITY OF HILLSDALE
 POST DATES 06/23/14 - 07/03/2014
 BOTH JOURNALIZED AND UNJOURNALIZED

GL Number Invoice Line Desc Vendor Invoice Date Invoice Amount

Check 3					
101-000.000-228.003		M.E.R.S.	06/30/14	35087-11	5,127.40
101-172.000-716.000		M.E.R.S.	06/30/14	35087-11	581.40
101-209.000-716.000		M.E.R.S.	06/30/14	35087-11	432.92
101-215.000-716.000		M.E.R.S.	06/30/14	35087-11	107.64
101-219.000-716.000		M.E.R.S.	06/30/14	35087-11	100.97
101-253.000-716.000		M.E.R.S.	06/30/14	35087-11	30.64
101-301.000-716.000		M.E.R.S.	06/30/14	35087-11	8,709.68
101-336.000-716.000		M.E.R.S.	06/30/14	35087-11	1,824.66
101-441.000-716.000		M.E.R.S.	06/30/14	35087-11	313.81
208-751.000-716.000		M.E.R.S.	06/30/14	35087-11	161.94
271-790.000-716.000		M.E.R.S.	06/30/14	35087-11	120.92
588-588.000-716.000		M.E.R.S.	06/30/14	35087-11	126.27
640-444.000-716.000		M.E.R.S.	06/30/14	35087-11	123.52
699-441.000-716.000		M.E.R.S.	06/30/14	35087-11	114.64
Check 3		Total For Check 3			17,876.41
588-588.000-726.000	GAS UTILITY FOR DART	MICHIGAN GAS UTILITIES	06/30/14	4611064-9 6/14	45.51
Check 4		Total For Check 4			45.51
409-756.000-801.000	SUMMER CONCERT IN PARK - JUNE 2	PATRICK MARTIN	06/19/14	JUNE 24, 2014	300.00
Check 72553		Total For Check 72553			300.00
101-336.000-861.000	TRAINING & SEMINARS	SKCFA	06/25/14	06-26-14	100.00
Check 72554		Total For Check 72554			100.00
101-253.000-734.000	PRINTING/MAILING SUMMER TAX BIL	KCI	07/03/14	128587	1,506.68
Check 72555		Total For Check 72555			1,506.68
409-756.000-801.000	SUMMER SONCERT IN THE PARK-JULY	BOB POGUE	07/03/14	07-01-14	300.00
Check 72556		Total For Check 72556			300.00
101-276.000-801.000	PORTABLE RESTROOM RENTAL-CEMETE	ABS RENTAL SERVICES, LLC	06/30/14	6317	160.00
101-756.000-801.000	PORTABLE RESTROOM RENAL-PARKS #	ABS RENTAL SERVICES, LLC	06/30/14	6317	580.00
Check 72557		Total For Check 72557			740.00
101-000.000-692.000	REFUND OVERPAYMENT - SIGN PERMI	AMERICAN ONE FED CREDIT	06/30/14	430	15.00
Check 72558		Total For Check 72558			15.00
101-265.000-801.000	PESTICIDE APPLICATION - CLOVER	ANGELA GIRDHAM	06/30/14	6/12/14	20.00
Check 72559		Total For Check 72559			20.00
101-265.000-930.000	FIRE EXTINGUISHER SERVICE/INSPE	ANYTIME FIRE PROTECTION	06/30/14	613662	141.00
271-790.000-930.000	FIRE EXTINGUISHER SERVICE/INSPE	ANYTIME FIRE PROTECTION	06/30/14	613662	58.75
Check 72560		Total For Check 72560			199.75

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
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Check 72561	INV. NO. 132096 (500) 2-PART DO	ARROW SWIFT PRINTING	06/30/14	132096	140.00
101-301.000-900.000	INV. NO. 132196 (250) PRIVATE P	ARROW SWIFT PRINTING	06/30/14	132196	141.45
101-301.000-900.000	RIGHT-OF-WAY PERMIT PRINTING #1	ARROW SWIFT PRINTING	06/30/14	132143	88.35
101-441.000-726.000			Total For Check 72561		369.80

Check 72562	INV. NO. 287243202540X06252014	AT & T MOBILITY	06/30/14	287243202540X06252014	159.96
101-301.000-801.000			Total For Check 72562		159.96

Check 72563	TELEPHONE SERVICE	AT&T	06/30/14	517437098306 6/2014	129.97
101-265.000-925.000	TELEPHONE SERVICE	AT&T	06/30/14	517437098306 6/2014	44.98
101-295.000-925.000	TELEPHONE SERVICE	AT&T	06/30/14	517437338506 6/2014	80.36
588-588.000-925.000			Total For Check 72563		255.31

Check 72564	ELECTRIC UTILITY	BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	2,336.20
101-265.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	471.97
101-266.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	112.96
101-276.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	482.39
101-295.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	697.68
101-336.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	343.07
101-441.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	5,178.79
101-448.000-920.202		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	264.38
101-756.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	962.29
202-490.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	433.33
202-490.500-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	418.39
271-790.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	1,531.22
588-588.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	361.00
640-444.000-920.000		BOARD OF PUBLIC UTILITIE	06/30/14	6/2014	322.62
			Total For Check 72564		13,916.29

Check 72565	FUEL FOR AIRPORT TRACTOR	BRINER OIL CO., INC.	06/30/14	74878	646.19
101-295.000-920.000	FUEL FOR AIRPORT TRACTOR	BRINER OIL CO., INC.	06/30/14	74614	619.89
101-295.000-920.000			Total For Check 72565		1,266.08

Check 72566	ROTARY HOWWAER WITH CORE BITS #	C.E.M. SUPPLY, INC	06/30/14	18239/1	927.44
640-444.000-983.000			Total For Check 72566		927.44

Check 72567	RUGS FOR CITY HALL	CINTAS CORPORATION	06/30/14	351674110	20.00
101-265.000-801.000	RUGS FOR CITY HALL	CINTAS CORPORATION	06/30/14	351674701	20.00
101-265.000-801.000	INV. NO. 351674702	CINTAS CORPORATION	06/30/14	351674702	13.68
101-336.000-801.000		CINTAS CORPORATION	06/30/14	351674230	44.34
101-441.000-742.000		CINTAS CORPORATION	06/30/14	351674813	38.00
101-441.000-742.000		CINTAS CORPORATION	06/30/14	351674813	44.37
101-441.000-801.000		CINTAS CORPORATION	06/30/14	351674230	37.36
101-441.000-801.000	3X10 BLACK MAT (4) 4X6 BLACK MA	CINTAS CORPORATION	06/30/14	351674111	32.18
271-790.000-801.000		CINTAS CORPORATION	06/30/14	351674230	14.85
640-444.000-742.000		CINTAS CORPORATION	06/30/14	351674230	14.85
640-444.000-742.000	RUGS/UNIFORMS - DPS #351674230	CINTAS CORPORATION	06/30/14	351674230	22.87
640-444.000-801.000	RUGS/UNIFORMS - DPS #351674813	CINTAS CORPORATION	06/30/14	351674813	24.37

INVOICE GL DISTRIBUTION REPORT FOR CITY OF HILLSDALE
 POST DATES 06/23/14 - 07/03/2014
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Check 72567					
Check 72568	MILEAGE REIMBURSEMENT - REGION	CITY OF HILLSDALE	06/30/14	72567	326.87
101-209.000-860.000	POSTAGE	CITY OF HILLSDALE	06/30/14		
101-215.000-734.000	MEAL REIMBURSEMENTS - ENGLEHAR	CITY OF HILLSDALE	06/30/14		35.03
101-301.000-862.000	POSTAGE FOR RETURNED BOOTS	CITY OF HILLSDALE	06/30/14		228.40
101-336.000-726.000	DOT PHYSICAL - PER CONTRACT	CITY OF HILLSDALE	06/30/14		28.32
101-441.000-955.588	SUPPLIES FOR LIBRARY	CITY OF HILLSDALE	06/30/14		58.09
271-790.000-726.000	POSTAGE FOR LIBRARY	CITY OF HILLSDALE	06/30/14		50.00
271-790.000-734.000	SUMMER READING CHILDRENS SUPPLI	CITY OF HILLSDALE	06/30/14		16.94
271-792.000-726.792	GAS FOR UNIT 2-5	CITY OF HILLSDALE	06/30/14		2.86
640-444.000-740.301			06/30/14		6.83
					20.00
Check 72569					
101-301.000-861.005	EMERGENCY VEHICLE OPERATION TRA	CITY OF JACKSON	06/30/14	1400015456	446.47
Check 72570					
633-233.000-726.000	CEMENT RISERS #167683	COMFORT ENTERPRISES INC.	06/30/14	72569	1,650.00
Check 72571					
208-751.000-726.006	INV#1576 BEACH SEASON PASSES	CONCEPTS CREATIVE MARKET	06/30/14	167683	1,010.52
Check 72572					
101-301.000-726.000	INV. NO. 520568-00 OFFICE SUPP	CURRENT OFFICE SOLUTIONS	06/30/14	72570	1,010.52
Check 72573					
271-792.000-726.792	SUMMER READ PROGRAM - SCIENCE O	DYNAMIC WEST SCHOOL ASSE	06/30/14	5717	187.50
Check 72574					
640-444.000-726.000	RTRN WRONG SCREWS #0136036-CM	ELECTRICAL TERMINAL INC.	06/30/14	136036	187.50
640-444.000-726.000	CAP SCREWS #0135254	ELECTRICAL TERMINAL INC.	06/30/14	135254	35.05
640-444.000-726.000	NUTS, WASHERS, BOLTS, SCREWS #013	ELECTRICAL TERMINAL INC.	06/30/14	135138	35.05
Check 72575					
101-336.000-726.000	INV. NO. 1654726 - MEDICAL SUPP	EMERGENCY MEDICAL PRODUC	06/30/14	1654726	295.00
Check 72576					
409-756.000-726.000	PLANTINGS FOR MACRITCHIE MEMORI	SALLY FALLON	06/30/14	06282014	198.76
Check 72577					
640-444.000-730.000	MANHOLE HOOK, SLIP HOOKS #10355	FREDRICKSON SUPPLY, LLC	06/30/14	10355	503.00
640-444.000-730.000	SPOON, BASIN SCRAPER #10361	FREDRICKSON SUPPLY, LLC	06/30/14	10361	503.00
Check 72578					
101-336.000-742.000	INV. NO. 5417108 - MEN'S LUG BO	GALL'S, INC.	06/30/14	2101788	163.37
					469.08
					632.45
					136.29

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Check 72578 136.29

Check 72579 116.11
 101-444.000-726.000 MASON LINE,RATCHETS, LOCKS, KNIFE GELZER & SON INC. C103194 8.94
 202-450.000-726.000 TRPL EXP SEALANT #C102295 (GRIS GELZER & SON INC. C102295 25.67
 208-751.000-726.006 INV#A58751 MOP HEAD/BUCKET/SPON GELZER & SON INC. A58751 5.96
 640-444.000-726.000 CUTT OFF WHEELS #C102748 GELZER & SON INC. C102748
 Total For Check 72579 156.68

Check 72580 95.54
 101-295.000-930.000 BLADE KTT GODFREY BROTHERS, INC. 06/30/14 S84142 291.98
 101-295.000-930.000 WINDOW GODFREY BROTHERS, INC. 06/30/14 S84479 36.24
 640-444.000-730.000 RELAY & SWITCH #S84146 GODFREY BROTHERS, INC. 06/30/14 S8414+
 Total For Check 72580 423.76

Check 72581 400.00
 271-792.000-726.792 SUMMER READ - ALICE IN WOND PRO HAMSTEAD STAGE COMPANY 06/30/14 4/14/14 400.00
 Total For Check 72581 400.00

Check 72582 19.60
 101-265.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59636 19.75
 101-265.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59999 14.85
 101-295.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59636 15.00
 101-295.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59999 5.35
 101-441.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59636 24.50
 101-441.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59999 10.10
 271-790.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59636 5.50
 271-790.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59999 9.50
 588-588.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59640 0.60
 588-588.000-726.000 WATER HEPPERMAN SOFT WATER SER 06/30/14 59636
 Total For Check 72582 124.75

Check 72583 300.00
 101-000.000-477.000 REFUND - REZONING REQUEST @139 HILLSDALE COLLEGE 06/30/14 063014 300.00
 Total For Check 72583 300.00

Check 72584 877.10
 640-444.000-983.000 VARIOUS SMALL HAND TOOLS/EQUIPM HOME DEPOT 06/30/14 3160277 877.10
 Total For Check 72584 877.10

Check 72585 20.01
 640-444.000-730.000 FUEL FILTER #PC01254221 JACKSON TRUCK SERVICE IN 06/30/14 PC01254221 20.01
 Total For Check 72585 20.01

Check 72586 72.65
 101-756.000-726.000 TRIMMER HEADS, GRATE BLACK NDS JOHN DEERE LANDSCAPES 06/30/14 68567426 72.65
 Total For Check 72586 72.65

Check 72587 35.58
 208-751.000-726.006 INV#802-062514 KUSTER'S DAIRY PRODUCTS 06/30/14 802 062514 35.58
 Total For Check 72587 35.58

Check 72588 301.85
 633-233.000-726.000 HYD LIME (50LB BAGS) #014864 LITCHFIELD GRAIN CO 06/30/14 14864 301.85

INVOICE GL DISTRIBUTION REPORT FOR CITY OF HILLSDALE
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Amount

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Check 72588					
Check 72589					
101-265.000-801.000	TEMP EMPLOYEE #27272671	MANPOWER OF LANSING	06/30/14	27272671	301.85
101-265.000-801.000	TEMP EMPLOYEE #27238220	MANPOWER OF LANSING	06/30/14	27238220	13.56
101-276.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	13.56
101-276.000-801.000		MANPOWER OF LANSING	06/30/14	27238220	298.32
101-756.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	88.14
101-756.000-801.000		MANPOWER OF LANSING	06/30/14	27238220	101.70
202-460.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	122.04
202-460.000-801.000		MANPOWER OF LANSING	06/30/14	27238220	88.14
202-470.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	27.12
202-480.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	98.31
202-490.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	67.80
203-450.000-801.000		MANPOWER OF LANSING	06/30/14	27238220	40.68
203-470.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	81.36
203-480.000-801.000		MANPOWER OF LANSING	06/30/14	27272671	40.68
Total For Check 72589					1,094.97
Check 72590					
101-301.000-726.000	INV. NO. 94512 - BOXES TISSUES	MARKET HOUSE	06/30/14	94512	6.36
101-336.000-726.000	INV. NO. 91285 - 24/16.9Z WATER	MARKET HOUSE	06/30/14	91285	23.96
Total For Check 72590					30.32
Check 72592					
640-444.000-730.000	CABLE A #PD4247908	MICHIGAN CAT	06/30/14	PD4247908	119.43
Total For Check 72592					119.43
Check 72593					
101-441.000-810.000	YEAR SUBSCRIPTION - RICHARD (DP	MICHIGAN HISTORY MAGAZIN	06/30/14	2014	19.95
Total For Check 72593					19.95
Check 72594					
101-175.000-806.000	VARIOUS LABOR ISSUES	MIKA MEYERS BECKET & JON	06/30/14	580954	150.00
Total For Check 72594					150.00
Check 72595					
409-756.000-726.000	PLANTINGS FOR MRS STOCKS PARK	DIANNE MILLER	06/30/14	063014	135.63
Total For Check 72595					135.63
Check 72596					
208-751.000-726.000	AD STARR INV#123086	BILL MULLALY	06/30/14	042914	118.72
208-751.000-862.000	DONUTS FOR SANDY BEACH COMMUNIT	BILL MULLALY	06/30/14	06302014	30.00
Total For Check 72596					148.72
Check 72597					
101-209.000-726.000	MOUSE FOR ALAN BEEKER	NONIK TECHNOLOGIES, INC.	06/30/14	5686	9.06
101-253.000-726.000	REPLACEMENT BATTERY FOR TREASUR	NONIK TECHNOLOGIES, INC.	06/30/14	5686	40.00
271-790.000-801.000	AVALON MONITOR	NONIK TECHNOLOGIES, INC.	06/30/14	5700	100.00
Total For Check 72597					149.06
Check 72598					
101-336.000-742.000	INV. NO. 469187 - S/S SHIRTS/S.	NYE UNIFORM COMPANY	06/30/14	469187	88.58
Total For Check 72598					88.58

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice Amount
Check 72599	640-444.000-801.301	INV. NO. 56009 (HRS LABOR HEARTE	06/30/14	56009
		PARNEY'S CAR CARE	Total For Check 72599	174.57
Check 72600	208-751.000-726.006	INV#60521164 CONCESSIONS BEVERA	06/30/14	60521164
		PEPSI BEVERAGE'S COMPANY	06/30/14	27798664
		PEPSI BEVERAGE'S COMPANY	Total For Check 72600	358.98
Check 72601	101-336.000-730.000	INV. NO. 1-1104590 - ICE DETAIL	06/30/14	1104590
		PERFORMANCE AUTOMOTIVE	06/30/14	1103917
		PERFORMANCE AUTOMOTIVE	06/30/14	1104704
		PERFORMANCE AUTOMOTIVE	06/30/14	1103856
		PERFORMANCE AUTOMOTIVE	06/30/14	1103885
		PERFORMANCE AUTOMOTIVE	06/30/14	1103506
		PERFORMANCE AUTOMOTIVE	06/30/14	1103379
		PERFORMANCE AUTOMOTIVE	06/30/14	1104875
		Total For Check 72601		451.53
Check 72602	101-756.000-726.000	STEEL BARRELS	06/30/14	062314
		KAREN POWERS	Total For Check 72602	80.00
Check 72603	640-444.000-801.000	CYLINDER RENTAL #00601212	06/30/14	601212
		PURTTY CYLINDER GASES, I	Total For Check 72603	32.40
Check 72604	271-790.000-930.000	RE-KEY & KEYS	06/30/14	062614
		RE-LOCK LOCKSMITHING	Total For Check 72604	140.00
Check 72605	640-444.000-730.301	INV. NO. 4132 - 2PK DURACELL 20	06/30/14	4132
		RITE AID	Total For Check 72605	6.49
Check 72606	409-756.000-726.000	PLANTINGS FOR MRS STOCKS PARK	06/30/14	062214
		ROSEWIND GARDENS	Total For Check 72606	498.94
Check 72607	271-792.000-726.792	SUMMER READ AUTHOR VISIT	06/30/14	042514
		NANCY SHAW	Total For Check 72607	328.00
Check 72608	208-751.000-726.000	INV#15407	06/30/14	15407
		SIR JAMES OUTERWARE, INC	06/30/14	15416
		SIR JAMES OUTERWARE, INC	06/30/14	15393
		SIR JAMES OUTERWARE, INC	Total For Check 72608	1,101.45
Check 72609	101-295.000-930.000	FUEL PUMP FOR MOWER REPAIRS @ A	06/30/14	1242
		SPRATT'S	06/30/14	152821
		SPRATT'S	06/30/14	153536
		SPRATT'S	06/30/14	153406
		SPRATT'S	Total For Check 72609	39.50

INVOICE GL DISTRIBUTION REPORT FOR CITY OF HILLSDALE
 POST DATES 06/23/2014 - 07/03/2014
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice Amount
Check 72609			Total For Check 72609	218.54
Check 72610	TREE REMOVAL - OAK GROVE CEMETE	DAVID STIDHAM	06/30/14	6302014
101-276.000-801.000	TREE REMOVAL - LOCAL STREETS	DAVID STIDHAM	06/30/14	6302014
203-470.000-801.000			Total For Check 72610	3,200.00
Check 72611	MIRROR ASY #159868 (#15)	STILLWELL FORD MERCURY,	06/30/14	159868
640-444.000-730.000	INV. NO. 548720 - BODY SHOP REP	STILLWELL FORD MERCURY,	06/30/14	548720
640-444.000-801.301			Total For Check 72611	4,106.75
Check 72612	ACCOUNT #:SUI747 - DRY CLEANING	SUD-Z DRY CLEANERS	06/30/14	SUL747 6/2014
101-301.000-742.000			Total For Check 72612	301.66
Check 72613	REFUND OVERPAYMENT CLAIM #E0S82	TRAVELERS INSURANCE COMP	06/30/14	E0S8291001
640-000.000-692.000			Total For Check 72613	39.58
Check 72614	HYD MOTOR SEAL KIT #C40698	TRUCK & TRAILER SPECIALT	06/30/14	C40698
640-444.000-730.000			Total For Check 72614	47.34
Check 72615	GLYPHOSATE	TSC STORES	06/30/14	244116
101-756.000-726.000	BROOM	TSC STORES	06/30/14	244116
202-470.000-726.000	RATCHETS, CHAINS, HAMMERS	TSC STORES	06/30/14	244116
640-444.000-726.000			Total For Check 72615	187.94
Check 72616	BEACH CONCESSION SUPPLIES	WALMART COMMUNITY	06/30/14	7091
208-751.000-726.000			Total For Check 72616	60.86
Check 72617	STRAIGHTEN/REPAIR TUBE #80565 (WHITES WELDING SERVICE	06/30/14	80565
640-444.000-801.000			Total For Check 72617	50.00
Check 72618	PORTA POTTYS	ABS RENTAL SERVICES, LLC	07/03/14	6299
101-295.000-801.000			Total For Check 72618	140.00
Check 72619	REFUND OVERPAYMENT OF SIGN PERM	AVER SIGN COMPANY	07/03/14	6094
101-000.000-692.000			Total For Check 72619	25.00
Check 72620	MOW & TRIM 24 N NORWOOD & 93 GR	BILL'S LAWN CARE, LLC	07/03/14	17032
101-372.000-801.000			Total For Check 72620	140.00
Check 72621	MASONRY DRILL BIT #C103195 (T/F	GELZER & SON INC.	06/30/14	C103195
101-265.000-930.000			Total For Check 72621	10.99
Check 72622	ASSESSOR'S CONTINUING EDUCATION	HILLSDALE COUNTY TREASUR	07/03/14	07-09-2014
101-209.000-861.000			Total For Check 72622	35.00

Invoice Line Desc Vendor Invoice Date Invoice Amount

Check 72622 Total For Check 72622 35.00

Check 72623 CONCERT IN PARK 7/22/14 JERRY SPRAGUE 07/03/14 07222014 300.00
 Total For Check 72623 300.00

Check 72624 TRANSACTION #152 BEACH CONCESSI MICHELLE LOREN 06/30/14 062514 45.35
 Total For Check 72624 45.35

Check 72625 TEC SERVICE FOR JULY 2014 NONTK TECHNOLOGIES, INC. 07/03/14 5691 1,540.00
 Total For Check 72625 1,540.00

Check 72626 DUMPSTER @ AIRPORT REPUBLIC SERVICES OF KAL 07/03/14 0249-004270476 115.24
 Total For Check 72626 115.24

Check 72627 INSTALL LIGHTING WRS STOCKS PARK SEMMLER ELECTRIC LLC 07/03/14 07012014 3,500.00
 Total For Check 72627 3,500.00

Check	Amount	GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
101-172.000-715.000	14.20		LIFE INS FOR JULY 2014	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	14.20
101-172.000-721.000	55.00		DISABILITY INS FOR JULY 2014	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	55.00
101-209.000-715.000	7.10		LIFE INS FOR JULY 2014	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.10
101-209.000-721.000	30.06		DISABILITY INS FOR JULY 2014	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	30.06
101-215.000-715.000	7.10		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.10
101-215.000-721.000	14.91		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	14.91
101-219.000-715.000	7.10		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.10
101-219.000-721.000	22.84		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	22.84
101-253.000-715.000	7.10		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.10
101-253.000-721.000	7.28		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.28
101-301.000-715.000	106.50		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	106.50
101-301.000-721.000	272.79		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	272.79
101-301.000-715.000	35.52		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	35.52
101-301.000-721.000	62.85		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	62.85
101-372.000-715.000	7.10		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.10
101-372.000-721.000	15.39		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	15.39
101-400.000-715.000	7.10		LIFE INS FOR JULY 2014	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.10
101-400.000-721.000	18.50		DISABILITY INS FOR JULY 2014	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	18.50
101-441.000-715.000	14.20		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	14.20
101-441.000-721.000	38.18		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	38.18
208-751.000-715.000	7.10		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	7.10
208-751.000-721.000	9.69		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	9.69
588-588.000-715.000	25.92		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	25.92
588-588.000-721.000	49.13		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	49.13
640-444.000-715.000	14.20		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	14.20
640-444.000-721.000	30.31		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	30.31
699-441.000-715.000	49.70		LIFE	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	49.70
699-441.000-721.000	100.43		DISABILITY	SUN LIFE ASSURANCE COMPA	07/03/14	20894 7/2014	100.43

Total For Check 72628 1,037.30

Check 72629

INVOICE GL DISTRIBUTION REF FOR CITY OF HILLSDALE
 POST DATES 06/23/14 - 07/03/2014
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Date	Invoice	Amount
Check 72629 101-295.000-801.000	AIRPORT MANAGER CONTRACT JULY 2	JAMES SCHEIBNER	07/03/14	JULY 2014	2,916.68
			Total For Check 72629		2,916.68
Check 72630 409-756.000-801.000	CONCERT IN PARK - JULY 8, 2014	SCOTT THOMPSON	07/03/14	JULY 8, 2014	300.00
			Total For Check 72630		300.00

GL Number

Invoice Line Desc

Vendor

Invoice Date Invoice

Amount

INVOICE GL DISTRIBUTION REPORT FOR CITY OF HILLSDALE
 POST DATES 06/23/2014 TO 07/03/2014
 BOTH JOURNALIZED AND UNJOURNALIZED
 BOTH OPEN AND PAID

Fund Totals:

Fund 101 GENERAL FUND	44,274.46
Fund 202 MAJOR ST./TRUNKLINE FU	1,268.56
Fund 203 LOCAL ST. FUND	2,362.72
Fund 208 RECREATION FUND	2,142.84
Fund 271 LIBRARY FUND	3,048.30
Fund 409 STOCK'S PARK	5,837.57
Fund 588 DIAL-A-RIDE FUND	698.29
Fund 633 PUBLIC SERVICES INV. F	1,312.37
Fund 640 REVOLVING MOBILE EQUIP	8,640.50
Fund 699 DPS LEAVE AND BENEFITS	264.77

Total For All Funds:

69,850.38

CITY OF HILLSDALE



Planning Commission
97 North Broad Street
Hillsdale, Michigan 49242-1695
(517) 437-6456 Fax: (517) 437-6450

PLANNING COMMISSION MINUTES REGULAR MEETING CITY HALL, 97 N. BROAD ST. 2ND FLOOR June 17, 2014 at 5:30 PM

I. Call to Order 5:34 pm

- A. Pledge of Allegiance
- B. Members present: Laura Smith, Amber Yoder, Scott Sessions, Kerry Laycock
- C. Others present: Alan Becker (Staff), Mary Wolfram (EDC)
- D. Members absent: Bonnie Kyser-Lavelle (excused), Dave Williams (excused), Steve Vear (excused)

II. Consent Items/Communications

- A. Alan Becker requested that the presentation from Mr. Frudakis be removed from the agenda. A motion to accept the agenda as amended as well as the minutes from the May meeting made by Amber Yoder, Kerry Laycock seconded, motion passed. Mr. Becker omitted presentation item.

III. Public Comment

Mary Wolfram presented some information on the house at 139 Hillsdale Street. The stately brick home is over 100 years old. Originally the residence was owned by one of the founders of Hillsdale. Four generations of the Cook family lived in the House. The Cook family helped build the original Mill building, currently known as Stock's Mill. They also started the first bank in Hillsdale. William Cook, second generation, donated the money for the U of M Law School and the Martha Cook Girls dorm next door. William Cook also loaned Hillsdale College monies and donated land to the College.

IV. Presentation

No Presentation

V. Old Business

- A. **Zoning Amendments** – Public Hearing was set by City Council for July 7, 2014 at 7:00 pm.

- B. **Master Plan Work Session** – Chair Smith asked the Commission to move the work session to sometime in September. When the Master Plan Revision is adopted, the City Blueprint should be adopted with it. Mr. Beeker will add the City Blueprint to the synced folder for the Planning Commission to review.
- C. **Annual Report** – Ms. Yoder created the Planning Commission Annual Report, Mayor Sessions motioned to accept the report as presented, Mr. Laycock seconded. Motion passed. Mr. Beeker will forward the report to Council at their next regular meeting.
- D. **Citizen Planner Class** – The classes start June 18, 2014 at 6:00 pm.

VI. New Business

- A. **Hillsdale College Rezoning** – 139 Hillsdale Street and 195 N. Manning Street, request to be rezoned from RM-1 to C-1 so that fraternities may be operated on the campus. Mr. Beeker requested that a public hearing be set for the next Planning Commission regular meeting on July 15, 2014 at 5:30 pm. Mr. Beeker also requested that the Planning Commission authorize him to distribute the mailing and advertise the rezoning request. Kerry Laycock motioned to set the public hearing date as requested and authorized the mailing and advertising, Amber Yoder seconded, motion passed. After a brief discussion, questions were raised regarding whether 139 Hillsdale St. should be considered a grandfathered property considering the fraternity would not own the property. Mayor Scott Sessions made a motion to amend the previous motion to postpone the mailing and advertising until proper legal counsel with the City Attorney could be sought. Mr. Laycock seconded. Motion passed.
- B. **R2PC March Update** - Mr. Beeker updated the Commission on the current activities regarding the R2PC.

VII. Monthly Zoning Review

Chair Smith and Mr. Beeker met prior to the meeting to discuss the best way to accomplish the Zoning Ordinance review. It was decided to start at the beginning and work through the Ordinance systematically. The goal is to be proactive in updating the Ordinance but if a need for an amendment is needed, it will be reviewed out of sequence.

VIII. Public Comment

Chair Smith heard a public service announcement from Coldwater. She thought it would be a great idea to do something similar for Hillsdale. She asked Mr. Beeker if he would be willing to pursue the idea.

- IX. **Adjournment at 7:10 pm** – Laura Smith moved to adjourn, Kerry Laycock seconded, motion passed. Meeting adjourned.

Next regular meeting will be July 15, 2014 at 5:30 pm.

Council Chambers
Hillsdale City Hall
97 N. Broad St.
Hillsdale, MI 49242

July 7, 2014
7:00 p.m.
(517)437-6441
www.cityofhillsdale.org

CITY COUNCIL MINUTES

City of Hillsdale
Regular Meeting

Call to Order and Pledge of Allegiance

Mayor Scott Sessions opened the meeting with the pledge of allegiance.

Roll Call

Mayor Scott Sessions called the meeting to order with the following Council members present: Council members Brian Watkins and Adam Stockford representing Ward One; Council members Sally Kinney and Timothy Wells representing Ward Two; Council members Emily Stack-Davis and Bruce Sharp representing Ward Three; and Council members Mary Beth Bail and Patrick Flannery representing Ward Four.

Also present were City Manager Linda Brown, City Attorney Lewis Loren, Deputy Clerk Michelle Loren, Kay Freese (HR), Rick Rose (BPU), Kim Thomas (Assessor), Alan Beeker (Planning/Zoning), Julie Beeker, Jane Stewart, Tim Groves, Denny Groves, Donald Swope, Barb Groves, John Spiteri, Jeff King, Scott Hephner (HCPD), Jane Englehart, Andy Barrand, Shirley VanArsdalen, Christine Bowman, Tim Bowman, Laura Smith, Pat Ransford, Marion Griffiths, David Griffiths, Rick Roth, Joe Sanford, LeAnn Beckwith (Library), Mary Cooley, Bill Cooley, Anne Fike, Scott Phillips, Megan Gollnick, Richard Smith, Karen Hill, Steve Vear, James Scheibner, Eric Macy, Mary Wolfram (Economic Development), Cec Mead, Glen Ziegler, Fred Fowler, Shirley Fowler, Jim Drews, Tony Ginolfi, Kevin Pauken.

A press release was made by Mayor Scott Sessions regarding the health of City Manager Linda Brown and her need for a medical leave of absence in the next few months. Mayor Sessions stated that, with Council's approval, City Manager Brown has reached out to City of Litchfield Manager Doug Terry to assist before and after her absence in order to maintain continuity of government.

Approval of Agenda

Mayor Sessions requested *Item C. Doug Terry, Litchfield City Manager* and *Item D. Charter Amendment Ballot Language regarding City Clerk and City Treasurer.*

Motion by Councilperson Watkins, supported by Councilperson Stockford, to approve the agenda of the July 7, 2014 regular meeting.

All ayes.

Motion carried.

Public Comment

Jeff King, Cambria Township addressed Council regarding the Airport Manager's contract.

Donald Swope, addressed Council regarding the property at 55 S. Broad St.

Fred Fowler, Adams Township Supervisor, addressed Council regarding brush clean up at the airport.

Shirley VanArsdalen, expressed her concern and condolences for City Manager Brown.

Consent Agenda

- A. Approval of Bills from claims of June 19, 2014; Claims of \$133,446.04; Payroll of \$88,510.50.
- B. Committee Reports:
 1. BPU Minutes of June 10, 2014

2. Finance Minutes of March 17, 2014, April 28, 2014, May 27, 2014 & June 23, 2014.
3. Public Services Minutes of June 17, 2014
4. Communications Minutes of June 26, 2014
- C. Council Minutes of June 16, 2014
- D. Budget Amendments

Motion by Councilperson Sharp, supported by Councilperson Stack-Davis, to approve the Consent Agenda as presented.

Roll call: Councilpersons Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Bail – yes.

Approved 9-0.

Motion carried.

Communications and Petitions

- A. John Spiteri, Checker Records requested Council's approval for the 6th Annual Checker Records Street Dance to be held August 9, 2014 from 4:00 p.m. to 11:00 p.m. and to request a street closure on Howell Street, use of street barricades and trash barrels.

Motion by Councilperson Stack-Davis, supported by Councilperson Watkins, to approve the 6th Annual Checker Records Street Dance on August 9, 2014. Roll call: Councilpersons Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes.

Approved 9-0.

Motion carried.

- B. Jane Stewart, Smith's Flowers, requested Council's approval for the Hillsdale Business Association to hold their Summer in the City Festival on Friday, July 11 and Saturday, July 12, 2014. Ms. Stewart requested specific street closures as stated in the Right of Way, use of barricades and trash barrels be provided by the City.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to approve the HBA Summer in the City Festival and the requests as stipulated in the approved Right of Way Permit. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes.

Approved 9-0.

Motion carried.

- C. Litchfield City Manager Doug Terry introduced himself to Council and attendees and welcomed questions and comments from Council.

Introduction and Adoption of Ordinances/Public Hearings

- A. Zoning Ordinance Amendments.

Mayor Sessions opened the public hearing regarding Zoning Amendment to Chapter 36, Section 36-32. Zoning Administrator Duties; an amendment to replace language referring to the "building inspector" with "zoning administrator. No public or council comments were made. Mayor Sessions closed the public hearing.

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to approve Ordinance #2014 1 to amend Chapter 36, Section 36-32 Zoning Administrator Duties. Roll Call: Councilpersons Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes.

Approved 9-0.

Motion carried.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36, Section 36-34. Zoning Compliance Permit. An amendment to define a zoning compliance permit and when it is required. There was no public comment. Mayor Sessions opened the floor for Council comment. Council person Wells asked for clarification and definition of a zoning compliance permit. Planning and Zoning Administrator provided Mr. Wells with clarification. Mayor Sessions closed the public hearing.

Motion by Councilperson Watkins, supported by Councilperson Stack-Davis, to approve Ordinance #2014-2 to amend Chapter 36, Section 36-34 Zoning Compliance Permit. Roll call: Councilpersons Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack – Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes.

Approved 9-0.

Motion carried.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36-681 Fences. An amendment to replace the existing fence definition and requirements with a more comprehensive description. Seeing no public comment, Mayor Sessions opened the hearing for council comment. Councilperson Stockford questioned the possibility of grandfathering those fences already in place. Zoning Administrator explained that until a resident had to rebuild or make repair to 50% or more of a fence, fences currently in place would remain in place. Mr. Beeker stated the requirements speak largely to fences within commercial districts. Mayor Sessions closed the public hearing.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to approve Ordinance 2014-3 to amend Chapter 36, Section 36-681 Fences. Roll call: Councilpersons Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – no; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – no.

Approved 7-2.

Motion carried.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36, Division 15.C-1 College District; an amendment to giving definition and allowance for fraternities and sororities. Mayor Sessions opened the hearing for public comment.

Resident Marion Griffiths, 258 Union St., expressed her approval of the inclusion of language referring to the intent of the zoning district to preserve the unique character and quality of the physical environment of this area of the city.

Pat Ransford, 250 Union St., expressed her agreement with Marion Griffiths but encouraged Council not to vote for the amendment.

David Griffiths, 258 Union St., expressed his support of the passing of this amendment.

Councilperson Flannery asked Alan Beeker for clarification in regard to the definition of unique character and quality of the physical environment.

Councilperson Stockford made comment the language is too vague and had the potential to become over reaching.

Councilperson Stack-Davis asked for clarification in regard to the intent of the amendmended language. Mr. Beeker explained the intent is solely to ensure that the character of the buildings and additions remain within the district.

Councilperson Watkins stated that although much of the C-1 District is owned by the College, not all properties are and those homes need to uphold these same expectations and hoped no one saw this as targeting the College.

After much discussion, a motion was made by Councilperson Stack-Davis, supported by Councilperson Flannery, to send this particular amendment back to the Planning Commission. Roll call: Councilperson Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – no.

Approved 8-1.

Motion carried.

Mayor Sessions opened the public hearing regarding a zoning amendment to Chapter 36, Division 4, RM-1 Multiple-Family District. After no public comment was made, Mayor Sessions opened the hearing for council comment.

After very long discussion and deliberation, Councilmember Watkins stated it appeared Council did not have the opportunity to properly review the information needed in order to make proper determinations regarding the proposed amendments. Laura Smith of the Planning Commission suggested tabling the remaining amendments until Council could review the necessary information.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to recess the public hearings on the remaining zoning ordinance amendments to the next regular meeting. Roll call: Mayor Sessions – yes; Councilpersons Bail – no; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes.

Approved 8-1.

Motion carried.

Unfinished Business

- A. Local Streets Maintenance: None
- B. Code Enforcement.
- C. Clerk/Treasurer Duties and Hours.

Old Business

- A. 55 S. Broad Street – Request from Property Owner to Remove Order to Demolish. Mayor Sessions gave an overview of the history of the property maintenance and tax delinquency at 55 S. On May 19, 2014 Council passed a resolution declaring the property a public nuisance and ordered the structure demolished. Since that time the owner has contracted with a property manager and has taken steps in an attempt to save the structure from demolition. City Assessor/Code Enforcement Supervisor, Kim Thomas recommended Council lift the order with very specific conditions which were presented to Council. Property Manager Donald Swope, DMS Construction, addressed Council regarding the steps he is taking in overseeing that the proper work is done to the home in a timely manner.

Motion by Councilperson Watkins, supported by Councilperson Sharp, to lift the demolition order and allow Kim Thomas to negotiate a timeline with DMS Construction with the understanding that should any deadlines be ignored, the demolition order will be reinstated. Roll call: Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes.

Approved 9-0.

Motion carried.

New Business

- A. Hillsdale Community Library – New integrated Library System. Library Director LeAnn Beckwith reported that the Follett Circulation Plus ILS purchased in 1994 was no longer serviceable on computers with operating systems beyond Windows XP making migration to a new system imperative. Ms. Beckwith reported that, after two years of fundraising, the Library had secured the fund to purchase a new ILS, Verso by Auto

Graphics. The Hillsdale Community Library Board approved the Auto Graphics Contract at its May 22, 2014 meeting. City Manager Linda Brown recommended Council approve the contract as well and authorize the Mayor and Deputy Clerk's signatures.

Motion by Councilperson Watkins, supported by Councilperson Stockford, to approve the Auto Graphics contract and authorize signatures by the Mayor and Deputy Clerk. Roll call: Councilpersons Stack-Davis – yes; Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilperson Bail – yes.

Approved 9-0.

Motion carried

- B. Planning Commission Annual Report 2013. As per the City of Hillsdale Planning Commission Bylaws, Section XV, the Planning Commission must prepare an annual report. Planning Administrator Alan Beeker presented Council with the 2013 Planning Commission Annual Report.

No action taken.

- C. Airport Manager Contract. A memo by City Manager Linda Brown stated that after extending the airport manager's contract, certain portions of the contract were able to be worked out. A portion of the contract is now dedicated to a lease agreement regarding certain areas to be leased by Hillsdale Aero to conduct the fixed base operation. This language being necessary as the City cannot allow publicly owned property to be used for private purposes/businesses. Square footage and value of the property being used was established. Mr. Scheibner will be responsible for the lease payment but it will be paid through the revenues generated by fuel sold and hangar rental.

Discussion regarding fuel prices and insurances ensued. City Attorney Loren suggested once again holding off contract approval until these issues can be discussed with City Manager Brown.

Motion by Councilperson Watkins, supported by Councilperson Stockford, to table the approval of the Airport Manager Contract. Roll call: Councilperson Flannery – yes; Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes.

Approved 9-0.

Motion carried.

- D. Charter Amendments/Ballot Language – Appointment of City Clerk and Treasurer. Councilperson and O&G Chair, Timothy Wells explained that, after a meeting of the O&G, it was determined that it is necessary for the City to move toward the appointment of a City Clerk and City Treasurer to fill a vacancy should an elected official not be able to complete his/her term. An appointment would hold that office only until the next regular city election. O&G recognized the ramifications for the City (legal and otherwise) in the event of vacancy in the Clerk and Treasurer positions. O&G also recognized the strain of special elections on an already tight budget. Therefore, it was recommended by the Operations and Governance Committee to allow the proposed ballot language to be placed on the November 2014 ballot.

Discussion regarding Clerk's duties and salary ensued as well as how the appointment occurs should the proposal pass at the November election.

Motion by Councilperson Watkins, supported by Councilperson Kinney, to adopt Resolution No. 3178 amending Section 5.4(b) of the City Charter, filling of a midterm vacancy in the office of the city clerk and approve the ballot language to support. Roll call: Councilpersons Kinney – yes; Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes.

Approved 9-0.

Motion carried.

Motion by Councilperson Watkins, supported by Councilperson Bail, to adopt Resolution No. 3179 amending Section 5.4(b) of the City Charter, filling of a midterm vacancy in the office of the city treasurer and approve the ballot language to support. Roll call: Councilpersons Sharp – yes; Stockford – yes; Watkins – yes; Wells – yes; Mayor Sessions – yes; Councilpersons Bail – yes; Stack-Davis – yes; Flannery – yes; Kinney – yes.

Approved 9-0.

Motion carried.

Miscellaneous

A. Re-appointments as follows:

1. David Foulke, 6 year term to EDC. Term expiring July, 202
2. Barry Hill, 6 year term to EDC. Term expiring July, 202
3. David Foulke, 6 year term to Brownfield Redevelopment Authority. Term expiring July, 202
4. Amanda Janes, 6 year term to Brownfield Redevelopment Authority. Term expiring July, 202

Mayor Sessions also requested Councilperson Watkins remain on O&G in an advisory only capacity for a short time to bring new members up to speed.

Motion by Councilperson Kinney, supported by Councilperson Sharp, to approve reappointments as presented.

All ayes.

Motion carried.

General Public Comment

Tim Groves addressed Council regarding use and occupancy inspections.

Eric Macy updated Council on live streaming information he had gathered.

Richard Smith, 63 S. Broad, commented on City inspections and the need for consistency.

Kevin Pauken, Deputy Fire Chief, made comment regarding zoning amendments with regard to housing in RM-1. Mr. Pauken also made suggestions on how to educate and inform people about the city inspection process.

Mary Wolfram, Economic Development, gave an update of events being held in the City.

Fred Fowler, Adams Township Supervisor, commented that Council should consider that the City doesn't need more rules, just sensible enforcement.

Cecile Mead also addressed Council regarding inspections. Ms. Mead went on to say the College should be appreciated and worked with.

Council Comment

Councilperson Sharp stated a Public Safety Meeting needs to be scheduled.

Councilperson Stockford stated he will have banners up welcoming Hillsdale College students and parents.

Adjournment

Motion by Councilmember Watkins, seconded by Councilmember Stockford, to adjourn.

Motion carried.

9:57 p.m.

Scott M. Sessions, Mayor

Michelle Loren, Deputy City Clerk

City of Hillsdale Agenda Item Summary

Meeting Date: July 21, 2014
Agenda Item: Introduction to Ordinance –Public Hearing
SUBJECT: Zoning Amendments
BACKGROUND: Alan Beeker, Zoning Administrator

Attached are the zoning amendments that were recessed from the July 7, 2014 Council meeting. Also attached is the C-1 District amendment that Council sent back to Planning Commission to review. The Planning Commission reviewed the C-1 amendment and chose not to change anything. In addition to the C-1 amendment is additional documentation that the PC used to make their decision. Regarding the concern that the “character” wording would be unique to the C-1 District, the PC would like to cite Section 36-171 of the City of Hillsdale Zoning Ordinance in which it states that ‘The regulations in this division are intended to stabilize, protect and encourage the residential character of the districts and prohibit activities not compatible within such districts.’

It is my recommendation that the Council adopt the remaining zoning amendments as the Planning Commission has referred them to Council.

CITY MANAGER RECOMMENDATION:

At the last meeting Council expressed the desire for more information regard the proposed amendment. I believe all requested information has been provided and an informational meeting of the Planning Commission was held to answer any questions prior to the matter being presented to Council. I recommend passage of all proposed amendments.

ORDINANCE #2014- 04

AN ORDINANCE TO AMEND SECTIONS 26-1 THROUGH AND INCLUDING 26-20 OF DIVISION 4 OF ARTICLE I OF CHAPTER 26 OF THE CODE OF THE CITY OF HILLSDALE

THE CITY OF HILLSDALE ORDAINS THAT:

Chapter 26 of the Code of the City of Hillsdale should be and is hereby amended to read as follows:

City of Hillsdale
Chapter 26 – Sign Ordinance

- Sec. 26-1. Purpose.
- Sec. 26-2. Definitions.
- Sec. 26-3. Illustrations.
- Sec. 26-4. General sign provisions.
- Sec. 26-5. Prohibited signs.
- Sec. 26-6. Permitted temporary signs.
- Sec. 26-7. Permitted permanent signs.
- Sec. 26-8. On-premises signs.
- Sec. 26-9. Permit fee; insurance.
- Sec. 26-10. Promotional/Special event signs.
- Sec. 26-11. Special condition signs.
- Sec. 26-12. Non-conforming signs.
- Sec. 26-13. Removal of certain signs.
- Sec. 26-14. Permit fee schedule.
- Sec. 26-15. Violations.
- Sec. 26-16. Enforcement and remedies.
- Sec. 26-17. Penalties.
- Sec. 26-18. Abatement costs.
- Sec. 26-19. Appeals and variances.
- Sec. 26-20. Authority.

Sec. 26-1. Purpose.

The purposes of this chapter are to encourage the effective uses of signs as a means of communication in the city, to maintain and enhance the aesthetic environment, to augment historical preservation and the city's ability to attract sources of economic development and growth, to improve pedestrian and traffic safety and public health, to minimize the possible adverse effect of signs on nearby public and private property, to keep signs within a reasonable scale with respect to the buildings and the property to which they relate, and to enable the fair and consistent enforcement of these sign restrictions.

Sec. 26-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings

ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandoned conforming sign. A sign that conforms to current ordinances that pertains to a business, service, product, or activity that has not been available on the premises where the sign is displayed for 90 calendar days.

Abandoned nonconforming sign. A sign that does not conform to current ordinances that pertains to a business, service, product, or activity that has not been available on the premises where the sign is displayed for 90 calendar days.

Address sign. A sign utilizing a numerical or other designation to indicate the location of a building on a street or right-of-way.

Aggregate square footage: The sum of the square footage of all signs and their areas per parcel.

Animated sign. A sign, sign structure or component, that rotates, revolves, moves, emits flashes of light, blinking lights or images, changes or appears to change, or displays, depicts or creates the impression or appearance of movement or change by mechanical, electronic or other means or methods.

Attended sign. A non-commercial sign that is hand-held or carried by a person such as a placard, picket, or poster.

Awning: A retractable or fixed shelter constructed of rigid or non-rigid materials on a supporting framework that project from the exterior wall of a building.

Awning sign: A sign applied to the surface of an awning.

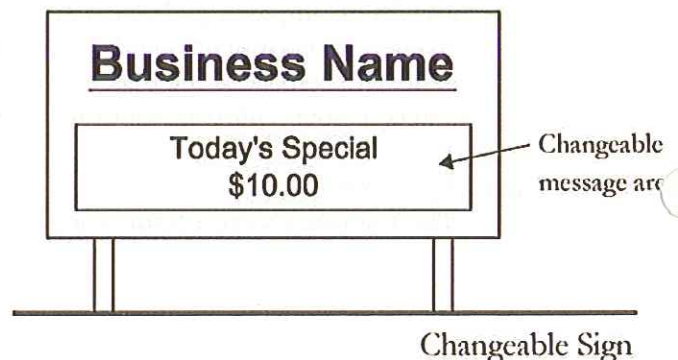
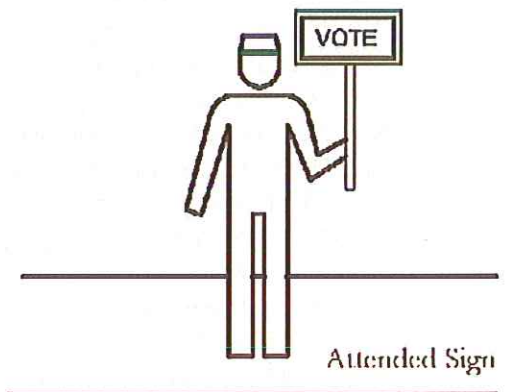
Banner sign: A temporary sign, constructed of canvas, paper, vinyl, or other similar materials that is not permanently affixed to any wall or sign structure and is intended for a limited period of display.

Billboard: An off-premise sign that advertises an establishment, product, service, or activity not available on the lot on which the sign is located.

Business/shopping center sign: A freestanding or monument identification sign for a group of establishments on a single parcel or that shares a common parking area.

Canopy: A permanent roof-like shelter extending over a public access or service area, (intended to include gasoline station canopies).

Changeable copy or message area: A sign or portion of a sign that displays characters, letters, or illustrations that can be changed or rearranged physically without altering the face or surface



of the sign. If designed as changeable copy or message area, it shall be in a subordinate location to the fixed-message area.

Commercial message/sign: Any sign wording, logo or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service or other commercial activity.

Community banner: A temporary banner erected over / within a city right-of-way with review identifying an event sponsored by a non-profit association or corporation for a charitable, educational, or public purpose.

Community event: A charitable, educational, or public event.

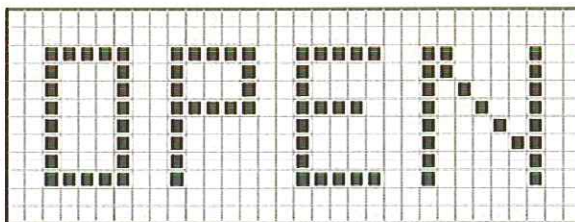
Community-service sign: A temporary sign that identifies non-profit associations or corporations, including service clubs.

Conforming sign: A sign that pertaining to a business, service, product, or activity that conforms to current ordinances.

Construction/ Contractor/ Site sign: A sign that identifies the owners, financiers, contractors, architects, and/or engineers of a project under construction.

Digital Sign: A sign or sign structure that utilizes an electronic means to display a series of messages that are changed by electronic means. Digital sign does not include an electronic message sign.

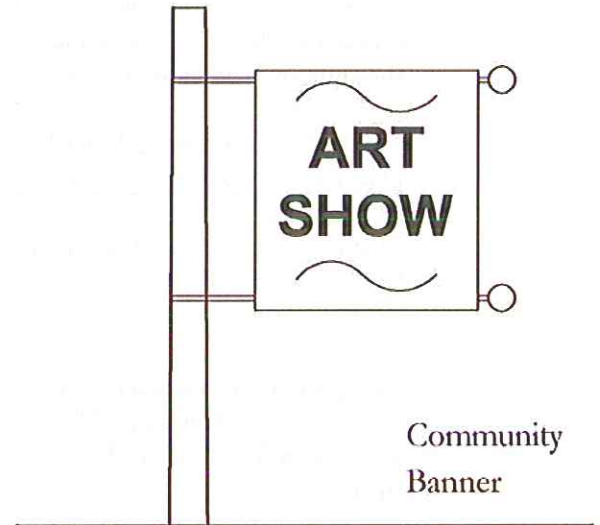
Directional/informational sign: A sign that gives directions, instructions or facility information for use on the lot on which the sign is located, such as parking or exit and entrance signs.



Electronic Message Sign

safety, and welfare of the general public.

Fixed-message area: That portion of a permitted sign that is used for a permanent message, such as the name of a business or organization, or its principal service or product.



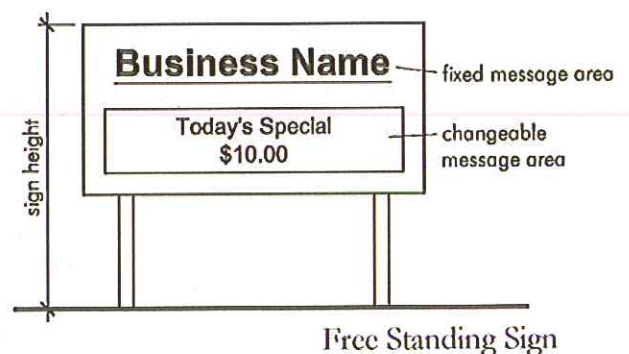
Electronic-message sign: A sign that only displays static messages containing text or numbers that are directly associated with the current advertiser. An electronic message sign does not include a digital sign device that displays graphics other than messages containing text or numbers

Essential services: Those services that are provided for and pertain to the health,

Freestanding/Pylon sign: A sign supported on poles, not attached to a wall or building.

Flag. An official governmental emblem displayed on fabric or other material generally mounted to a pole.

Government sign: A temporary or permanent sign erected by the city, the county, townships, or the state or federal government.



Ground-Pole or Ground-Mounted Sign. A sign supported by one or more uprights, poles or braces placed in or upon the ground surface and not attached to any building.

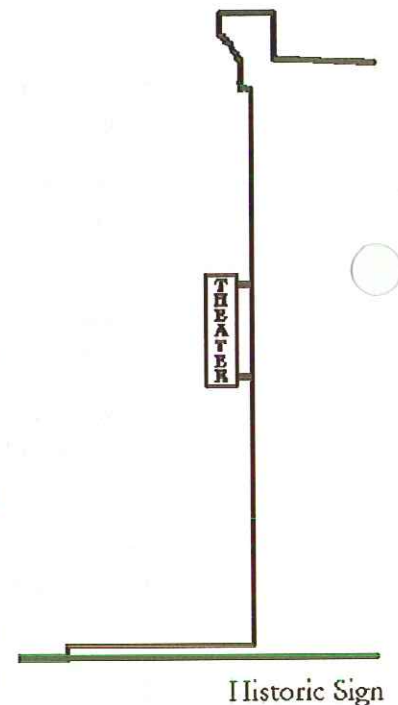
Historical sign: A sign for which criteria have been established or which have been granted historical status / approval.

Illuminated sign: A sign that utilizes artificial light directly or through any transparent or translucent material from a source of light within such sign, or a sign illuminated by a light so shielded that no direct rays from it are visible from or shine upon any public right of way or abutting property.

Interior parcel sign: A sign that does not exceed 32 square feet and is not visible from the public right-of-way which is for the purpose of informing patrons of products and services offered on the parcel on which the sign is located.

Mall area: Those areas of multitenant developments that are designed exclusively for the public promenade of pedestrians.

Mansard. A roof having two slopes, with the lower slope much steeper than the upper slope. The lower slope is oriented on a vertical axis and therefore is visible as a part of the building facade. The mansard cap is a version of this roof that often is applied to only one facade on the building, particularly one-story commercial structures. Fascia roofs and parapet walls shall be regulated as a mansard for purposes of this ordinance.



Marquee: A permanent structure that projects from the exterior wall of a building.

Marquee sign: A sign affixed flat against the surface of the marquee

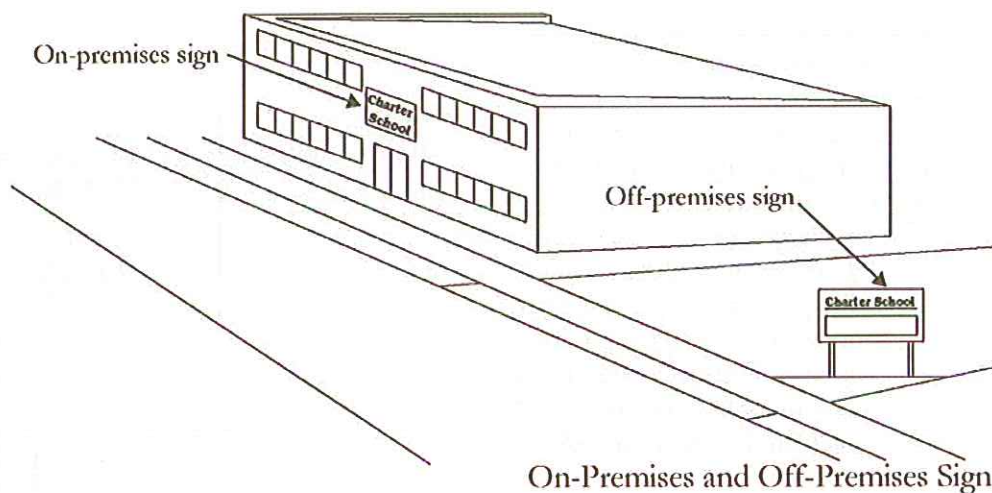
Memorial / Commemorative sign. A sign to commemorate a historical event, to honor the memory of a personage, etc.

Monument/ground sign: A sign supported by a solid base with zero ground clearance, not attached to a wall or building.

Mural: An artistic design or representation painted or drawn flat on a building wall or surface.

Noncommercial sign. A sign that is not related to or connected with trade or commerce in general.

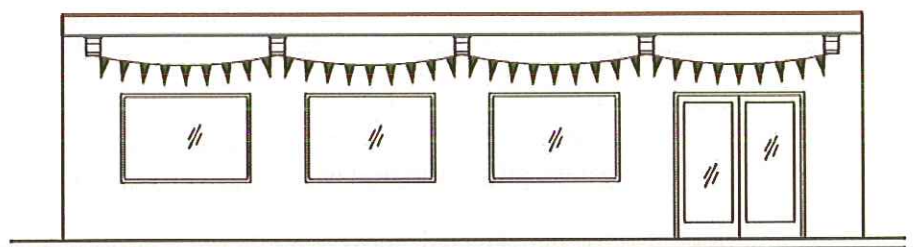
Nonconforming sign. A sign pertaining to a business, service, product, or activity that does not conform to current ordinances.



Off-premises sign. Any sign located on property that displays a message or other information pertaining to a business, service, good, or activity that is not located on the same property as the sign.

On-premises sign. A sign that displays a message or other information that relates to a business, service, good, activity, or profession lawfully being conducted, sold, or offered on the same premises.

Pennants, spinners, and streamers. An article of material mounted to a building or suspended from a rope, wire, or string designed to *move* with the wind in a free-flying manner.



Pennants, Spinners, Streamers

Permitted special non-

residential uses. Permitted special non-residential uses are those allowed in Section 36-173, Section 36-193, and Section 36-213, as applicable, after review and approval of the site plan by the Planning Commission or Zoning Administrator, subject to the conditions contained therein.

Political sign: A temporary sign used in connection with or opposition of an official city, school district, township, county, state, or federal election or referendum or in connection with any

candidate for public office, public interest issue, or political event.

Portable sign: A sign designed to be moved easily and not permanently affixed to the ground, a structure or building, including signs attached to or painted on vehicles parked and visible from the public right-of-way, for the purposes of advertisement.

Projecting sign: A sign that is attached perpendicular to a building or wall and extends more than 12 inches from the face of the building or wall.

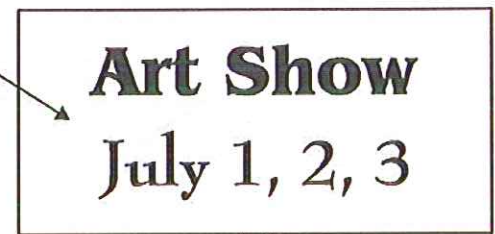
Promotional/Special-event signs. Promotional-event signs that provide directions to a community event in the city sponsored by a unit of government or a non-profit organization;

a) *Promotional-event sign, off-premises.* A non-commercial, off-premises sign that is temporarily implanted in a yard or curb lawn area for a community event and regulated by Section 26.6;

b) *Promotional-event sign, on-premises.* A temporary sign advertising short-term sales, promotions or special events on private property, including banners, and regulated by Section 26.10.

Promotional Sign
(Temporary Only)

Maximum area
two (2) square feet



Real estate sign: A sign advertising the real estate upon which the sign is located as being for sale, rent or lease.

Residential-event sign. A non-commercial sign located in a district zoned for residential uses, identifying a permissible event at a residence, such as a garage sale, yard sale, etc.

Roof sign: A sign erected above the roofline of a building.

Roofline: The top edge of a roof or parapet wall, whichever is higher, but excluding any cupolas, chimneys, or any minor projections.

Sandwich-board/A frame sign. A professionally designed, custom-

Residential Sign
(Temporary Only)

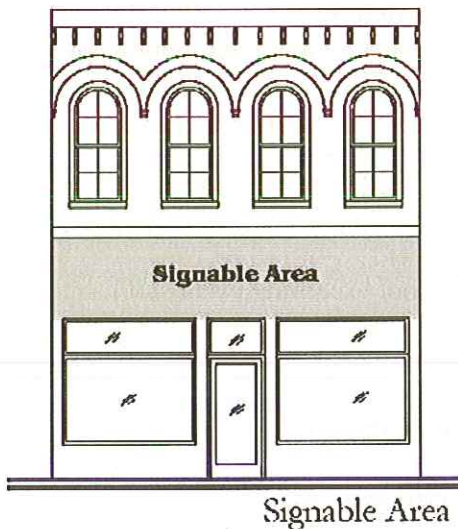
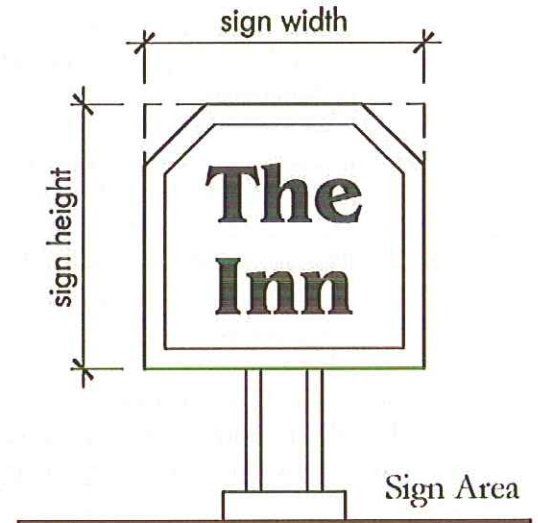
Maximum area
two (2) square feet



constructed portable sign, also known as a "tent" sign, that is displayed seasonally and temporarily at a storefront.

Sign. Any writing, pictorial representation, illustration, decoration, emblem, symbol, design, trademark, or figure that is a structure or a part of a structure or is written, printed, painted, projected, constructed, illuminated, or otherwise placed or displayed upon any structure, building, parcel of land, or within three feet of a window interior that attracts attention to the subject thereof or is used as a means of identification, advertisement, announcement, expression, or decoration and that is visible from a street, right-of-way, sidewalk, alley, park, or other public property.

Sign area. The sign area is the maximum height multiplied by the maximum width of the sign components including any frame or other material or color or open spaces or voids forming an integral part of the display or used to differentiate such sign from the background against which it is placed; excluding the necessary supports or uprights on which such sign is placed. Both sides of a sign structure may be used for sign purposes, provided the sides have an 180-degree, back-to-back relationship. In the case of a (a sign with letters individually mounted to a wall the total surface area shall be measured by outlining the outer edges of the letters including the wall surface beneath.



Signable area. The permitted sign area for a particular sign type calculated in accordance with the standards and formulas of this ordinance e.g. ground floor wall area x (%) of Wall permitted as signage = Permitted Signable area.

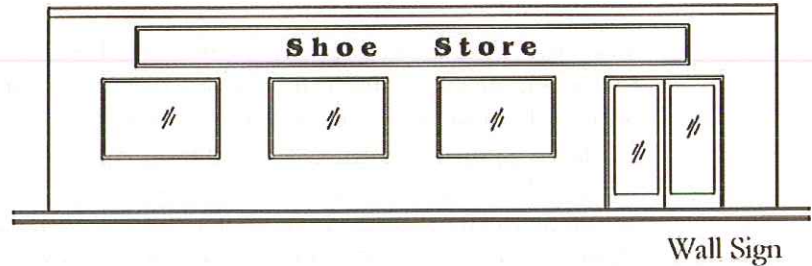
Special Condition Sign: Any sign that does not otherwise meet the condition or definition of a sign within the ordinance. Special condition signs shall still meet the zoning district allowances set forth in Section 26-8.

Special events sign means temporary and portable signs containing public messages concerning special events sponsored by governmental agencies or nonprofit organizations, and/or those special events for profit organizations as determined by established policy and the zoning administrator.

Storefront: The predominant frontage occupied by a singular tenant, incremental in lengths of 20 feet, and an additional percentage thereof.

Temporary sign: Any sign used only temporarily and which is not attached/affixed in any permanent manner.

Wall sign: A sign that is attached directly to or painted upon a building wall and does not extend more than (12) twelve inches therefrom, with the exposed face of the sign in a plane parallel to the building wall.



Warning sign: A sign not exceeding 2 square feet in area that is placed on a parcel or building to inform the public and others of a potential hazard, i.e. beware of dog or high voltage.

Window sign: A sign installed flat on the outside or inside of a window with the message or other information it contains being viewable only from a street, right-of-way, sidewalk, alley, park, or other public property.

Sec. 26.3 -Illustrations.

The illustrations contained herein are for convenience purposes only. In the event that a conflict arises between the meaning of any text and its corresponding illustration, the text shall control.

Sec. 26-4. General sign provisions.

1. No person shall erect, alter, place or permit to be placed, or replace any sign without first obtaining a city sign permit and a county building permit, if necessary, provided the following signs shall not require a zoning and/or building permit:
2. The following signs shall be allowed within all districts without permit, but subject to the provisions of Section 26.5.
 - a. Directional signs of six (6) square feet in size or less.
 - b. Flags or insignia of any nation, state, city, community organization, or educational institution.
 - c. Garage or residential -event signs (six square feet or less)
 - d. Government signs--Twenty (20) square feet in size or less.
 - e. Historical markers erected by a federal, state, or local government.
 - f. Holiday decorations
 - g. Interior signs, Signs not visible from any street.
 - h. Memorial/Commemorative signs or tablets not exceeding twenty (20) square feet.
 - i. Murals with approval by zoning administrator
 - j. Name/address signs (four square feet or less)
 - k. Political signs--Twenty (20) square feet or less*
 - l. Real estate signs-subject to compliance within district.
 - m. Signs for essential services.
 - n. State of Michigan tourist oriented directional signs.
 - o. Warning signs of two (2) square feet or less
 - p. Window signs/lettering; not to exceed fifty (50%) percent of window and glass area.
3. All signs shall be maintained free of peeling paint or paper, fading, staining, rust, or other conditions which impair legibility.

4. Sign supports, braces, guys and anchors shall be maintained in such a manner as not to cause a hazard. All signs must be installed in accordance with the single state construction code.

5. Signs may be internally illuminated or, if externally illuminated, the source of the light shall be enclosed and directed to prevent the source of light from shining onto traffic, up into the night sky, or onto any residential district or property.

6. No sign shall be permitted in the right-of-way unless otherwise noted.

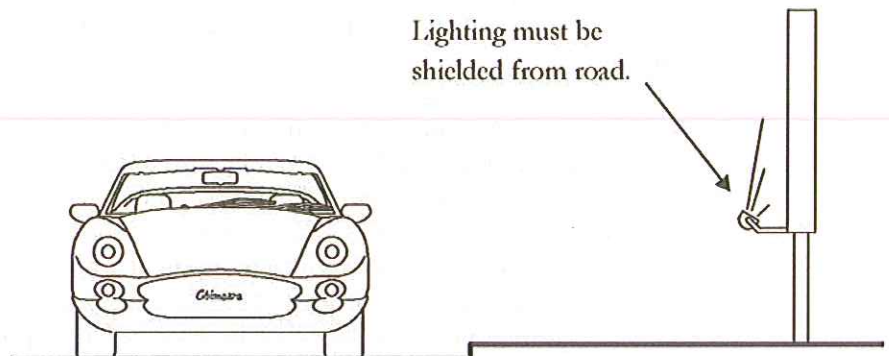
7. All ground, wall, freestanding, and pylon signs may include changeable display/reader boards.

8. Political signs shall be removed within ten (10) days after the official election or referendum to which such sign pertains.

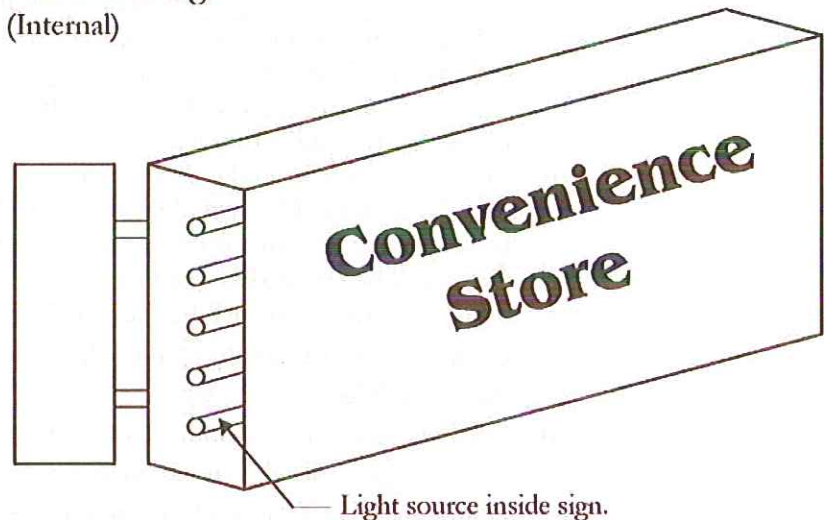
9. Portable signs commonly referred to as "Sandwich board" or "A-frame" shall be limited to commercial businesses only, and shall be allowed to have one (1) for the purpose of temporary advertising. These signs shall not exceed two (2) feet width and four (4) feet length to a flat side and will be allowed to have changeable text. The placement of such a sign shall not interfere with the free and unobstructed travel of pedestrians on sidewalks or walkways, nor with the view of drivers at any intersection. The sign must be removed at the end of each business day and placed indoors. Sandwich board/A-frame signs that are left out shall be in violation of this chapter. This provision shall also apply to T-shaped or inverted "T" signs and shall be subject to the same restrictions with each business allowed only one (1) such sign per business, regardless of Type (A-frame, T-shaped or inverted "T").

10. Awnings, suspended signs, canopies and marquees are permissible within the right-of-way with the approval of the zoning administrator as to compliance with the single state construction code. Awnings may not project over eight (8) feet into the public right-of-way, and must have a minimum clearance of eight (8) feet from grade

11. One address sign shall be placed at the main entrance to each principal structure on any property such that same is plainly legible and visible from the street fronting the property, to assist ambulance, police and fire-protection response. Wall-mounted address signs shall not



Illuminated Sign
(Internal)



exceed four (4) square feet in surface area, and shall be visible from the street for which the address applies. Address signs identifying a business shall have a minimum height of six (6) inches.

- a. Freestanding address signs may be provided at single-family residences, not to exceed two (2) square feet in area and five (5) feet in height. Commercial, industrial, institutional, and multi-family uses are encouraged to include an address sign or signs on any freestanding sign on the lot as well.
- b. At properties that have three or more principal buildings such as apartment complexes and mixed-use commercial developments, an address-directory sign may be required by the city. The size, height, location and illumination (if any) of the address-directory sign shall be reviewed and approved by the zoning administrator.

12. Sign measurement:

- a. The area of a sign shall be measured as the area within a single, continuous perimeter composed of any straight line geometric figure which encloses the extreme limits of writing, representation, emblem, logo or graphic, together with any frame or other material or color forming an integral part of the display or used to differentiate the sign from the background against which it is placed, excluding only the structure necessary to support the sign.
- b. The area of a freestanding, projecting or monument sign that has two or more faces shall be measured by including the area of all faces, unless the two faces are placed back to back and are of equal size, in which case the area of the two back to back faces shall be counted as one face.
- c. The height of a sign shall be measured as the vertical distance from the highest point of the sign to the grade of the adjacent street, or the average grade of the ground immediately beneath the sign.
- d. For buildings with multiple tenants, the sign areas for wall signs, projecting signs and awning signs shall be determined by taking that portion of the front wall of the building applicable to each tenant and computing sign requirements for that portion of the entire wall.
- e. Awning signs will be calculated by the area encompassing the lettering and graphic. Calculations will not include the material or fabric of the awning itself.

13. No signs, including but not limited to banners and placards or other publicly displayed structure carrying lettering or designs intended to advertise a business, product or event, shall be placed in, upon, or over any street, public right-of-way, alley or other public place under the jurisdiction and control of the City of Hillsdale, provided, however, that the placement of signs, including but not limited to banners and placards or other publicly displayed structure carrying lettering or designs intended to advertise a business, product or event, in, upon, or over Highway M-99 right of way shall be exempt from this provision, but shall be subject to compliance with all applicable state statutes, rules, regulations and requirements.

Sec. 26-5. Signs prohibited.

1. A sign not expressly permitted by this chapter is prohibited.
2. No sign shall be placed in, upon or over any public right-of-way, alley, or other public place, except as may be otherwise permitted by this chapter or other ordinance of the city.

3. No light pole, utility pole, tree within a public right-of-way, or other supporting member shall be used for the placement of any sign unless specifically designed for and otherwise approved by the City for such use.
4. No sign shall be erected in any place where it may, by reason of its position, shape, color, or other characteristic, interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal, or device, or constitute a nuisance per se.
5. Commercial vehicles, which are not used for any other commercial purpose and have the intended function of acting as a sign, shall not be parked in any area visible from the right of way.
6. No sign shall employ light that flashes, moves, oscillates, blinks, or uses variable intensity, excepting signs described in subsections (a) and (b) below:
 - a. Time/temperature signs.
 - b. Signs having changeable copy in a digitized format.
7. No sign shall contain any moving or animated parts nor appear to have animated or moving parts except barber poles.
8. No wall sign shall extend beyond the edge of the wall to which it is affixed, and no wall sign shall extend above the roof line of a building, without review and approval by the zoning administrator.
9. No roof sign shall be erected above the roof line of a building without review and approval the zoning administrator.
10. Obstructions to any *door, window, sidewalk, or fire escape*. No sign shall be erected, relocated, or maintained so as to prevent ingress or egress from any door, window, sidewalk, or fire escape.
11. Abandoned signs shall be removed in accordance with their status as to conformity. Where such signs are non-conforming in size, or height, or other features, messages and the sign structure shall be removed within 90 calendar days. Where the sign is conforming but abandoned, messages must be removed within 90 calendar days. The structure of the sign shall be removed after one year if non-conforming. Any abandoned conforming sign or non-conforming sign or sign structure may be removed by the city at the expense of the property owner.
12. Sign constituting a public nuisance. If a sign is determined to be a public nuisance, as defined in Chapter 14 of the City of Hillsdale Code of Ordinances, it shall be abated in accordance with the procedures provided.

Sec. 26-6. Permitted temporary signs in all districts.

The following non-illuminated, temporary signs are permitted in all districts without a permit or prior approval, except as otherwise hereinafter provided:

1. *Free standing real estate signs*. One freestanding real estate sign shall be permitted on the property intended to be rented, leased, and/or sold subject to the height and size restrictions set forth in the schedule. The sign shall be removed within 30 days after the sale, lease, or rental of the property.
2. *Wall-mounted real estate signs*. One wall-mounted real estate sign shall be permitted in lieu of a free standing sign subject to the same restrictions set forth in the schedule. The sign shall be restricted to the ground floor wall of a building.
3. *Real estate window signs*. One window sign shall be permitted in lieu of a free standing or wall-mounted real estate sign subject to the same restrictions set forth in the schedule. In addition, the sign shall not exceed 50 percent of the window area.

4. *Open house signs.* One sign advertising an open house showing of the property is permitted on the property being offered for rent, lease, and/or sale, and not more than two such signs are permitted off-premises; provided that;
 - a. No such signs are permitted except during the hours of the open house
 - b. No such signs shall be placed or displayed in a public right-of-way or on public property
 - c. Any such signs as are placed on property other than the property being offered for rent, lease, and/or sale shall require the signed written consent of the owner of the property upon which such signs are placed or displayed as a condition precedent to their allowance.
 - d. Signs subject to height and size restrictions set forth in the schedule.

Real estate signs shall be restricted according to the following schedule:

Zoning District	Maximum Height of Freestanding Sign	Maximum Sign Area in Square Feet
Residential R-1, R-2, R-3, RD-1	6 feet	6 square feet
O-1, B-2	6 feet	6 square feet
B-1, RM-1	6 feet	16 square feet
B-3	6 feet	24 square feet
I-1, I-2	8 feet	32 square feet

5. *Construction signs.* One construction sign per construction site shall be permitted per construction project subject to the height and size set forth in the schedule. The sign shall be removed by the owner or lessee of the property immediately upon the issuance of an occupancy permit for the building or structure which is the subject of the construction sign, or completion of service.

Construction signs shall be restricted according to the following schedule:

Zoning District	Maximum Height of Freestanding Sign	Maximum Sign Area in Square Feet
Residential R-1, R-2, R-3, RD-1	6 feet	6 square feet
O-1, B-2	6 feet	6 square feet
B-1, RM-1	6 feet	16 square feet
B-3	6 feet	24 square feet
I-1, I-2	8 feet	32 square feet

6. *Residential-event signs.* For publicizing a single event such as a garage sale, yard sale, estate sale, or moving sale, residential-event signs are permitted for a period not to exceed a total of three days in a 90-day period. Off-premises residential-event signs shall not be displayed, placed, or mounted on public property or within the public right of way.
7. *Political signs.* Political signs are permitted on private property only and shall not exceed six square feet in area and six feet in height.
8. *Promotional/Special-event signs, directional.* Special event signs shall be permitted for a period not to exceed seven days. Signs for events such as art fairs, circuses, festivals, etc., shall be permitted, not to exceed the height and size set forth in the schedule. The number of signs,

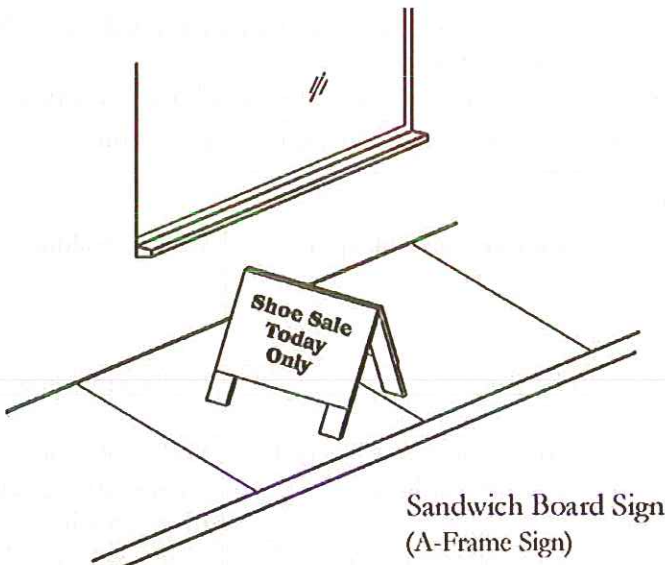
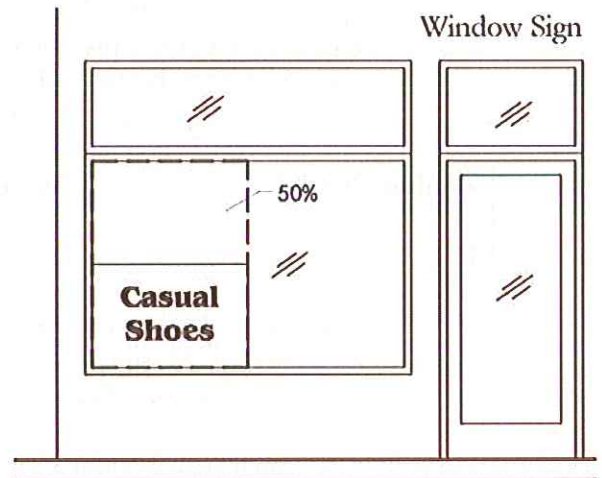
sign area, and sign location shall be approved by the city prior to installation. Promotional-event signs shall be removed within 48 hours after the event that they identify.

9. *Promotional/Special -event sign*: A temporary sign advertising short-term sales, promotions or special events on private property and regulated by section 26.10.

Promotional/special events signs shall be restricted according to the following schedule:

Zoning District	Maximum Height of Freestanding Sign	Maximum Aggregate Sign Area in Square Feet
Residential R-1, R-2, R-3, RD-1	6 feet	6 square feet
O-1, B-2	6 feet	6 square feet
B-1, RM-1	6 feet	16 square feet
B-3	6 feet	24 square feet
I-1, I-2	8 feet	32 square feet

10. *Window signs*: Temporary window signs that occupy no more than fifty (50%) percent of a total window's area and do not exceed the total allowable area within the structure's zoning district are permitted.
11. *Pennants, spinners, streamers and balloons*. Pennants, spinners, streamers, balloons and similar temporary display devices, attached directly to the principal building on a site are permitted, provided they do not exceed the building height.
12. *Sandwich-board signs*. Permitted only as required in section 26.8.



Sec. 26-7. Permitted permanent signs.

Permanent signs shall be permitted in all districts subject to the restrictions herein contained:

1. *Government signs*. Governmental signs of a branch of local, state, or federal government, including traffic or similar regulatory devices, or signs required to be maintained or posted by law or governmental order, rule or regulation.
2. *Flags or emblems*. Flags or emblems of governmental, civic, philanthropic, educational, or religious organizations.
3. *Commemorative signs*. Commemorative signs such as cornerstones, historical markers, memorial plaques or tablets, and the like.

4. *Accessory signs.* Signs on accessory structures greater than 100 square feet in floor area such as storage sheds, outbuildings, and warehouses shall not exceed ten percent of the mounting wall, and may not exceed the aggregate amount of allowed sign area per tenant/parcel.
5. *Warning signs.* Warning signs such as "No Trespassing," "No Hunting," "Danger," and "Beware of Dog," not to exceed two square feet in area and no more than one sign per 100 feet of property frontage.
6. *Permanent window signs:* A business shall be permitted interior signs (including neon) that occupy not more than 50 percent of the total window area of each window of the first floor level.

Sec. 26 -8. On premises signs.

On-premises signs shall be permitted to be erected, altered, or relocated in accordance with the regulations of this section.

1. *Projecting/Overhanging signs & Awnings:* One overhanging sign per commercial storefront shall be permitted in the B-2 district; a secondary sign may be allowed at the rear entrance or, on a secondary street front provided all aggregate sign area does not exceed 48 sq. ft.
 - a. Clearance height and area of projected/overhanging signs or awnings are restricted according to the following:

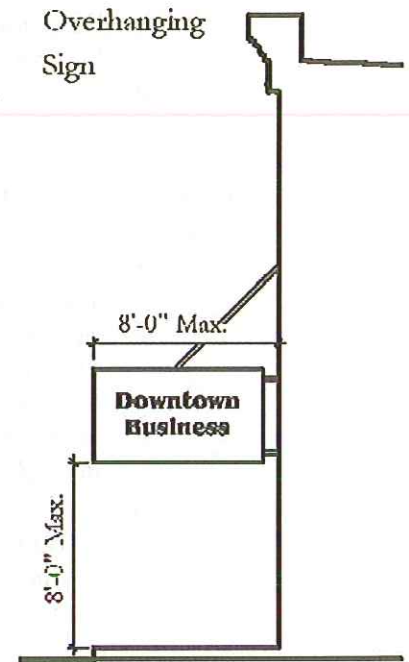
Zoning District	Maximum overhang in feet	Maximum clearance from grade in feet
B-2	8 feet	8 feet

- b. No main sign or combination of signs, whether projecting, awning or wall mount may exceed 24 square feet per main street storefront; no allowed secondary sign or combination of secondary signs may exceed 24 square feet, or 40 percent of marquee face
- c. Such signs shall be located on structures properly mounted, or suspended from plane in compliance with the single state construction code.

2. *Wall-mounted signs:* Wall-mounted signs shall be permitted subject to the following restrictions:

Zoning District	Number of signs allowed	% of main facade	Maximum area in square feet	Location
R-1, R-2, R-3, RD-1, RM-1, (Nonresidential special use group)	1 per street front	5%	Not to exceed 24 sq. ft.	Wall of building
O-1, B-1	1 per street front (a)	5%	Not to exceed 48 sq. ft.	Wall of building
B-2	1 per business (d, e)		No aggregate may exceed 48 sq. ft. per lot (e)	Wall of building facing street, alley or parking lot
B-3	1 per tenant (f)	8%	No aggregate may exceed 8% of main face	Wall of building facing street
I-1, I-2	1 per street front	5%		Wall of building facing street

- a. Monument and freestanding signs, for residential subdivisions, manufactured home parks, multiple family complexes, schools, churches and other nonresidential uses as allowed. No illumination is to be allowed inside residential districts, except churches.
 - b. Such signs shall be mounted so that no part of the sign is higher than the height of the facade of the building upon which it is mounted.
 - c. The total area of all wall-mounted signs in commercial districts shall be restricted according to the following schedule:
 - d. No more than two (2) such signs shall be allowed per parcel/lot.
 - e. A secondary sign may be placed facing a side street, alley or, parking area.
 - f. No main sign or combination of signs, whether projecting, awning or wall mount, may exceed 24 square feet per main street storefront; no allowed secondary sign or combination of secondary signs may exceed 24 square feet, or 40 percent of marquee face. Total aggregate sign area may not exceed 48 square feet.
 - g. 1 per tenant; additional signs will be allowed providing the aggregate amount of signage does not exceed 8 percent of the main face of the building
3. *Freestanding signs.* On-premises, freestanding, business center or, monument signs shall be limited in placement; area and height according to the following schedule:



Zoning District	Maximum height in feet	Maximum sign area in sq. ft.	Number	Location
R-1, R-2, R-3, RD-1, RM-1, O-1 (Nonresidential special use group)	6 feet	24 sq. ft. (b)	1 per major entrance	Min. 8 ft. outside right-of-way
B-1	6 ft. – monument 21 ft. - freestanding	32 sq. ft.	1 per lot/parcel	Min. 8 ft. outside right-of-way
B-2	6 ft. – monument 12 ft. – freestanding	24 sq. ft.	1 per lot/parcel	Min. 4 ft. outside right-of-way
B-3	6 ft. – monument 28 ft. – freestanding	100 sq. ft.	1 per 300 linear ft. of frontage	Min. 4 ft. outside right-of-way
I-1, I-2	8 ft.	60 sq. ft.	1 per major entrance	Min. 8 ft. outside right-of-way

- a. Total aggregate sign area may not exceed 32 square feet per lot.
4. *Directional signs.* Directional signs are permitted subject to the following restrictions:

- a. Directional signs may be placed only on premises.
 - b. Directional signs may contain a company logo and/or a company name.
 - c. Directional signs may not contain any advertising copy.
 - d. Directional signs may not exceed six feet in height as the sign stands, or six square feet in area unless located in an industrial district, which allows 12 sq. ft.
 - e. Directional signs shall be limited to vehicular traffic control functions only.
5. *Sandwich boards.* One (1) "Sandwich board" or "A-frame" sign shall be allowed for the purpose of temporary advertising, subject to the following conditions:
- a. Such signs shall not exceed two (2) feet width and four (4) feet length to a flat side and will be allowed to have changeable text, but no electronic or dynamic display.
 - b. The placement of such a sign shall not interfere with the free and unobstructed travel of pedestrians on sidewalks or walkways, nor with the view of drivers at any intersection, or impede maintenance and/or snow and ice removal.
 - c. Signs must be removed and placed indoors at the end of each business day. Sandwich board/A-frame signs that are left out shall be in violation of this chapter.
 - d. Signs within the public right of way must register annually.
 - e. This provision shall also apply to T-shaped or inverted "T" signs and shall be subject to the same restrictions with each business allowed only one (1) such sign per business, regardless of type (A-frame, T-shaped or inverted "T").

Sec. 26-9 Permit fee; insurance.

Permits for signs identified in section 26-8 (5) shall be issued on an annual basis at a rate subject to the City of Hillsdale Fee Schedule. As a prerequisite to the issuance of a new or renewal of a permit, the business owner shall provide proof satisfactory to the city of liability insurance coverage in which the city is a named insured and which provides limits of liability in an amount that is not less than a minimum amount as is currently or hereafter established.

Sec. 26-10 Promotional/Special event signs.

Signs for advertising short term sales, promotions or special events, are allowed on private property within the City of Hillsdale only under the following conditions:

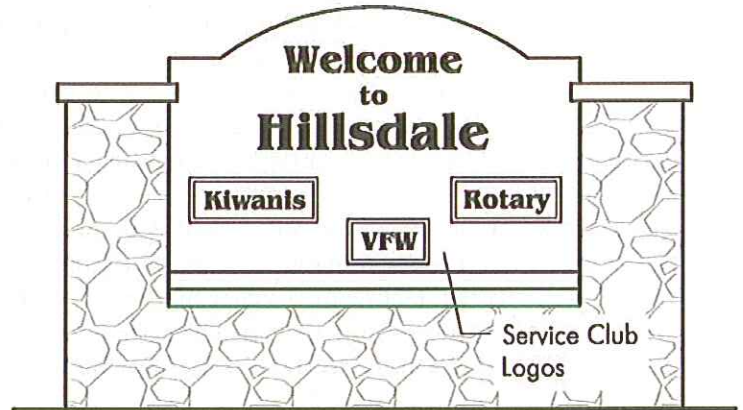
1. One, on-premises promotional/special event sign per tenant, temporary banners, or portables may be displayed by annual permit provided :
 - a. It does not exceed 24 square feet in area.
 - b. It is properly maintained.
 - c. Commercial message changes once every 60 days.
 - d. No sign shall be permitted in the public right-of-way.
 - e. Complies with all other provisions of this chapter.
2. Additional on-premises special event/promotional signs, including A-frames, may be allowed by permit subject to the following conditions:
 - a. May not exceed 32 square feet or five feet in height in all districts except B-2, where they shall not exceed 24 square feet.
 - b. Shall be limited to 28 days previous to the event and 48 hours after the event.
 - c. Shall comply with district setback requirements.
 - d. Display may not exceed 180 days per year
 - e. No more than two such signs shall be displayed on any property or parcel at one time and shall not be placed within the vision clearance area.

- f. Promotional event signs of governmental or, non-profit organizations such as museums, churches and public service organizations may be permitted by permit without fee, but must comply with all other provisions of this chapter. Off-premises promotional/special event signs are subject to the requirements of Section 26-6.
- g. No sign shall be permitted in the public right-of-way.

Sec. 26 -11 Special condition signs.

The following signs may be permitted as special condition signs, subject to and after approval by the zoning administrator.

1. Community-service signs with particular consideration given for shared individual signs identifying more than one service club or civic organization.
2. Off-premises, directional signs six (6) square feet, or less, in size placed on private or public property (with written approval of property owner) to promote or advertise a community event sponsored or presented by a public-service institution, such as a hospitals, churches, school, charity, or other non-profit strictly for the duration of the event.
3. Directory sign: A sign that lists the names of each business located on the premises where the sign is located that does not exceed the maximum restrictions by type of sign for wall-mounted or freestanding signs in the district.
4. Historic signs review may be sought, without fee, by application and request therefore directed to the planning commission, or zoning administrator, and shall be granted upon factual proof presented by the applicant and found to be satisfactory and credible, that one or more of the following criteria apply:
 - a. The sign is associated with historic figures, events or places.
 - b. The sign is significant as evidence of the history of the product, business or service advertised.
 - c. The sign is significant as reflecting the history of the building or the development of a historic district. The sign is characteristic of a specific history period, such as gold leaf, neon or stainless steel lettering. The sign is integral to the building's design or physical fabric, or if the removal will cause significant harm to the integrity of the building.
 - d. The sign, by reason of craftsmanship, materials or design, is an outstanding example of sign maker art.
 - e. The sign is a local landmark, recognized as a popular focal point in the community.
 - f. The sign contains elements important in defining a district, such as marquees in a theater district.
5. Wall-mounted signs above the first floor of a multiple-story building related to one or more of the businesses housed within the building. Refer to chart in Section 26-8.
6. Unique signs whose total area is within the applicable district size allowance established in Article II of Chapter 26 of Hillsdale's Code of Ordinances that are determined by the Planning Commission to require additional height or width due to unique design or obscuring



Community Service Sign

sight lines shall be allowed additional height and width allowance as needed, provided, however that they neither exceed the additional height or width, nor the area within them exceed the allowances otherwise provided by more than 10%.

7. The size, location, and/or placement of murals shall be permitted subject to review by the Zoning Administrator and Planning Commission and the following restrictions:
 - a. Murals may not contain promotions or depictions of illegal or violent behavior, including but not limited to promotions or depictions of sexually explicit behavior or materials; the use of alcohol or drugs; or the use of firearms.
 - b. Images may be relevant to existing businesses in the building on which the mural is applied without the use of company names or logos.
 - c. Images may be of an artistic, historic, or cultural nature unrelated to business.
8. Off premises or billboard signs shall be permitted in the General Business (B-3) District. Billboards may not exceed 200 square feet in area, or 20 feet in height. Billboards must be setback a minimum of 30 feet from all property lines and shall be located a minimum of 1,000 feet from all other billboards on the same street. When abutting a residential district, no portion of the billboard shall be located closer than 200 ft. from the property line. All permit applications for billboards must be submitted to the planning/zoning department along with a landscaping plan.
9. Procedures and considerations for special-condition signs are as follows:
 - a. Special-condition signs shall be reviewed as to size, location, placement, etc. subject to regulations of this chapter.
 - b. The planning commission, or zoning administrator, may impose conditions necessary to protect the public health, safety, and welfare of the community.
 - c. Public notice of the time, date, and place of an appeal of a sign review decision made by the planning commission, or zoning administrator, shall be provided in advance of the meeting during which the appeal will be considered.
10. **Standards for sign review.**

In reviewing signs, the zoning administrator or the planning commission shall consider the following to determine compliance with applicable ordinance provisions a basis for approving or denying a sign permit and establishing setback, location, and placement of signs:

- a. Site location:
 - i. Dimensions from buildings
 - ii. Dimensions from property lines
 - iii. Dimensions from right-of-way
- b. Sign size:
 - i. Dimension height and width
 - ii. Building location:
 - iii. Dimension height above grade or finish floor line
 - iv. Dimension location of sign from side to side of wall
 - v. % of wall used for signage
- c. Awning:
 - i. Dimension awning size
 - ii. Dimension awning height above grade or finish floor line
 - iii. Dimension signage relative to awning edges
 - iv. Dimension height and width
- d. Sign characteristics:
 - i. Shape of sign
 - ii. Sign content

iii. Sign materials

e. Mural:

- i. Dimension height and width
- ii. Building location:
- iii. Dimension height above grade or finish floor line
- iv. Dimension location of sign from side to side of wall

A drawing of the sign with all of the information from the list above will be required upon application submittal.

Sec. 26-12. Nonconforming signs, illegal signs, and signs accessory to nonconforming uses.

It is the intent of this article to protect the health, safety, and welfare of the public by requiring elimination of signs within a reasonable period of time that are currently non-conforming or, as a result of the adoption of this or subsequent amendments to this article, become non-conforming.

1. No nonconforming sign shall be reconstructed, structurally altered, remodeled, relocated, or replaced unless a permit is issued allowing such action and the reconstructed or replaced sign and sign structure renders the sign and sign structure conforming in all respects.
2. The owner of a nonconforming sign shall maintain it in good repair by, among other things, repainting it and replacing broken or deteriorated parts.
3. A nonconforming sign or sign structure which is destroyed or damaged by any casualty may be restored within six months after such destruction or damage only after the owner has shown that the damage did not exceed fifty (50%) percent of the appraised value of the sign immediately prior to its loss or damage. If such sign or sign structure is destroyed or damaged to an extent exceeding fifty (50%) percent of its appraised value, it shall be removed and shall not be reconstructed or replaced unless a permit is issued allowing such action and the reconstructed or replaced sign and sign structure renders the sign and sign structure conforming in all respects.
4. A nonconforming sign or sign structure shall be removed within 60 days if the building containing the use to which the sign is accessory is demolished or destroyed to an extent exceeding fifty (50%) percent of the building's appraised value.

Sec. 26-13. Removal of certain signs.

1. In the event a conforming sign is abandoned for a period of 30 calendar days the sign owner and/or property owner shall immediately remove any commercial message identifying the business announced thereby. The zoning administrator may grant an extension upon good cause shown.
2. In the event a sign, whether conforming or nonconforming, is abandoned for a period of 60 calendar days, the sign owner and/or property owner shall immediately remove the sign and sign structure. Once removed, no sign may be replaced on the premises except in compliance with all applicable provisions of this ordinance. For good cause shown in writing by the sign owner and/or the property owner filed prior to the expiration of the 60-day period, the zoning administrator may grant an extension not exceeding 60-days.
3. Any sign that is not constructed, painted, installed or maintained as required in this chapter; is constructed, painted, or maintained without a proper and valid permit; or is a

nonconforming sign for which the time period set forth in subsection 3 has expired; shall be forthwith removed.

4. In the event a sign subject to removal pursuant to the preceding subsection is not removed as provided therein, the zoning administrator shall forthwith notify the sign owner and/or the property owner in writing to remove said sign within 14 calendar days of the date of said notice.
5. Should the sign owner and/or property owner fail to remove or cause the removal of the sign within the time established pursuant to subsections 1 and 2 of this section, the zoning administrator is authorized to remove or cause the removal of said sign. Any expense incidental to the removal of the sign shall be charged to the owner of the property on which the sign is located and shall constitute a lien on said property collectible in the same manner as taxes.
6. Any sign placed within the right-of-way shall be forfeited to the public and subject to immediate confiscation and removal by the city at the sign owner's sole expense.
7. The words "remove," "removal" and "removed" as used in this section and its subsections shall mean:
 - a. For abandoned conforming signs, the removal of all commercial messages. In the case of painted wall signs, such words shall also include painting over the original sign face in its entirety so as to completely cover it.
 - b. For abandoned or altered over fifty (50%) percent non-conforming signs, the removal of all commercial messages and the demolition, destruction, removal and disposal of the sign and sign structure.

Sec. 26-14. Permit and fee schedule.

Fees for sign permits to the City of Hillsdale Fee Schedule.

Sec. 26-15. Violations.

1. Violation of any provision of this chapter shall constitute a municipal civil infraction, punishable as provided in Code of Ordinances of the City of Hillsdale, Michigan.
2. Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter and by state law:
 - a. To install, create, erect, or maintain any sign in violation of any provision of this chapter;
 - b. To install, create, erect, or maintain any sign in a manner that is inconsistent or not in conformity with any approved plan or permit governing such sign or the property on which it is located
 - c. To install, create, erect or maintain any sign requiring a permit without such permit.
 - d. To fail to remove any sign that is installed, created, erected or maintained in violation of this chapter or for which the sign permit has lapsed.
3. Each day that a violation exists shall constitute a separate violation.

Sec. 26-16. Enforcement and remedies.

1. A municipal civil infraction citation shall be issued for any violation of this chapter and, in addition, any violation or attempted violation of this chapter or of any condition or requirement adopted pursuant hereto may also be restrained, corrected or abated, as the case may be, by injunction or other appropriate proceeding pursuant to this Code of Ordinances and applicable state law. The remedies of the city shall include, but are not limited to, one or more of the following:

- a. Issuance of a stop work order for any and all work on any signs;
 - b. Issuance of a municipal civil infraction citation;
 - c. Bringing an action for an injunction or other order of restraint, abatement, or relief that requires, among other things, the removal of the sign or the elimination of the violation.
 - d. Imposing any sanctions that can be imposed by the city under this Code of Ordinances.
 - e. In the case of a sign that poses an immediate danger to the public health or safety, taking such measures as are available to the city under the applicable provisions of this Code of Ordinances, the single state construction code, and other applicable state law to have it declared a public hazard or nuisance and obtain its abatement and removal.
2. The city shall have such other remedies as are and as may from time to time be provided for or allowed by this Code of Ordinances and state law for the violation of the zoning ordinance.
 3. All remedies provided herein shall, to the extent allowed by law, be cumulative for each violation to which they apply.

Sec. 26-17. Penalties.

1. Violation of any provision of this chapter shall *be* punishable as provided in Code of Ordinances of the City of Hillsdale, Michigan.
2. The owner and if applicable, the tenant of any building, structure, premises, or part thereof who commits, participates in, or maintains such violation may be found responsible for a separate offense and subject to the penalties herein provided.
3. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 26-18. Appeals and variances.

Any person aggrieved by a decision of the zoning administrator relative to the placement, area, height or construction of a sign may appeal such decision to the zoning board of appeals. The zoning board of appeals may grant a variance from the requirements of this chapter after a public hearing as follows:

On a factual proof presented by the applicant for such variance that is found to be satisfactory and credible by the zoning board of appeals that:

1. The variance would not be contrary to the public interest or general purpose and intent of this chapter;
 - a. The variance does not adversely affect properties in the immediate area of the proposed sign.
 - b. The petitioner has a hardship or practical difficulty resulting from the unusual characteristics of the property that precludes reasonable use of the property.
 - c. The variance sought is one for an historic sign which, if not related to the business currently conducted on the property on which it is located, shall not be included as part of the aggregate sign area.
2. Duration of variances. All sign variances shall terminate upon alteration or reconstruction of more than 50 percent of the sign, or at a date set by the zoning board of appeals. Historic variances may be subject to review.

Sec. 26 -19. Authority.

1. As a condition precedent to acting on a request to the zoning administrator or planning commission for approval of the installation, creation, erection, or maintenance of any sign under the provisions of this ordinance, the applicant shall furnish such surveys, plans, or other information as may be reasonably required by the zoning administrator or planning commission for the proper consideration and investigation of the matter.
2. The zoning administrator or the planning commission may, after completion of his or its consideration or investigation deny approval, grant approval, or grant approval subject to such conditions and limitations as determined necessary to fulfill the intent and purposes of this ordinance; provided, however, that the factual reasons for the decision reached shall be stated in writing.

Except as specifically amended above all provisions contained in Chapter 26 of the Code of the City of Hillsdale are hereby ratified and declared to be and remain in full force and effect.

This ordinance and/or a summary of its regulatory effect and its effective date shall be published within fifteen (15) days from the date of its passage as required by law.

Subject to said publication having occurred as above provided, this ordinance shall become effective fifteen (15) days from the date of its passage.

Passed at a regular meeting of the Council of the City of Hillsdale held on the ___ day of _____, 2014.

CITY OF HILLSDALE

By _____
Scott Sessions – Mayor

By: _____
Michelle Loren – Deputy Clerk

Date Proposed: 6/16/2014
Date Published as Proposed: 6/19/2014
Date Passed: _____
Date Published as Passed: _____
Effective Date: _____

ORDINANCE #2014-005

AN ORDINANCE TO AMEND SECTIONS 36-211 THROUGH AND INCLUDING 36-213, OF ARTICLE III, DIVISION 4 OF CHAPTER 36 OF THE CODE OF THE CITY OF HILLSDALE

THE CITY OF HILLSDALE ORDAINS THAT:

Sections 36-211 through and including 36-213 of Article III, Division 4 of Chapter 36 of the Code of the City of Hillsdale should be and are hereby amended to read as follows:

Division 4. RM-1 Multiple-Family Residential District

Sec. 36-211. Generally.

The RM-1 multiple-family residential district is designed to provide sites for multi-family and multiple-tenant dwelling structures, and related uses, which will generally serve as zones of transition between the nonresidential districts and the one-family and two-family residential districts. The multiple-family residential district is further provided to serve the limited needs for the apartment and multiple-tenant types of units in an otherwise low density, residential community, whether occupied permanently or on a transitory or seasonal basis, or for a limited duration, such as, by way of example, a school term, participation in or attendance at a seminar, or other similar determinable period.

Sec. 36-212. Principal uses permitted.

In an RM-1 multiple-family residential district, no building or land shall be used and no buildings shall be erected except for one or more of the following specified uses, unless otherwise provided in this chapter:

- (1) All principal uses permitted in the one-family and two-family residential districts with the lot areas, yards, and floor area requirements equal to at least the requirements of the one-family and two-family residential district;
- (2) Multiple-family dwellings, where public sewer and water are available;
- (3) Accessory building and uses customarily incident to any of the above permitted uses.

Sec. 36-213. Uses subject to special conditions.

The following uses shall be permitted in the RM-1 multiple-family residential districts after review and approval of the site plan by the planning commission or zoning administrator, whichever is indicated, subject to the conditions imposed in this section for each use:

- (1) Nursery schools, day nurseries and child care centers (not including dormitories); provided, that for each child so cared for, there is provided and maintained a minimum of

100 square feet of outdoor play area. Such play space shall have a total minimum area of at least 1,000 square feet, and shall be fenced or screened from any adjoining land with planting. Any use permitted herein shall not be permitted in the interior of any residential block.

(2) General hospitals, except those for criminals and those solely for the treatment of persons who are mentally ill or have contagious diseases, when the following conditions are met:

- a. The proposed site shall have at least one property line abutting a street having a right-of-way of at least 66 feet in width.
- b. The minimum required distance of any main or accessory building from building lot lines or streets, whichever is closer, shall be at least 40 feet for front, the maximum height allowed at the 40-foot setback shall be 60 feet; the minimum required distance of any main or accessory building from building lot lines or streets, whichever is closer, may be reduced to 25 feet for front, rear and side yards but only if:
 - (i) Parking is not permitted in any front, rear or side yard;
 - (ii) The front, rear and side yards shall remain as a greenbelt and be landscaped to create an appropriate buffer;
 - (iii) Building façade elevations are submitted to and approved by the planning commission; and
 - (iv) No main or accessory structure may exceed 50 feet in height.
- c. Ambulance and delivery areas shall be obscured from all residential view with an obscuring wall or fence six feet in height. Ingress and egress to and from the site shall be from and to a street having a right-of-way of at least 66 feet in width.
- d. All ingress and egress to the off-street parking area for guests, employees and staff as well as any other users of the facilities shall be directly from and to a street having a right-of-way of at least 66 feet in width.
- e. All off-street nonresidential parking shall comply with the provisions of section 36-148 and article VIII.

(3) Convalescent homes not to exceed a height of two stories when the following conditions are met: The site shall be so developed as to create a land-to-building ratio on the lot or parcel whereby for each one bed in the convalescent home there shall be provided not less than 1,500 square feet of open space. The 1,500 square feet of land area per bed shall provide for landscape setting, off-street parking service drives, loading space, yard requirements, employee facilities, and any space required for accessory uses. The 1,500 square foot requirement is over and above the building coverage area.

(4) Housing for the elderly, not to exceed a height of two stories, when the following conditions are met:

- a. A planned development consisting of at least five acres with cottage dwellings, and/or apartment-type dwelling units and common services containing but not limited to central dining rooms, recreational rooms, central lounge and workshop;
- b. All dwellings shall consist of at least 350 square feet per unit;

- c. The maximum extent of development shall not exceed 15 dwelling units per acre and total coverage shall not exceed 25 percent for all buildings, including dwelling units and related service buildings.
- (5) Offices for any of the following occupations: executive, administrative and professional occupations when the following conditions are met:
 - a. The proposed site shall have at least one property line abutting a street having a right-of-way of at least 66 feet in width.
 - b. Off-street parking shall be provided for patients, clients, employees and staff in accordance with the requirements of [section 36-600\(d\)](#).
 - c. All ingress and egress to and from off-street parking areas required in this section as well as to the site for any other purpose shall be directly from and to a street having a right-of-way of at least 66 feet in width.
 - d. Front, side and rear setback requirements for new construction shall be in accordance with those requirements established there for RM-1, multiple-family residential districts in [division 13](#) of this article.
- (6) Bed and breakfast operations, subject to the following conditions:
 - a. The bed and breakfast operation shall be conducted entirely within the main dwelling unit on the premises, which dwelling unit shall contain a minimum of 3,000 square feet and be located on a lot of not less than 20,000 square feet in area. The dwelling unit shall not be altered so as to increase the space available for the bed and breakfast operation.
 - b. A bathroom shall be provided on each floor where bed and breakfast sleeping rooms are provided and there shall be one bathroom for every four bed and breakfast sleeping rooms.
 - c. There shall be provided a minimum of one (1) parking space plus one for each bed and breakfast room.
 - d. There may be one unanimated, non-illuminated identification sign attached to the dwelling unit of not more than two square feet in size.
 - e. During such times as the bed and breakfast operation is being conducted, the premises shall not be used for any other permitted use or use subject to special conditions, other than as a single-family dwelling unit. The facilities provided on the premises shall be exclusively for the use of bed and breakfast guests and residents of the dwelling unit.
- (7) Accessory buildings and uses customarily incident to any of the above uses.
- (8) Family day care home, as defined in [section 36-6](#), the in-home care of minor children subject to the following conditions:
 - a. No dormitory facilities shall be provided or permitted.
 - b. A designated outdoor play area shall be required which complies with state licensing rules. The outdoor play area must be located in the rear yard, as defined in [section 36-6](#)
 - c. Absolutely no signs, as defined in [section 26-2](#), shall be allowed except to the extent they are otherwise specifically allowed in this residential district.

- d. No family day care home may commence operations until and unless the zoning administrator first approves of occupancy, which approval shall be subject to the applicant providing him or her proof of compliance with all of the following:
 - e. Registration of said operation with the city as a family day care home;
 - f. Licensure by the state for the operation of a family day care home;
 - g. Submission to and compliance with other requirements and restrictions established in this division and other applicable inspections required under the property maintenance code adopted by the city;
 - h. Compliance with all other requirements and restrictions established in this division and other applicable provisions of this chapter.
- (9) Group day care home, as defined in section 36-6, the in-home care of seven to 12 minor children subject to the following conditions and restrictions:
 - a. No dormitory facilities shall be provided or permitted.
 - b. A designated outdoor play area shall be required which complies with state licensing rules. The outdoor play area must be located in the rear yard, as defined in section 36-6, and be enclosed by a fence a minimum of three feet in height.
 - c. Absolutely no signs, as defined in section 26-2, shall be allowed except to the extent they are otherwise specifically allowed in this residential district.
 - d. No group day care home may commence operations until and unless the zoning administrator first approves of occupancy, which approval shall be subject to the applicant providing him or her proof of compliance with all of the following:
 - (i) Registration of said operation with the city as a group day care home;
 - (ii) Licensure by the state for the operation of a group day care home;

Except as specifically amended above all provisions contained in Article III, Division 4 of Chapter 36 of the Code of the City of Hillsdale are hereby ratified and declared to be and remain in full force and effect.

This ordinance and/or a summary of its regulatory effect and its effective date shall be published within fifteen (15) days from the date of its passage as required by law.

Subject to said publication having occurred as above provided, this ordinance shall become effective fifteen (15) days from the date of its passage.

Passed at a regular meeting of the Council of the City of Hillsdale held on the ___ day of _____, 2014.

CITY OF HILLSDALE

By _____
Scott Sessions – Mayor

By: _____
Michelle Loren – Deputy Clerk

Date Proposed: 6/16/2014
Date Published as Proposed: 6/19/2014
Date Passed: _____
Date Published as Passed: _____
Effective Date: _____

ORDINANCE #2014-006

AN ORDINANCE TO AMEND SECTION 36-411 OF ARTICLE III, DIVISION 16 OF CHAPTER 36 OF THE CODE OF THE CITY OF HILLSDALE

THE CITY OF HILLSDALE ORDAINS THAT:

Section 36-411 of Article III, Division 16 of Chapter 36 of the Code of the City of Hillsdale should be and is hereby amended to read as follows:

Sec. 36-411. Limitations on height, bulk, density and area by land use.

Districts	Minimum Size Lot Per Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet)			Minimum Floor Area Per Unit (Square Feet)	Maximum Percentage of Lot Area Covered by All Buildings
	Area in Square Feet	Width in Feet	In Stories	In Feet	Front	Each Side	Rear		
R-1 One-Family Residential	(a) 8,400	(a) 70	2½	<u>25</u>	<u>25</u>	(b) 8	<u>35</u>	1,000	30%
R-2 One-Family Residential	(a) 9,600	(a) 80	2½	<u>25</u>	<u>25</u>	(b) 8	<u>35</u>	1,100	30%
R-3 One-Family Residential	15,000	100	2½	<u>25</u>	30	(b) 10	<u>35</u>	1,300	30%
RD-1 One-Family Residential	(a) 6,500	(a) 60	2½	<u>25</u>	<u>25</u>	(b) 8	<u>35</u>	1,000	30%
RD-1 Two-Family Residential	(a) 8,400	(a) 70	2½	<u>25</u>	<u>25</u>	(b) 8	<u>35</u>	1,000	35%

RM-1 Multiple-Family Residential	(c)	—	2½	30	25	8	35	1,000	35%
					(d)	(d)	(d)	(e)	(c)

Notes:

- (a) In those instances where public sewers are not provided, all lot areas per dwelling unit shall equal at least 12,000 square feet. See sections 36-402 and 36-403 regarding exceptions as to lot area and density controls.
- (b) The side yard abutting upon a street shall not be less than ten feet when there is a common rear relationship in the block and a common side yard relationship with the block directly across the common separating street. In the case of a rear yard abutting a side yard of an adjacent lot, or when the side yard abuts on frontages across a common street, the side yard abutting a street shall not be less than the required front yard of the district.
- (c) In an RM-1 multiple-family residential district, the total number of rooms of 80 square feet or more, not including kitchen and sanitary facilities, in buildings consisting of more than four (4) dwelling units shall not be more than the area of the parcel in square feet divided by 900. All units shall have at least one living room and one bedroom, except that ten percent of units may be of an efficiency apartment type. For the purpose of computing the permitted number of dwelling units per acre, the following room assignments shall control:

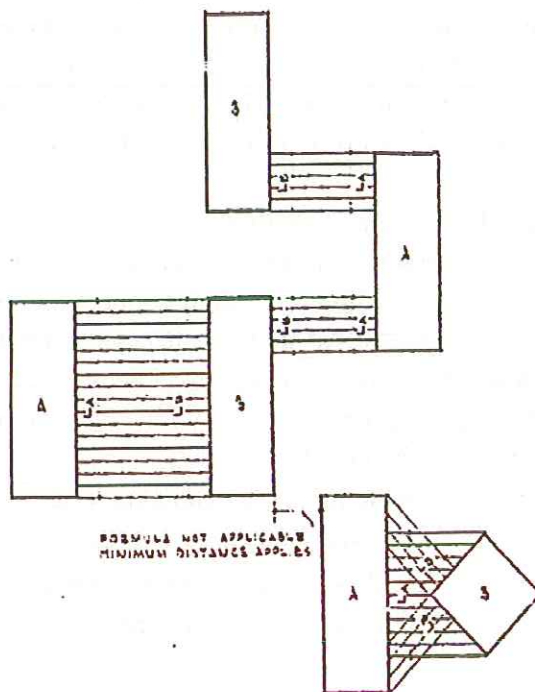
One Bedroom	= 2 rooms	Plans presented showing 1, 2, or 3 bedroom units and including a den, library, or other extra room shall count such extra room as a bedroom for the purpose of computing density.
Two Bedroom	= 3 rooms	
Three Bedroom	= 4 rooms	
Four Bedroom	= 5 rooms	

The area used for computing density shall be the total site area exclusive of any dedicated public right-of-way of either interior or bounding roads.

- (d) Every lot on which a main building consisting of more than four (4) dwelling units is erected shall be provided with a 40-foot setback on each exterior side of such lot. Each setback shall be increased by one foot for each ten feet or part thereof by

which the length of the structure exceeds 40 feet in overall dimension along the adjoining lot line.

In all RM-1 multiple-family residential districts, the minimum distance between any two buildings shall be regulated according to the length and height of such buildings, and in no instance shall this distance be less than 30 feet. All exterior yards shall be equal to at least 40 feet. Parking shall not cover more than 30 percent of the area of any required yard, or any minimum distance between buildings. The formula regulating the required minimum distance between two buildings in all RM-1 districts is as follows:



$$\text{MIN. DISTANCE BETWEEN BUILDINGS} = \frac{L_A + L_B + 2(H_A - H_B)}{6}$$

above, lines drawn perpendicular to building B will intersect any wall of building A. H_A = Height of building A.

The height of building A at any given level is the height above natural grade level of any portion or portions of a wall or walls along the length of building A. Natural grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building. H_B = Height of building B.

The height of building B at any given level is the height above natural grade level of any portion or portions of a wall or walls along the length of building B. Natural

Distance Spacing for Multiple Dwellings

$$S = [L_A + L_B + 2(H_A + H_B)]/6 >$$

where

S = Required minimum horizontal distance between any wall of building A and any wall of building B or the vertical prolongation of either.

L_A = Total length of building A.

The total length of building A is the length of that portion or portions of a wall or walls of building A from which, viewed directly from above, lines drawn perpendicular to building A will intersect any wall of building B. L_B = Total length of building B.

The total length of building B is the length of that portion or portions of a wall or walls of building B from which, when viewed directly from

grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.

- (c) See definitions under section 36-6. All row houses, terraces and other such multiple-type structures shall comply with the floor area requirements under apartments.
- (f) No side yards are required along the interior side lot lines, except as otherwise specified in the single state construction code. On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than ten feet on the side or residential street. If walls of structures facing such interior side lot lines contain windows or other openings, side yards of not less than ten feet shall be provided.
- (g) Loading space shall be provided in the rear yard in the ratio of at least ten square feet per front foot of building and shall be computed separately from the off-street parking requirements. Where an alley exists or is provided at the rear of buildings, the rear building setback and loading requirements may be computed from the center of the alley.
- (h) The maximum percentage of coverage shall be determined by the use and the provisions of required off-street parking, loading and unloading, and required yards.
- (i) Parking shall be permitted in the front yard after approval of the parking plan layout and points of access by the planning commission. The setback shall be measured from the nearest side of existing and/or proposed right-of-way lines, whichever is greater.
- (j) There shall be no specific height limitation in a B-2 district; provided, however, that prior to the issuance of a building permit for any structure over 35 feet in height, the board of appeals shall make a finding that such excessive height will not be detrimental to the light, air, or privacy of any structure or use currently existing or approved for construction. In approving a height in excess of 35 feet, the board of appeals shall follow the standards set forth below in floor area ratio:
 - (1) All enlargements or new construction shall be undertaken with respect to the established building line.
 - (2) In the B-2 district, the maximum floor area for a building shall not exceed a floor area to lot area ratio of 2:1.
 - (3) For each square foot of plaza provided on a lot, the total floor area may be increased by three square feet. The plaza area referred to shall be an open area along a street, no less than five feet deep.
- (k) No building shall be closer than 50 feet to the outer perimeter (property line) of such district when the property line abuts any residential district.
- (l) Side yards abutting upon a street and across from other I districts shall be provided with a setback of at least 20 feet.
- (m) Planned developments involving five acres or more under one ownership shall be subject to the approval of the board of appeals, after public hearing, regarding modifications with respect to height regulations. In approving an increase in

structure height, the board of appeals shall require that all yards shall at least equal in their depth the height of the structure.

- (n) A four-foot-six-inch obscuring wall or fence shall be provided on those sides of the property abutting land zoned for residential use.
- (o) Parking shall be permitted on the side yard after approval of the parking plan layout and points of access by the planning commission.
- (p) All storage shall be in the rear yard and shall be completely screened with an obscuring wall or fence not less than six feet high, or with a chain-link type fence and a greenbelt planting so as to obscure all view from any adjacent district or public street.

Except as specifically amended above all provisions contained in Article III, Division 16 of Chapter 36 of the Code of the City of Hillsdale are hereby ratified and declared to be and remain in full force and effect.

This ordinance and/or a summary of its regulatory effect and its effective date shall be published within fifteen (15) days from the date of its passage as required by law.

Subject to said publication having occurred as above provided, this ordinance shall become effective fifteen (15) days from the date of its passage.

Passed at a regular meeting of the Council of the City of Hillsdale held on the ___ day of _____, 2014.

CITY OF HILLSDALE

By _____
Scott Sessions – Mayor

By: _____
Michelle Loren – Deputy Clerk

Date Proposed: 6/16/2014
Date Published as Proposed: 6/19/2014
Date Passed: _____
Date Published as Passed: _____
Effective Date: _____

ORDINANCE #2014- 007

AN ORDINANCE TO AMEND SECTIONS 36-272 AND 36-273 OF ARTICLE III, DIVISION 7 OF CHAPTER 36 OF THE CODE OF THE CITY OF HILLSDALE

THE CITY OF HILLSDALE ORDAINS THAT:

Sections 36-272 and 36-273 of Article III, Division 7 of Chapter 36 of the Code of the City of Hillsdale should be and is hereby amended to read as follows:

Sec. 36-272. Principal uses permitted.

In a B-2 central business district, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided in this chapter:

- (1) Any generally recognized retail business which supplies commodities on the premises within a completely enclosed building, such as but not limited to foods, liquor, furniture, clothing, dry goods, notions, drugs, or hardware.
- (2) Any personal service establishment which performs services on the premises within a completely enclosed building, such as but not limited to repair shops (watch, radio, television, shoe, etc.), tailor shops, beauty parlors, barber shops, interior decorators, photographers and dry cleaners.
- (3) Restaurants and taverns including outdoor seating, but excluding drive-through restaurants and taverns.
- (4) Offices and office buildings of an executive, administrative, or professional nature.
- (5) Banks, with drive-in facilities permitted when the drive-in facilities are incidental to the principal function.
- (6) Theaters when completely enclosed.
- (7) Offices and showrooms of plumbers, electricians, decorators or similar trades, in connection with which not more than 25 percent of the floor area of the building or part of the building occupied by the establishment is used for making, assembling, remodeling, repairing, altering, finishing, or refinishing its products or merchandise; and provided that the ground floor premises facing upon and visible from any abutting street shall be used only for entrances, offices, or display. All storage of materials on any land shall be within the confines of the building or part thereof occupied by the establishment.
- (8) Nursery schools, day nurseries, child care centers, business schools and private schools operated for profit. Examples of private schools permitted herein include but are not limited to the following: dance schools, music and voice schools, and art studios.
- (9) Newspaper offices and printing plants.
- (10) Warehouse and storage facilities when incidental to and physically connected with any principal use permitted; provided, that such facility be within the confines of the building or part thereof occupied by the establishment.
- (11) Other uses which are similar to the above and subject to the following restrictions:

- a. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail from premises where produced.
- b. All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings.
- c. Outdoor storage of commodities shall be expressly prohibited;

(12) Accessory structures customarily incidental to the above permitted uses.

Sec. 36-273. Uses subject to special conditions.

The following uses shall also be permitted in the B-2 central business district subject to the conditions provided in this section for each use, and subject further to the review and approval of the planning commission or zoning administrator, whichever is indicated.

- (1) Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations, and substations, gas regulator stations with service yards, but without storage yards, water and sewage pumping stations.
- (2) Dwelling units subject to the following requirements:
 - a. Each singular dwelling unit shall be a minimum of 800 square feet in area and shall contain space for not less than one bedroom and one living room. If two or more units are within the same building a minimum of 750 square feet in area shall be allowed provided an additional 100 square feet is available as common area. Each unit shall contain space for not less than one bedroom and one living room.
 - b. A minimum of one parking space shall be provided for each dwelling unit. Parking shall be provided on site, or within a 300-foot radius of the building it is intended to serve, measured from the nearest point of the building with the nearest point of the off-street parking lot.
 - c. Dwelling units and accessory buildings related to residential uses shall not be permitted on the ground floor or in the basement area.
- (3) Churches and facilities normally incidental thereto provided that:
 - a. The site shall contain a minimum of 22,000 square feet.
 - b. The site shall have at least one property line abutting a street having a right-of-way of at least 66 feet in width.
 - c. That such use will not conflict with the orderly development and utilization of the surrounding commercial area.
 - d. Such churches and facilities shall be further subject to the provisions of sections 36-2 and 36-3, division 13 of this article, and articles IV through XI of this chapter.
- (4) Child care facility, as defined in section 36-6, for the care of one or more minor children in other than a private home, subject to the following conditions and restrictions:
 - a. All conditions and restrictions as are applicable to a group day care home pursuant to section 36-234(4).
 - b. A designated outdoor play area shall be required which complies with state licensing rules. The outdoor play area must be located in the rear yard, as defined in section 36-6, and be enclosed by a fence at least 4½ feet in height.

- c. Signs, as defined in section 26-2, shall be allowed in accordance with the regulations applicable to zone district in which the property is located.
- (5) Bed and breakfast operations, subject to the following conditions:
- a. The bed and breakfast operation shall be conducted entirely within the main dwelling unit on the premises.
 - b. A bed and breakfast operation shall consist of and provide not less than three bed and breakfast sleeping rooms each of which shall comply with the applicable provisions of the International Property Maintenance Code.
 - c. A bathroom, consisting of a fully functioning water closet, lavatory, bathtub and/or shower facilities, shall be provided on each floor where bed and breakfast sleeping rooms are established in not less than the following ratio: at least one bathroom for every four bed and breakfast sleeping rooms.
 - d. A minimum of two overnight parking spaces for residents of the dwelling unit and one additional parking space shall be provided for the occupants of each bed and breakfast sleeping room. Parking shall be provided within a 300-foot radius of the building it is intended to serve, measured from the nearest point of the building with the nearest point of the off-street parking lot.
 - e. During such times as any bed and breakfast sleeping room is reserved or occupied in conjunction with the bed and breakfast operation, no part of the premises shall be utilized for a use or purpose other than as a single-family dwelling unit.
- (6) Hotel, subject to the following:
- a. Provided that it can be demonstrated that ingress and egress do not conflict with adjacent business uses.
 - b. A four-foot-six-inch obscuring wall or fence must be provided where abutting or adjacent districts are zoned for residential use.
 - c. No room kitchen or cooking facilities are to be provided, with the exception of units for the use of the manager or caretaker.
 - d. Each unit shall contain not less than 250 square feet of floor area.

Except as specifically amended above all provisions contained in Article III, Division 7 of the Code of the City of Hillsdale are hereby ratified and declared to be and remain in full force and effect.

This ordinance and/or a summary of its regulatory effect and its effective date shall be published within fifteen (15) days from the date of its passage as required by law.

Subject to said publication having occurred as above provided, this ordinance shall become effective fifteen (15) days from the date of its passage.

Passed at a regular meeting of the Council of the City of Hillsdale held on the ____ day of _____, 2014.

CITY OF HILLSDALE

By _____
Scott Sessions – Mayor

By: _____
Michelle Loren – Deputy Clerk

Date Proposed: 6/16/2014
Date Published as Proposed: 6/19/2014
Date Passed: _____
Date Published as Passed: _____
Effective Date: _____

4-4 VOTE
Motion
FAIES

ORDINANCE #2014- 00

AN ORDINANCE TO AMEND SECTION 36-403 OF ARTICLE III, DIVISION 15 OF CHAPTER 36 OF THE CODE OF THE CITY OF HILLSDALE

THE CITY OF HILLSDALE ORDAINS THAT:

Section 36-403 of Article III, Division 15 of Chapter 36 of the Code of the City of Hillsdale should be and is hereby amended to read as follows:

Sec. 36-403. Intent.

The college district is intended to be reserved for those uses associated with the operation of colleges or universities. The buildings are typically large and not necessarily similar to other districts or uses. They shall include any dormitory and multi-tenant housing for students and other individuals whose occupancy is on a transitory or seasonal basis, or for a limited duration, such as, by way of example, a school term, participation in or attendance at a seminar, or other similar determinable period. Grouping of these unique structures and college related uses will provide for a more harmonious, efficient and convenient educational center.

Sec. 36-404. Principal permitted uses.

In a college district, no building or land shall be used and no building shall be erected except for one or more of the following specified uses:

- (1) All uses permitted and uses permitted subject to special conditions in a RM-1, multiple-family residential district, and meeting the requirements as set forth in said district with the exception of hospitals which shall be expressly prohibited from this district.
- (2) All college facilities such as but not limited to; classroom/laboratory/research facilities, administration facilities, college health centers, sports facilities, including fields and courts, auditoriums, libraries, museums, cafeterias, agricultural facilities, parking lots and garages, maintenance facilities.
- (3) Studios for professional work or teaching of fine arts, interior decorating, photography, music, drama or dancing.
- (4) The establishment and operation of fraternities and sororities.
- (5) Accessory uses customarily incidental to any of the above permitted uses and located on campus such as services for employees and other persons normally associated with permitted uses.

College
obj
sets
→ *

It is the further intent of this zoning district to preserve the unique character and quality of the physical environment in this area of the city. The area is characterized by the presence of many large and architecturally distinctive houses set on relatively large lots. Many sites housing such structures are characterized by large front yard setbacks, mature and harmonious tree growth, and a uniformity in architectural characteristics such as scale and use of materials. Any alteration to existing structures and/or construction of new facilities should harmoniously reflect the overlying character of the surrounding environs.

Except as specifically amended above all provisions contained in Article III, Division 15 of the Code of the City of Hillsdale are hereby ratified and declared to be and remain in full force and effect.

This ordinance and/or a summary of its regulatory effect and its effective date shall be published within fifteen (15) days from the date of its passage as required by law.

Subject to said publication having occurred as above provided, this ordinance shall become effective fifteen (15) days from the date of its passage.

Passed at a regular meeting of the Council of the City of Hillsdale held on the ___ day of _____, 2014.

CITY OF HILLSDALE

By _____
Scott Sessions – Mayor

By: _____
Michelle Loren – Deputy Clerk

Date Proposed: 6/16/2014
Date Published as Proposed: 6/19/2014
Date Passed: _____
Date Published as Passed: _____
Effective Date: _____

STATE OF MICHIGAN
COURT OF APPEALS

AGRIS PAVLOVSKIS,

Plaintiff-Appellant,

v

CITY OF EAST LANSING and EAST LANSING
CITY CLERK,

Defendants-Appellees.

UNPUBLISHED

December 20, 2007

No. 275236

Ingham Circuit Court

LC No. 05-000523-NZ

Before: Donofrio, P.J., and Sawyer and Cavanagh, JJ.

PER CURIAM.

Plaintiff appeals as of right the trial court's order granting summary disposition pursuant to MCR 2.116(C)(10) in favor of defendants. This dispute involves the City and Village Zoning Act (CVZA), MCL 125.581 *et seq.*,¹ and provisions of the City of East Lansing Charter and Code of Ordinances. Because Ordinance 1035C vests ultimate authority with the municipal legislative body to enact proposed zoning amendments, plaintiff's argument that Ordinance 1097 is void fails, and, because Ordinance 1035C advances reasonable government interests and Ordinance 1097 is neither arbitrary nor capricious, nor invalid spot zoning, we affirm.

I

Plaintiff owns certain residential real property located in the Central Bailey-Strathmore Neighborhood (Bailey-Strathmore) of the City of East Lansing. It was originally zoned R-2, Medium Density Single-Family Residential, which permits the principal use of single-family dwellings, along with the rental of such dwellings. See East Lansing Zoning Ordinance, §§ 50-6, 50-262(1), (3); East Lansing Ordinance, §§ 6-175, ES-1000.1 *et seq.* In 2004, East Lansing adopted Substitute Ordinance 1035C, which amended the city's zoning ordinance to create three "Residential Rental Overlay Districts," designated R-O-1, R-O-2, and R-O-3. East Lansing Zoning Ordinance, § 50-772. These districts allow the residents of certain residential districts to

¹ The Michigan Zoning Enabling Act, MCL 125.3101 *et seq* replaced the CVZA which was repealed by 2006 PA 110. See MCL 125.3702.

preclude “all or certain types of rental properties” within the boundaries created by the overlay. East Lansing Zoning Ordinance, § 50-773. Ordinance 1035C includes a citizen-initiated mechanism for proposing the adoption of these overlay districts, though the ultimate adoption of the overlay is within the discretion of the East Lansing City Council. East Lansing Zoning Ordinance, § 50-775.

Following the adoption of Ordinance 1035C, residents of Bailey-Strathmore circulated petitions for the adoption of an overlay district in that neighborhood. The petition was verified and a proposed ordinance, Ordinance 1097, was drafted in conformity therewith. Following various proceedings, the city council ultimately adopted Ordinance 1097. East Lansing Zoning Ordinance, § 50-777(7). Plaintiff filed the instant action seeking a declaratory judgment that Ordinance 1035C and Ordinance 1097 are invalid. The court granted summary disposition to defendants and plaintiff now appeals as of right.

II

We review summary disposition rulings de novo. *McClements v Ford Motor Co*, 473 Mich 373, 380; 702 NW2d 166 (2005). A motion under MCR 2.116(C)(10) entitles the movant to summary disposition where no genuine issue of material fact remains. *Miller v Purcell*, 246 Mich App 244, 246; 631 NW2d 760 (2001). We consider the evidence submitted by the parties in the light most favorable to the non-moving party. *Nastal v Henderson & Assoc*, 471 Mich 712, 721; 691 NW2d 1 (2005).

III

Plaintiff first argues that Ordinance 1097 is invalid by virtue of defendants’ failure to comply with the procedures prescribed in Ordinance 1035C for the promulgation of such ordinances. The CVZA prescribed various procedures that needed to be followed when a municipality enacted a zoning ordinance. See MCL 125.584. Where those procedures were not adhered to, the enactment was deemed invalid. *Korash v Livonia*, 388 Mich 737, 746; 202 NW2d 803 (1972). But, the CVZA also specifically provided that “[t]he legislative body of a city or village may provide by ordinance for the manner in which regulations and boundaries of districts or zones shall be determined and enforced or amended, supplemented or changed.” MCL 125.584(1).

While Ordinance 1035C allows citizens to petition the East Lansing City Council for adoption of a zoning amendment, East Lansing Zoning Ordinance, § 50-775, the council has discretion to take any action it deems appropriate on the submission of such a petition, East Lansing Zoning Ordinance, § 50-775(2)(a), (e). Further, the city council has authority to initiate zoning measures absent a citizen’s petition. East Lansing Zoning Ordinance, § 50-31(a) (“The city council may of its own motion . . . prepare an ordinance amending or changing the district boundaries or the regulations herein established.”). Thus, plaintiff’s argument that Ordinance 1097 is void because it was enacted in violation of the procedures prescribed in Ordinance 1035C fails because Ordinance 1035C vests ultimate authority to enact a proposed zoning amendment with the municipal legislative authority. East Lansing Zoning Ordinance, § 50-775(2)(e); see *Penning v Owens*, 340 Mich 355, 360; 65 NW2d 831 (1954). Also, the East Lansing City Council plainly enjoys the authority to independently propose and enact zoning

ordinances. East Lansing Zoning Ordinance, § 50-31(a); see *Penning, supra* at 362. Accordingly, we assume that the East Lansing City Council “proposed and recommended the adoption of [Ordinance 1097] upon its own initiative.” *Penning, supra* at 360. By virtue of the council’s independent action enacting Ordinance 1097--which plaintiff does not dispute fully complied with the CVZA--it is unnecessary for us to address plaintiff’s argument that the procedures underlying the enactment of Ordinance 1097 did not conform to Ordinance 1035C.

IV

Plaintiff also argues that both Ordinance 1035C and Ordinance 1097 fail to advance reasonable governmental interests. We review constitutional challenges to zoning ordinances de novo. *Jott, Inc v Clinton Charter Twp*, 224 Mich App 513, 525-526; 569 NW2d 513 (1997). Zoning ordinances are presumed valid and the challenging party has the burden of proving otherwise. *Frericks v Highland Twp*, 228 Mich App 575, 594; 579 NW2d 441 (1998).

An individual may “challenge the validity” of a “zoning ordinance as a violation of his or her right to substantive due process.” *Dorman v Clinton Twp*, 269 Mich App 638, 650; 714 NW2d 350 (2006). Such a challenge may be made “by showing ‘(1) that there is no reasonable governmental interest being advanced by the present zoning classification or (2) that an ordinance is unreasonable because of the purely arbitrary, capricious, and unfounded exclusion of other types of legitimate land use from the area in question.’” *Id.*, quoting *Frericks, supra* at 594. A zoning ordinance will not survive a substantive due process challenge where “it does not advance a reasonable governmental interest or because it does so unreasonably.” *Landon Holdings, Inc v Grattan Twp*, 257 Mich App 154, 174; 667 NW2d 93 (2003).

Ordinance 1035C creates residential rental overlay districts designed

to preserve the attractiveness, desirability, and privacy of residential neighborhoods by precluding all or certain types of rental properties and thereby preclude the deleterious effects rental properties can have on a neighborhood with regard to property deterioration, increased density, congestion, noise and traffic levels and reduction of property values. The goal of the overlay district is to allow owners of property within residential neighborhoods to control the types of rental properties, if any, that are permitted in one-family dwellings within their neighborhood. It is also the purpose of the districts to achieve the following objectives:

(1) To protect the privacy of residents and to minimize noise, congestion, and nuisance impacts by regulating the types of rental properties;

(2) To maintain an attractive community appearance and to provide a desirable living environment for residents by preserving the owner occupied character of the neighborhood;

(3) To prevent excessive traffic and parking problems in the neighborhoods. [East Lansing Zoning Ordinance, § 50-773.]

The goal of “preserving the residential nature of a neighborhood” is a legitimate interest “that may be advanced by a zoning regulation.” *Dorman, supra* at 651-652. Permissible governmental action of this type includes limiting the character of a neighborhood to owner-occupied dwellings to avoid the “deleterious effects rental properties can have” on neighborhoods located within a college community. See East Lansing Zoning Ordinance, § 50-773. This Court has recognized that

there are legitimate governmental interests underlying the creation of single-family zones. Furthermore, the family, while undergoing dramatic changes in the last half-century, remains a fundamental building block of society. This is true whether we speak of the traditional family or the modern concept of a functional family. . . .

. . . To say that a family is so equivalent to a ragtag collection of college roommates as to require identical treatment in zoning decisions defies the reality of the place of the family in American society, despite any changes that institution has undergone in recent years. Only the most cynical among us would say that the American family has devolved to the point of no greater importance or consideration in governmental decision making than a group of college roommates. [*Stegeman v Ann Arbor*, 213 Mich App 487, 492; 540 NW2d 724 (1995).]

The record shows that single-family residences could be rented in the R-2 district prior to the enactment of Ordinance 1035C. East Lansing Zoning Ordinance, § 50-6; East Lansing Zoning Ordinance, § 50-262(3)(d); East Lansing Ordinance, §§ 6-175, ES-1001.1 through ES-1001.2. Ordinance 1035C allows residents to limit or preclude such rentals within specified districts. East Lansing Zoning Ordinance, §§ 50-772 through 50-777. Zoning to preserve the residential character of a neighborhood by limiting the number of transient college students who can live in single-family dwelling housing has been recognized as a legitimate and reasonable governmental interest. *Stegeman, supra* at 492. Accordingly, Ordinance 1035C survives plaintiff’s substantive due process challenge. *Dorman, supra* at 650.

Plaintiff nevertheless claims that Ordinance 1035C is superfluous, and thus unreasonable, because other East Lansing Ordinances proscribe the very conduct Ordinance 1035C was designed to address. Plaintiff’s argument misconstrues the nature of Ordinance 1035C. East Lansing enacted general conduct restrictions on parking, noise, rental property maintenance, and disturbances prior to the enactment of Ordinance 1035C. See East Lansing Ordinance, § 6-175, 100.1 (property maintenance code constitutes the “minimum standards” for structures and premises); East Lansing Ordinance, §§ 26-51 *et seq.* (proscribing disorderly conduct), 26-81 *et seq.* (noise), 26-141 *et seq.* (“nuisance parties”); East Lansing Ordinance, §§ 44-294, 298, 300, 303 (conduct relating to vehicular parking). Assuming, but not concluding that Ordinance 1035C serves only these interests, it is nevertheless an alternative designed to service them. Though the state may regulate conduct and behavior, individuals will and do disregard regulations. It is entirely reasonable for East Lansing to conclude that its ordinances regulating noise, traffic levels, and property maintenance will often be disregarded, requiring the

application of the coercive power of the state. Ordinance 1035C attempts to avoid the need to apply coercive power while still meeting the goals outlined by treating a reasonably presumed major cause, college rental housing, of the expected violations.

Plaintiff's argument also necessarily implies that government may punish behavior, but may not seek to preclude it. Michigan jurisprudence plainly belies plaintiff's assertion. See *Delta Charter Twp v Dinolfo*, 419 Mich 253, 277; 351 NW2d 831 (1984); *Stegeman, supra* at 492.

Plaintiff also argues that Ordinance 1097 is unreasonable because it was not enacted pursuant to a master plan, but was enacted arbitrarily. MCL 125.581(2) directed that "[t]he land development regulations and districts authorized by this act shall be made in accordance with a plan designed to promote and accomplish the objectives of this act." The "plan" referenced in this section is a municipality's "master plan" created under the Municipal Planning Act, MCL 125.31 *et seq.* See *Nolan Bros of Texas, Inc v Royal Oak*, 219 Mich App 611, 614; 557 NW2d 925 (1996). "[T]he adoption of a master plan is tantamount to a legislative act." *Inverness Mobile Home Community, Ltd v Bedford Twp*, 263 Mich App 241, 249; 687 NW2d 869 (2004). The reasonableness of zoning classifications must be evaluated in light of a city's master plan. *Id.*

After reviewing the East Lansing comprehensive plan, we reject plaintiff's argument that Ordinance 1097 was not enacted in accordance with that plan. East Lansing has adopted a comprehensive plan dividing the totality of its jurisdiction into eight "planning" areas. East Lansing Comprehensive Plan, Planning Areas 1-8, pp 9-110. Bailey-Strathmore is overwhelmingly located within Planning Area 5. See East Lansing Comprehensive Plan, Planning Areas 3, 5, pp 32, 56. According to the comprehensive plan, the rate of owner-occupancy of single-family dwellings in Planning Area 5 has declined with the advent of student housing. East Lansing Comprehensive Plan, Planning Area 5, pp 57-58. In an effort to reverse this trend, the plan recommends that "[c]reative ways" be implemented to increase the presence of "owner-occupied single-family homes" in the area, and that existing policies doing so "be supported." East Lansing Comprehensive Plan, Planning Area 5, p 65.

Ordinance 1097 created a R-O-1 district in Bailey-Strathmore, thereby limiting the rental of single-family dwellings in that district. East Lansing Zoning Ordinance, § 50-777(7). It thus achieves precisely the result sought by the master plan by limiting the capacity of Bailey-Strathmore homeowners to rent their dwellings. East Lansing Zoning Ordinance, § 50-774, 777(7). Accordingly, Ordinance 1097 is reasonable and therefore neither arbitrary nor capricious. MCL 125.581(2); *Inverness Mobile Home Community, Ltd, supra* at 249.

V

Plaintiff also argues that Ordinance 1097 constitutes invalid spot zoning. Zoning regulation is designed to achieve the orderly development and use of land to promote the general welfare. See MCL 125.581. To ensure this, zoning "should proceed in accordance with a definite a reasonable policy." *Essexville v Carrollton Concrete Mix, Inc*, 259 Mich App 257, 273; 673 NW2d 815 (2003), quoting *Anderson v Highland Twp*, 21 Mich App 64, 75; 174 NW2d 909 (1969); see MCL 125.581(2) ("The land development regulations and districts authorized by this act shall be made in accordance with a plan designed to promote and accomplish the

objectives of this act.”). As a result, “zoning in a haphazard manner is not favored.” *Essexville, supra* at 273, quoting *Anderson, supra* at 75.

Spot zoning occurs where a zoning ordinance creates “a small zone of inconsistent use within a larger zone.” *Essexville, supra* at 272, quoting *Penning, supra* at 367-368. Such zoning is invalid and void “where it is without a reasonable basis.” *Id.* at 273, quoting *Anderson, supra* at 75.

[W]hen a discrete zoning decision is made regarding a particular parcel of property—typically a decision involving an amendment or variance that results in allowing uses for specific land that are inconsistent with the overall plan as established by the ordinance—the courts will apply greater scrutiny. Those isolated or discrete decisions are more prone to arbitrariness because they are micro in nature, i.e., the decisions are based on the particular land and circumstance at issue in the request for amendment or variance. [*Id.* at 274 (citation omitted).]

Ordinance 1097 was enacted pursuant to Ordinance 1035C and created an R-O-1 overlay district in Bailey-Strathmore. Ordinance 1097 did not alter that designation, but merely added a restriction precluding the rental of single-family dwellings. See East Lansing Zoning Ordinance, § 50-774, 50-777(7). Thus, no small zone of inconsistent use was created within a larger zone. *Essexville, supra* at 272; cf. *Penning, supra* at 367-368. Rather, the uses are essentially consistent throughout. Nor did Ordinance 1097 apply merely to a “particular parcel.” See *Essexville, supra* at 275-276. It in fact governed hundreds of contiguous parcels within downtown East Lansing. See East Lansing Zoning Ordinance, § 50-777(7).

Plaintiff attempts to characterize Ordinance 1097 by reference only to his property, suggesting that it was impermissible spot zoning because he is “surrounded” by rental properties. However, plaintiff cannot isolate his parcel from Bailey-Strathmore in an effort to demonstrate spot zoning. See East Lansing Zoning Ordinance, § 50-777(7). Moreover, Ordinance 1097 was not zoning in a “haphazard manner.” *Essexville, supra* at 273, quoting *Anderson, supra* at 75. It applied to a residential district to preserve the residential character of that district, East Lansing Zoning Ordinance, § 50-773, and was thus planned and orderly in development, see MCL 125.581. Nor was it a “discrete zoning decision . . . made regarding a particular parcel of property.” *Essexville, supra* at 274. As a consequence of being “clothed with a presumption of validity,” *id.*, Ordinance 1097 is not void as impermissible spot zoning.

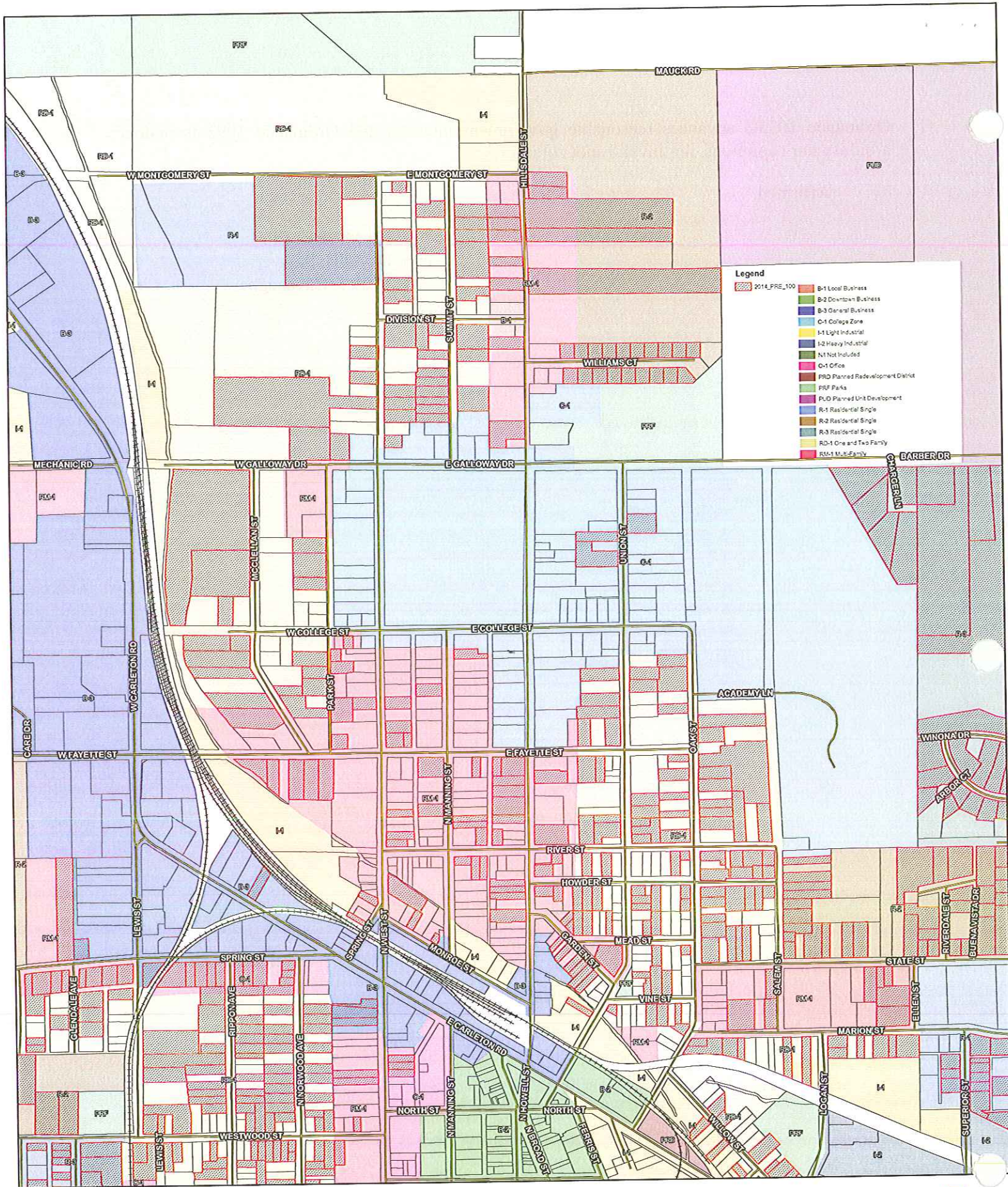
VI

Because Ordinance 1035C vests ultimate authority with the municipal legislative body to enact proposed zoning amendments, plaintiff’s argument that Ordinance 1097 is void fails.

Ordinance 1035C advances reasonable government interests and Ordinance 1097 is neither arbitrary nor capricious, nor invalid spot zoning.

Affirmed.

/s/ Pat M. Donofrio
/s/ David H. Sawyer
/s/ Mark J. Cavanagh



City of Hillsdale College Area



This Map is Not A Survey!
For Informational Use Only
Printed 07/14/2014

City of Hillsdale Agenda Item Summary

Meeting Date: July 21, 2014
Agenda Item: Introduction to Ordinance
SUBJECT: 195 N. Manning St. Rezoning from RM-1 to C-1
BACKGROUND: Alan Beeker, Zoning Administrator

Hillsdale College purchased the property at 195 N. Manning St. with the intent of allowing the Delta Tau Delta fraternity to use it as their fraternity house. The property was previously a single family dwelling. Current zoning restrictions would not allow it to be used as student housing. Once the new zoning amendments are adopted, it could be used for student housing but would still require rezoning because fraternities would only be allowed in the C-1 District. After discussing the options with Mr. Pewe of Hillsdale College, we decided it would be in the best interest of the college to ask for a rezoning. The Planning Commission accepted the application for rezoning from the Hillsdale College and scheduled a public hearing. The public hearing was held at the regular meeting of the PC on July 15, 2014. After the public hearing the PC voted, passing the motion 7-0, to recommend to the Council that the property at 195 N. Manning St. should be rezoned from RM-1 to C-1.

CITY MANAGER RECOMMENDATION:

I recommend Council pass the attached Ordinance adopting the requested zoning change for 195 N. Manning Street and revision to the zoning map to property designate the zoning for that location.

ORDINANCE #2014- 008

AN ORDINANCE TO AMEND SECTION 36-143 OF DIVISION 1, OF ARTICLE III OF CHAPTER 36 OF THE CODE OF THE CITY OF HILLSDALE.

THE CITY OF HILLSDALE ORDAINS that the zoning classification of the following described property should be and is hereby changed from RM-1, Multiple Family Residential District to C-1 College District:

LOTS 19, BLACKMAR AND BEEBE'S ADDITION TO THE VILLAGE, NOW CITY OF HILLSDALE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER X OF DEEDS, PAGES 484, 485 AND 486, HILLSDALE COUNTY RECORDS.

THE CITY OF HILLSDALE FURTHER ORDAINS that Section 36-143 of Division 1 of Article III of Chapter 36 of the Code of the City of Hillsdale and the zoning boundaries of RM-1, Multiple Family Residential District and C-1 College District referenced herein should be and are hereby amended so as to comport with and reflect the changes in the zoning classification above provided.

Except as hereinbefore specifically amended, Chapter 36 of the Code of the City of Hillsdale and all articles, divisions, and sections contained therein are hereby ratified and affirmed.

This ordinance and/or a summary of its regulatory effect and its effective date shall be published within fifteen (15) days from the date of its passage as required by law.

Subject to said publication having occurred as above provided, this ordinance shall become effective fifteen (15) days from the date of its passage.

Passed at a regular meeting of the Council of the City of Hillsdale held on the ___ day of _____, 2014.

CITY OF HILLSDALE

By _____
Scott Sessions – Mayor

By: _____
Michelle Loren – Deputy Clerk

Date Proposed: 6/12/2014
Date Published as Proposed: 6/24/2014
Date Passed: _____
Date Published as Passed: _____
Effective Date: _____

City of Hillsdale

Agenda Item Summary

Meeting Date: July 21, 2014

Agenda Item 8 #: Unfinished Business

SUBJECT: Monthly Code Enforcement Report

BACKGROUND PROVIDED BY STAFF: Kimberly Thomas Assessor/Code Official

Attached you will find the code enforcement report for June, 2014:

1. Update on properties declared a public nuisance
2. Closed Enforcements for the month of June
3. New Enforcements for the month of June
4. Open Enforcements as of July 7, 2014
5. Pictures from June inspections

Please advise this office if there is any specific action you would like to see taken with regard to the three public nuisance properties. If council determines to re-instate the order to demolish 55 S Broad Street, I believe it would need to be done in the form of a motion.

CITY MANAGER RECOMMENDATION:

This is for information purposes only. However, please note the reference to 55 S. Broad Street. This owner continues to be non-compliant and is simply stalling as has been the history for quite some time. I recommend that Council re-instate the order to demolish.

To: City Council
Cc: Linda Brown, City Manager
From: Kimberly Thomas, Assessor/Code Enforcement
Date: July 16, 2014
Re: Code Enforcement Update – Nuisance Properties

1. 22 Morry Street (single-family rental) – declared nuisance 2/17/2014
 - a. Sanitation violations temporarily corrected, but continued to accumulate garbage & discarded household items in yard.
 - b. Determined to not be owner occupied – no use & occupancy permit on file for change of occupants.
 - c. Vacant as of 6/5/14 per police
 - d. 7/5/14 Police received information that the property was occupied by squatters – Detective Martin contacted owner to confirm. Owner advised he would be there to clean up over the weekend.
 - e. 7/14/14 Inspected by code enforcement. Bagged garbage & discarded household items & toys in yard. Sent letter with 48 hour deadline to correct.
2. 55 South Broad Street (vacant multi-tenant residence) – declared nuisance 5/19/2014
 - a. Owner has contracted for regular lawn maintenance
 - b. New local agent is taking responsibility for bringing property into compliance
 - i. As of 9:00 a.m. 9-16-14 has had 6 subcontractors look at project to submit bids
 - c. Deadlines for conditions placed on lifting of order to demolish have been sent to owner and local agent
 - i. All outstanding taxes to be paid no later than 9:00 a.m. July 16, 2014 – **NOT PAID AS OF 8:50 A.M.** Per local agent, owner plans on using part of construction loan to pay
 - ii. Complete set of construction plans to be submitted no later than 9:00 a.m. July 30, 2014
 - iii. Proof of financing to be submitted no later than 9:00 a.m. July 30, 2014
 - iv. Cash bond as prerequisite for permits
 - v. Permits to be pulled & construction commenced no later than 9:00 a.m. July 30, 2014
 - vi. Construction to be completed no later than January 31, 2015
3. 17 Ludlam Street (vacant single-family residence) – declared nuisance 5/19/2014
 - a. Owner has indicated (confirmed with mortgage holder) that property is in process of being foreclosed
 - b. City contracted with K.A. Hodge to remove solid waste from exterior property area and interior of structure on 6/6/2014 (health hazards and nuisance to neighbors from rotting food and rodent infestation determined by code official to have reached a critical situation)
 - c. Neighboring property owner is attempting to purchase on short sale. The indicated intention is to demolish the existing structure and replace it with a new single-family residence.

Enforcement List by Address

07/07/14

319 E BACON ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0163	USE AND OCCUPANCY EXPIRED	USE & OCCUPANCY PERMIT EXPIRED. TRANSFERRED 3/21/2014 WITH OPEN VIOLATIONS. NO ACCEPTANCE OF RESPONSIBILITY FILED. NEW OWNER FILED PRINCIPAL RESIDENCE EXEMPTION A DEED AVTTT	04/09/14	Resolved	06/17/14

Total Enforcements: 1

121 E BACON ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2012-0129	Vacant Structure		04/18/12	CLOSED / NEW OPENED	06/10/14

Total Enforcements: 1

99 N BROAD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0204	CITIZEN COMPLAINT	305.4 - STAIRS AND/OR WALKING SURFACES - CLEAR/REPAIR/OR REPLACE.	05/06/14	30 day	06/30/14

Total Enforcements: 1

44 S BROAD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0247	USE AND OCCUPANCY EXPIRED	USE & OCCUPANCY PERMIT EXPIRED - COMMERCIAL BUILDING - NEW OWNER/OCCUPANT 5/22/14	06/02/14	Resolved	06/05/14

Total Enforcements: 1

94 S BROAD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed

Enforcement List by Address

07/07/14

E2012-0411 CITIZEN COMPLAINT

HOUSE ON BATHROOM, HOUSE ON WALLS
(PAINTED OVER), FLOOR NEAR TUB AND
TOILET SPONGY, FRONT PORCH IN DISREPAIR
3-6-14 MISSED DEADLINE LETTER SENT WITH
DEADLINE OF 3-20-14

06/12/14

Total Enforcements: 1

115 E CARLETON RD

CASE # Category
E2013-0036 CITIZEN COMPLAINT

Complaint Details
ROOFING BLOWING OFF BUILDING
6/24/2013 - PERMIT PULLED WITH COUNTY
INSPECTION FOR RE-ROOF

Date Filed Status
03/01/13

Date
Closed
06/25/14

Total Enforcements: 1

250 W CARLETON RD

CASE # Category
E2013-0416 CITIZEN COMPLAINT

Complaint Details
BAGS OF STUFF PILED UP BEHIND BUILDING

Date Filed Status
11/20/13 CLOSED/ NEW OPENED

Date
Closed
06/11/14

Total Enforcements: 1

280 W CARLETON RD

CASE # Category
E2014-0118 CITIZEN COMPLAINT

Complaint Details
KROGER PUT DRAIN PIPE BLOCKING REAR
EMERGENCY EXIT DOOR - CANT OPEN
5/30/14 MET WITH MIKE MCGLOTHIN ONSITE -
AGREED TO MOVE EMERGENCY EXIT
MARKINGS TO OTHER DOOR IN SPACE AND
BLOCK INOPERABLE DOOR

Date Filed Status
03/18/14 OPEN

Date
Closed
06/09/14

Total Enforcements: 1

3 ELM CT

CASE # Category

Complaint Details

Date Filed Status

Date
Closed

Enforcement List by Address

07/07/14

E2014-0077 USE AND OCCUPANCY EXPIRED USE & OCCUPANCY PERMIT EXPIRED - NEW TENANT PER BPU 03/11/14 Resolved 06/09/14

2/28/14 - NEW OWNER, CLAIMING PRINCIPAL RESIDENCE EXEMPTION

Total Enforcements: 1

4 E FAYETTE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0176	USE AND OCCUPANCY EXPIRED		04/22/14	Resolved	06/10/14

Total Enforcements: 1

166 GRISWOLD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0150	CITIZEN COMPLAINT	STANDARD THAT THE DOLLAR SIGN IS AT WEEK IS NOW ALL OVER THE YARD	03/27/14	CLOSED / NEW OPENED	06/10/14

Total Enforcements: 1

143 GRISWOLD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2012-0304	ZONING VIOLATION	fence without permit	06/26/12	Resolved	07/01/14

Total Enforcements: 1

126 HILLSDALE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0187	OBSERVED VIOLATION		04/23/14	CLOSED / NEW OPENED	06/04/14

Total Enforcements: 1

Enforcement List by Address

07/07/14

16 HILLSDALE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0099	CITIZEN COMPLAINT	tree against building	04/19/13	Closed-time elapse	06/25/14
Total Enforcements: 1					

104 HILLSDALE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0297	CITIZEN COMPLAINT	TRASH, DEBRIS, ETC. IN BACK YARD	07/29/13	Resolved	06/02/14
Total Enforcements: 1					

23 HOWDER ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0281	ZONING VIOLATION	NEW REAR DECK WITHOUT ZONING COMPLIANCE PERMIT	06/25/14	Resolved	07/01/14
Total Enforcements: 1					

23 HOWDER ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0153	CITIZEN COMPLAINT	PEELING EXTERIOR PAINT UNDER CITY WIDE COMPLAINT SYSTEM 6-25-14 VIOLATIONS CORRECTED	05/20/13	OPEN	06/25/14
Total Enforcements: 1					

186 N MANNING ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0070	CITIZEN COMPLAINT		03/11/14	Resolved	06/04/14

Enforcement List by Address

07/07/14

OCCUPANCY PERMIT (OWNER MAILING ADDRESS IS CALIFORNIA).

3/19/14 - PER OWNER, THIS IS STILL THEIR RESIDENCE. THEY ARE TEMPORARILY LIVING OUT OF STATE, SON IS STILL OCCUPYING RESIDENCE AND HAS SINCE USE & OCCUPANCY PERMIT ISSUED IN 2003. CLAIMS GARBAGE ON PORCH HAS BEEN REMOVED.

RESIDENCE IS A 2 UNIT RENTAL THAT IS CURRENTLY VACANT

Total Enforcements: 1

35 S MANNING ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0122	OBSERVED VIOLATION	ACCUMULATION OF SOLID WASTE, INCLUDING DISCARDED MATTRESSES 5-30-14 OWNER CALLED AND ADVISED HE WOULD BE GOING TO PROPERTY TODAY AND REMOVING FURNITURE AND MOVE GARBAGE CONTAINER TO SIDE OR REAR OF STRUCTURE.	03/19/14	Resolved	06/03/14

Total Enforcements: 1

139 S MANNING ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0082	USE AND OCCUPANCY EXPIRED		03/11/14	Resolved	06/05/14

Total Enforcements: 1

157 S MANNING ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0390	USE AND OCCUPANCY	EXPIRED USE & OCCUPANCY PERMIT	10/30/13	Resolved	06/24/14

Total Enforcements: 1

28 MARION ST

Enforcement List by Address

07/07/14

CASE # Category
 E09-0510 Vacant Structure

Complaint Details

Date Filed Status
 07/24/09 CLOSED/ NEW OPENED

Date
 Closed
 06/06/14

Total Enforcements: 1

43 MEAD ST

CASE # Category
 E2010-0410 Vacant Structure

Complaint Details

Date Filed Status
 05/26/10 Closed-time clapse

Date
 Closed
 06/12/14

Total Enforcements: 1

65 N NORWOOD AVE

CASE # Category
 E2014-0222 USE AND OCCUPANCY EXPIRED

Complaint Details

TEMP C OF O ISSUED 11/7/2012 EXPIRED, NO FOLLOW-UP INSPECTIONS CALLED FOR. NEW OWNER 11/16/2012.

Date Filed Status
 05/19/14 Resolved

Date
 Closed
 06/04/14

Total Enforcements: 1

29 S NORWOOD AVE

CASE # Category
 E2011-0352 USE AND OCCUPANCY EXPIRED

Complaint Details

TENANT CHANGE WITHOUT CERTIFICATE OF OCCUPANCY

Date Filed Status
 05/26/11 CLOSED/ NEW OPENED

Date
 Closed
 06/16/14

5/22/14 NOT OCCUPIED, WORKING ON STRUCTURE. NO PERMITS. LAST U&O PROGRESS INSPECTION 12/2011. CANCEL PERMIT & START OVER.

Total Enforcements: 1

65 S NORWOOD AVE

CASE # Category
 E09-0347 Vacant Structure

Complaint Details

Date Filed Status
 06/17/09 CLOSED/ NEW OPENED

Date
 Closed
 06/12/14

Enforcement List by Address

07/07/14

Total Enforcements: 1

175 OAK ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0431	YARD PARKING	PARKING IN FRONT YARD	12/02/13	Closed-time clapse	06/25/14

Total Enforcements: 1

129 E SOUTH ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0020	USE AND OCCUPANCY EXPIRED	RENTAL PROPERTY - NO USE & OCCUPANCY PERMIT ON FILE	01/15/14	Resolved	06/17/14

Total Enforcements: 1

34 W SOUTH ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0450	SNOW REMOVAL	SIDEWALKS NOT CLEARED - VACANT STRUCTURE 2-28-14 SIDEWALKS PASSABLE - PATH SHOVELED AND SALT DOWN SNOW REMOVAL CORRECTED.	12/18/13	Closed-time clapse	06/26/14

Total Enforcements: 1

4 SPRING ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E09-0544	Vacant Structure		07/30/09	CLOSED / NEW OPENED	06/03/14

Total Enforcements: 1

190 SPRING ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed

Enforcement List by Address

07/07/14

E2013-0052

03/14/13 Resolved

06/03/14

Total Enforcements: 1

13 STATE ST

CASE #

Category

Complaint Details

Date Filed

Status

Date Closed

E2014-0276

CITIZEN COMPLAINT

BUILDING MATERIALS

06/17/14

Resolved-No Action

06/27/14

Total Enforcements: 1

126 STATE ST

CASE #

Category

Complaint Details

Date Filed

Status

Date Closed

E2014-0162

CITIZEN COMPLAINT

ATTENDING POLICE OFFICERS ON THE SCENE OF THE BUILDING, A OLD BOAT AND OLD PALETS BEHIND IT AS WELL. MOST IF IT IS CLEARLY VISIBLE FROM MARION. 4/10/14 VISUAL CONFIRMATION OF VIOLATION CURSORY INSPECTION WHILE DRIVING BY ON STATE STREET. NEED PICTURES AND DETAILED INSPECTION REPORT FOR FOLLOW-UP. 4/17/14 SEE INCIDENT REPORT - UNABLE TO TAKE PICTURES OR FOLLOW UP IN PERSON DUE TO ALTERCATION WITH MAN CLAIMING TO BE THE OWNER OF THIS PROPERTY. 5/22/14 JEFF FAZEKAS APPLIED FOR A PERMIT TO INSTALL AN OBSCURING FENCE. 5/30/14 CONTACTED MR. FAZEKAS TO CONFIRM FENCE WAS BUILT.

04/08/14

OPEN

06/25/14

Total Enforcements: 1

312 SUMMIT ST

CASE #

Category

Complaint Details

Date Filed

Status

Date Closed

E2014-0151

CITIZEN COMPLAINT

03/28/14

06/26/14

Enforcement List by Address

07/07/14

ANY PROPERTY SHALL DEPOSIT, PLACE, ALLOW, SUFFER, OR OTHERWISE PERMIT THE STORAGE OR ACCUMULATION OF SOLID WASTE OR YARD RUBBISH UPON SUCH PREMISES, UNLESS STORED OR ACCUMULATED IN AS PERMITTED BY THIS ARTICLE

Total Enforcements: 1

101 UNION ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0397	USE AND OCCUPANCY EXPIRED	EARLY USE & OCCUPANCY PERMIT	11/01/13	Resolved	06/26/14

Total Enforcements: 1

160 UNION ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0047	USE AND OCCUPANCY EXPIRED	PROPERTY TRANSFER 3-18-14 SUBMITTED FOR AN EXTENSION	02/17/14	Resolved	06/03/14

Total Enforcements: 1

42 UNION ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0331	SNOW REMOVAL	broken windows	08/30/13	Closed-time elapse	06/25/14

Total Enforcements: 1

13 VINE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2012-0457	CITIZEN COMPLAINT	excessive material in yard, etc	10/08/12	CLOSED/ NEW OPENED	06/23/14

Total Enforcements: 1

Enforcement List by Address

07/07/14

42 WALDRON ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E08-0261	SIGN VIOLATION	Banner sign placed without permit	10/03/08	Officer dispatched	06/11/14
Total Enforcements: 1					

35 N WEST ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0220	USE AND OCCUPANCY EXPIRED	USE & OCCUPANCY PERMIT EXPIRED. NEW OWNER 10/30/2012. APPEARS OCCUPIED AS OF 5/13/2014. MULTI-UNIT? - NO	05/15/14	Resolved	06/30/14
Total Enforcements: 1					

224 N WEST ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2011-0392	TALL GRASS & WEEDS		06/02/11	Ordered Mowed-City	06/05/14
Total Enforcements: 1					

78 WESTWOOD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0144	USE AND OCCUPANCY EXPIRED	NO USE & OCCUPANCY PERMIT. OWNER OCCUPIED	03/24/14	CLOSED/ NEW OPENED	06/25/14
5/15/14 NOTICE OF ABANDONMENT - USDA RURAL DEVELOPMENT POSTED					
Total Enforcements: 1					

15 WESTWOOD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2013-0300	Vacant Structure		07/31/13	CLOSED/ NEW OPENED	06/12/14

Enforcement List by Address

07/07/14

Total Enforcements: 1

Records: 43

Population: All Records
Enforcement.DateClosed Between 6/1/2014 12:00:00
AM AND 7/1/2014 12:00:00 AM

Enforcement List by Address

07/07/14

121 E BACON ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0263	USE AND OCCUPANCY EXPIRED	OCCUPIED STRUCTURE - NO USE & OCCUPANCY PERMIT ON FILE	06/10/14	OPEN	

Total Enforcements: 1

126 N BROAD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0277	CITIZEN COMPLAINT	PALLETS	06/17/14	OPEN	

Total Enforcements: 1

44 S BROAD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0247	USE AND OCCUPANCY EXPIRED	USE & OCCUPANCY PERMIT EXPIRED - COMMERCIAL BUILDING - NEW OWNER/OCCUPANT 5/22/14	06/02/14	Resolved	06/05/14

Total Enforcements: 1

94 S BROAD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0273	USE AND OCCUPANCY EXPIRED		06/12/14		

Total Enforcements: 1

115 E CARLETON RD

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0282	OBSERVED VIOLATION	6/25/14 BROKEN WINDOWS AND WEEDS OVER 10" TALL.	06/25/14		

Total Enforcements: 1

Enforcement List by Address

07/07/14

250 W CARLETON RD

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0269	CITIZEN COMPLAINT	DUMPS/TER OVERFLOWING, MATTRESSES, ETC BEHIND BUILDING 6/11/14 SPOKE WITH NEW MANAGER. MANAGER WAS TO REQUEST ADDITIONAL TRASH PICK UP TO MAKE UP FOR MISSED TRASH PICK UP.	06/11/14	OPEN	

Total Enforcements: 1

15 W GALLOWAY DR

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0286	USE AND OCCUPANCY EXPIRED	USE & OCCUPANCY PERMIT EXPIRED. NEW OWNER (COLLEGE) 6/12/14.	06/26/14	OPEN	

Total Enforcements: 1

93 GRISWOLD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0272	VACANT STRUCTURE UNMAINTA	GRASS - OWNER OF RECORD CLAIMS NOT RESPONSIBLE (DECLARED BANKRUPTCY IN 2011, BANK OF AMERICA WAS SUPPOSED TO HAVE FORECLOSED) 10:00 A.M. 6/13/14 - NEIGHBOR COMPLAINT RECEIVED - ADVISED IT WAS ON OUR SCHEDULE TO LOOK AT IT TODAY 6/17/14 5:00 PM POSTED FOR TALL WEEDS & GRASS - 48 HOUR DEADLINE 6-27-14 ORDERED IT MOWED BY BILLS LAWNCARE (WILL DO ON JUNE 30TH)	06/12/14	VACANT	

Total Enforcements: 1

Enforcement List by Address

07/07/14

139 GRISWOLD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0292	USE AND OCCUPANCY EXPIRED	USE & OCCUPANCY EXPIRED. OWNER APPEARS TO HAVE MOVED OUT FOR A FEW YEARS AND HAS NOW RETURNED TO THIS ADDRESS. SHOULD BE TREATED AS TENANCY TRANSFER.	06/30/14	OPEN	

Total Enforcements: 1

166 GRISWOLD ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0265	CITIZEN COMPLAINT	YARD NOT MOWED, GARBAGE PILED BEHIND FENCE, ANIMAL FECES INSIDE HOUSE, STRONG SMELL. 6-18-14. ANOTHER COMPLAINT FROM SAME PERSON WHEN YOU WALK UP TO THE DOOR YOU CAN SMELL ANIMAL URINE. 6/19/14 KNOCKED ON DOOR BUT NO ONE ANSWERED. COULD NOT DETECT THE SMELL UPON VISIT. THE YARD WAS NOT 10" OR LONGER. SAW ANIMALS IN THE HOUSE. COULD NOT CONFIRM GARBAGE BEHIND FENCE.	06/10/14	OPEN	

Total Enforcements: 1

16 HILLSDALE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0284	OBSERVED VIOLATION	6/25/14 OBSERVED MULTIPLE MAINTENANCE PROBLEMS.	06/25/14		

Total Enforcements: 1

25 HILLSDALE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0283	OBSERVED VIOLATION	6/25/14 OBSERVED BROKEN WINDOWS AND ROTTED ROOF OVER REAR LEAN TO	06/25/14		

Enforcement List by Address

07/07/14

Total Enforcements: 1

23 HOWDER ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0281	ZONING VIOLATION	NEW REAR DECK WITHOUT ZONING COMPLIANCE PERMIT	06/25/14	Resolved	07/01/14

Total Enforcements: 1

14.5 N HOWELL ST UPSTAIR

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0264	USE AND OCCUPANCY EXPIRED	UPSTAIRS APARTMENT - NO USE & OCCUPANCY PERMIT ON FILE	06/10/14	OPEN	

Total Enforcements: 1

28 S HOWELL ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0280	CITIZEN COMPLAINT	6/23/14 COMPLAINT REGARDING STOREFRONT CANOPY BEING IN POOR CONDITION	06/24/14		

Total Enforcements: 1

41 LEROY ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0278	CITIZEN COMPLAINT	6/18/14 CITIZEN CONCERNED THAT A BASEMENT APARTMENT WAS INSTALLED WITHOUT PROPER EGRESS OR PERMITS.	06/18/14		

Total Enforcements: 1

162 N MANNING ST -164

Enforcement List by Address

07/07/14

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0257	OBSERVED VIOLATION	6/3/14 OVERALL STRUCTURE NEEDS NEW PAINT. GARAGE DOORS NEED GENERAL MAINTENANCE AND WINDOW PANE REPLACEMENT	06/04/14		
Total Enforcements: 1					
163 N MANNING ST					
E2014-0256	OBSERVED VIOLATION	6/3/14 PEELING PAINT	06/04/14		
Total Enforcements: 1					
172 N MANNING ST & 174					
E2014-0258	OBSERVED VIOLATION	6/3/14 OBSERVED PEELING PAINT AND NEED OF SOFFIT MAINTENANCE 6/9/14 SPOKE TO OWNER BY PHONE AND WILL BE SENDING LETTER REQUESTING EXTENSION. CURRENTLY ATTEMPTING TO FIND A CONTRACTOR TO DO THE WORK. 6-13-14 REC'D LETTER FOR EXTENSION -	06/04/14		
Total Enforcements: 1					
186 N MANNING ST					
E2014-0255	USE AND OCCUPANCY EXPIRED		06/04/14		
Total Enforcements: 1					
9 MARION ST					

Enforcement List by Address

07/07/14

CASE # Category Complaint Details Date Filed Status Date Closed

E2014-0271 USE AND OCCUPANCY EXPIRED NO USE & OCCUPANCY PERMIT ON FILE, NOT OWNER OCCUPIED. VACANT PER PD (TALL GRASS & WEEDS BEING NOTICED BY THEIR OFFICE)
6-25-14 STOPPED IN AND ADVISED IT'S VACANT AND WORKING ON IT TO RENT OUT. SUBMITTED APP & FEE AND WILL CALL US AND SCHEDULE AN INSPECTION.

Total Enforcements: 1

28 MARION ST

CASE # Category Complaint Details Date Filed Status Date Closed

E2014-0261 CITIZEN COMPLAINT
6-6-14 TALL WEEDS & GRASS COMPLAINT FROM NEIGHBOR - REFERRED TO POLICE. DOOR TAG ISSUED 6/5/14 PER JANE.
LISTED AS VACANT UNDER CODE ENFORCEMENT. RENTAL PER COMPLAINANT. NO USE & OCCUPANCY PERMIT ON FILE. CODE ENFORCEMENT TO SEND LETTER.
6-16-14 OWNER CALLED AND OCCUPANTS WILL BE MOVING OUT (SENT EVICTION NOTICE). COULD BE UP TO A MONTH FROM NOW. SHOULD BE OUT BY MIDDLE OR END OF JULY.

Total Enforcements: 1

10 MCCOLLUM ST

CASE # Category Complaint Details Date Filed Status Date Closed

E2014-0294 USE AND OCCUPANCY EXPIRED USE & OCCUPANCY PERMIT EXPIRED. NEW OWNER 5/30/2014. CLAIMING PRINCIPAL RESIDENCE EXEMPTION.

Total Enforcements: 1

34 MCCOLLUM ST - 36

Enforcement List by Address

07/07/14

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0251	OBSERVED VIOLATION	GENERAL DISREPAIR OF STRUCTURE - SPECIFICALLY AWNINGS (REPAIR, REPLACE OR REMOVE)	06/03/14	OPEN	
Total Enforcements: 1					
40 MORRY ST					
E2014-0260	OBSERVED VIOLATION	6/5/14 PER CITY POLICE - PROPERTY VACANT, GARBAGE ACCUMULATION LEFT BY OCCUPANT. THEY WILL ATTEMPT TO MAKE CONTACT.	06/05/14	REFERRED TO POLICE	
Total Enforcements: 1					
8 N NORWOOD AVE					
E2014-0291	USE AND OCCUPANCY EXPIRED	NO USE & OCCUPANCY PERMIT ON FILE. NEW OWNER 12/21/2009, DEED NOT RECORDED UNTIL 6/4/2014	06/30/14	OPEN	
Total Enforcements: 1					
106 N NORWOOD AVE					
E2014-0248	OBSERVED VIOLATION	OBSERVED PEELING PAINT ON ACCESSORY STRUCTURE	06/02/14		
Total Enforcements: 1					
27 S NORWOOD AVE					
E2014-0274	USE AND OCCUPANCY EXPIRED		06/16/14	OPEN	

Enforcement List by Address

07/07/14

Total Enforcements: 1

29 S NORWOOD AVE

INSPECTED FOR VACANT STRUCTURE (PRIOR ENFORCEMENT) 5/22/14 - APPEARS TO HAVE BEEN RECENTLY OCCUPIED BUT CURRENTLY VACANT.

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0275	USE AND OCCUPANCY EXPIRED	2011 USE & OCCUPANCY PERMIT NEVER APPROVED. STRUCTURE VACANT AS OF 5/22/14 PER NEIGHBORS, ALTHOUGH SOMEONE OCCASIONALLY COMES AND WORKS ON HOUSE. NEW APPLICATION FOR USE & OCCUPANCY PERMIT REQUIRED PRIOR TO OCCUPATION.	06/16/14	OPEN	

Total Enforcements: 1

53 S NORWOOD AVE

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0250	OBSERVED VIOLATION	5/22/14 OBSERVED PEELING PAINT	06/02/14		
		6/17/14 SPOKE TO OWNER. HE IS PLANNING TO PAINT EXTERIOR AFTER FOUNDATION REBUILD COMPLETE. IS GOING TO SEND LETTER FOR RECORDS.			

Total Enforcements: 1

55 S NORWOOD AVE

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0249	OBSERVED VIOLATION	6/5/14 PEELING PAINT AND GENERAL MAINTENANCE 7-3-14 OWNER STOPPED IN AND WILL SUBMIT AN EXTENSION/TIMELINE (STARTING TODAY) AND EXPECTING TO HAVE DONE BY THE END OF THE SUMMER.	06/02/14		

Total Enforcements: 1

Enforcement List by Address

07/07/14

65 S NORWOOD AVE

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0268	OBSERVED VIOLATION	6/5/14 STRUCTURE APPEARS VACANT AND IN SEVERE STATE OF DISREPAIR. LANDSCAPING IS OVERGROWN AND IN NEED OF TRIMMING. NOTIFIED COUNTY BUILDING INSPECTOR TO EVALUATE. TALL WEEDS & GRASS TO BE ADDRESSED BY POLICE	06/11/14	REFERRED TO COUNTY INSPECTION	

Total Enforcements: 1

120 OAK ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0270	TALL GRASS & WEEDS	TALL WEEDS & GRASS CITED BY PD OFFICER, 10-DAY GRACE PERIOD EXPIRED AS OF 6/11/2014. NO LONGER OWNER OCCUPIED AS OF 6/16/2014. USE & OCCUPANCY EXPIRED 2011.	06/11/14	OPEN	

Total Enforcements: 1

8 RIVER ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0290	USE AND OCCUPANCY EXPIRED	USE & OCCUPANCY PERMIT INSPECTION 4/18/2014 DID NOT PASS, DID NOT CALL FOR RE-INSPECTION OF SAFETY ITEMS. NEW OWNER 6/20/14, NO ACCEPTANCE OF RESPONSIBILITY FILED.	06/30/14	OPEN	

Total Enforcements: 1

32 E SOUTH ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed

Enforcement List by Address

07/07/14

E2014-0287 ZONING VIOLATION 6/30/14 LIMITED SPACE FOR PARKING, POSSIBLE INADEQUATE PARKING SPACE 06/30/14

Total Enforcements: 1

12 SPRING ST

CASE # Category Complaint Details Date Filed Status Date Closed
 E2014-0252 VACANT STRUCTURE UNMAINTA GARBAGE IN FRONT YARD. GRASS OVER 10", 6-4-14 TALKED WITH JULIE (CAN ALSO TALK TO JOANNA OR KARL) FROM MICHIGAN COMMUNITY CREDIT UNION - SOMEONE WILL BE THERE 6-7-14 TO CLEAN UP TRASH AND MOW. 517-764-6222. 06/03/14 OPEN

Total Enforcements: 1

13 STATE ST

CASE # Category Complaint Details Date Filed Status Date Closed
 E2014-0276 CITIZEN COMPLAINT BUILDING MATERIALS 06/17/14 Resolved-No Action 06/27/14

Total Enforcements: 1

130 STATE ST

CASE # Category Complaint Details Date Filed Status Date Closed
 E2014-0262 ZONING VIOLATION 6/2/14 OBSERVED TREATED POLES BEHIND EXISTING GARAGE THAT LOOKED LIKE THE BEGINNINGS OF A SHED. 06/09/14
 6/11/14 SPOKE WITH OWNER. POLES ARE FOR DEER FENCE AROUND GARDEN. INFORMED HER OF NEED FOR FENCE PERMIT AND HEIGHT RESTRICTIONS.

Total Enforcements: 1

25 SUMAC DR

CASE # Category Complaint Details Date Filed Status Date Closed

Enforcement List by Address

07/07/14

E2014-0289 USE AND OCCUPANCY EXPIRED USE & OCCUPANCY PERMIT EXPIRED. NEW OWNER (CLAIMING PRINCIPAL RESIDENCE EXEMPTION) 6/20/2014 06/30/14 OPEN

Total Enforcements: 1

42 UNION ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0285	OBSERVED VIOLATION	6/25/14 OBSERVED MULTIPLE BROKEN WINDOWS AND AREAS WHERE RODENTS ARE ENTERING THE BUILDING.	06/25/14		

Total Enforcements: 1

64 UNION ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0293	OBSERVED VIOLATION	6/30/14 - OBSERVED VACANT STRUCTURE IN NEED OF MAINTENANCE. TALL GRASS AND WEEDS. 7-1-14 DOOR HANGER FOR TG&W	07/01/14		

Total Enforcements: 1

187 UNION ST & 187½

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0254	ZONING VIOLATION	STUDENT HOUSING OR MULTIPLE TENANT HOUSING IS NOT ALLOWED IN THE RD-1 DISTRICT UNLESS IT MEETS THE SINGLE FAMILY DEFINITION IN THE ZONING ORDINANCE.	06/04/14		

Total Enforcements: 1

13 VINE ST

CASE #	Category	Complaint Details	Date Filed	Status	Date Closed
E2014-0279	USE AND OCCUPANCY EXPIRED		06/23/14	OPEN	

Enforcement List by Address

07/07/14

OCCUPANCY PERMIT EXPIRED.

Total Enforcements: 1

41 WALDRON ST

CASE # E2014-0267 Category OBSERVED VIOLATION

Complaint Details

6/5/14 - OBSERVED MULTIPLE VIOLATIONS, PEELING PAINT, MISSING VENT COVERS, WHICH WILL ALLOW RODENT HARBORAGE, STRUCTURAL LINTEL MISSING, ABANDONED SIGNAGE.

Date Filed 06/11/14

Status

Date Closed

6/18/14 SPOKE TO OWNER BY PHONE. STATED THEY ARE SENDING LETTER REQUESTING EXTENSION AND HAVE HIRED SOMEONE TO FIX THE ISSUES.

Total Enforcements: 1

280 WATERWORKS DR

CASE # E2014-0288 Category CITIZEN COMPLAINT

Complaint Details

6/30/14 COMPLAINT REGARDING MAINTAINED CONDITION OF HOUSE AT PARK

Date Filed 06/30/14

Status

Date Closed

Total Enforcements: 1

152 N WEST ST

CASE # E2014-0253 Category OBSERVED VIOLATION

Complaint Details

OVERFLOWING DUMPSTER ON SOUTH SIDE OF HOUSE, NEWSPAPERS PILED UP ON FRONT PORCH

Date Filed 06/03/14

Status VACANT

Date Closed

Total Enforcements: 1

Records: 46

Population: All Records
 Enforcement: Date Filed Between 6/1/2014 12:00:00 AM AND 7/1/2014 12:00:00 AM

			June	2014	Code Violations
purple-	improper parking		citation issued		
pink-	improper parking		citation issued	citation paid	
blue-	violation corrected				
orange-	improper parking		citation issued	not paid	10 day letter mailed (10 days to pay before civil infraction issued)
green-	not corrected		citation issued		
yellow-	assist to assessor				
5/28/2014	153 Hillsdale St.		unregistered vehicles, D.H.	7/1/14	not corrected, citation issued
6/2/2014	76 S. West St.		excessive dog feces in yard, DH	6/5/14	violation corrected
6/2/2014	16 Ludlam St.		brush pile in rear of yard, D.H.	6/5/14	violation corrected
6/3/2014	390 Hillsdale St.		tall grass/weeds	6/10/14	violation corrected
6/3/2014	39 S. Manning St.		trash/garbage, D.H.	6/5/14	violation corrected
6/4/2014	84 S. Howell St.		mattress/rubbish in back, D.H.	6/9/14	violation corrected
6/4/2014	32 1/2 E. South St.		improper parking, yellow curb	6/4/14	citation paid, 3679
6/4/2014	138 Marion St.		tall grass/weeds, garbage, D.H.	6/4/14	vacant, letter to owner of record, Flagstar Bank, Troy, MI, 6/13/14, not action
6/4/2014	76 W. Carleton Rd.		tall grass/weeds, D.H.	6/8/14	violation corrected
6/4/2014	74 S. Howell St.		weeds/flower, vision obst., D.H.	6/8/14	violation corrected
6/5/2014	45 S. Norwood Ave.		improper parking, yellow curb	6/16/14	citation paid, 3680
6/5/2014	65 Reading Ave.		brush pile at curb, D.H.	6/8/14	violation corrected
6/5/2014	28 Marion St.		tall grass/weeds, D.H.	6/8/14	violation corrected
6/5/2014	51 S. Norwood Ave.		dressers in front lawn, D.H.	6/8/14	violation corrected
6/5/2014	16 W. Lynwood Blvd.		tall grass/weeds, D.H.	6/8/14	violation corrected
6/5/2014	5 Reading Ave.		grass clippings in street, D.H.	6/8/14	violation corrected
6/5/2014	10 River St.		tall grass/weeds, D.H.	6/8/14	violation corrected
6/5/2014	187 N. West St.		tall grass/weeds, D.H.	6/8/14	violation corrected
6/5/2014	15 Monroe St.		tall grass/weeds, D.H.	6/8/14	violation corrected
6/5/2014	22 Morry St.		trash/garbage, D.H.	6/19/14	not corrected, no response to warning letter, citation issued
6/5/2014	40 Morry St.		tall grass/weeds, D.H.	6/19/14	not corrected, no response to warning letter, citation issued
6/5/2014	194 S. West St.		unreg. vehicle w/trash, D.H.	6/8/14	violation corrected
6/5/2014	17 Griswold St.		improper parking, wrong direction	6/5/14	citation paid, 3430
6/9/2014	143 N. Manning St.		inoperable vehicle, t/t owner	6/18/14	violation corrected
6/10/2014	372 Hillsdale St.		tall grass/weeds, D.H.	6/14/14	violation corrected
6/10/2014	45 River St.		inoperable vehicle, D.H.	6/14/14	violation corrected

6/10/2014	163 N. Manning St.	inoperable vehicle, D.H.	6/14/14	violation corrected
6/10/2014	161 N. Manning St.	inoperable vehicle, D.H.	6/14/14	violation corrected
6/10/2014	26 State St.	couch at curb, D.H.	6/13/14	violation corrected
6/10/2014	27 State St.	brush at curb, D.H.	6/13/14	violation corrected
6/11/2014	224 N. West St.	tall grass/weeds, D.H.	6/19/14	violation corrected
6/11/2014	71 W. Lynwood Blvd.	tall grass/weeds	6/12/14	vacant lot, 7 day letter to owner of record, assessing handling, owners c
6/11/2014	76 E. Sharp St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	34 E. Lynwood Blvd.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	16 W. Sharp St.	brush at curb, D.H.	6/25/14	not corrected, no response to warning letter, citation issued
6/11/2014	20 W. Sharp St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	74 S. Manning St.	trash/garbage, tall grass, D.H.	6/14/14	violation corrected
6/11/2014	70 S. Manning St.	trash/garbage, D.H.	6/16/14	violation corrected
6/11/2014	8 S. West St.	trash/garbage, D.H.	6/14/14	violation corrected
6/11/2014	30 S. West St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	155 S. West St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	46 Morry St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	36 Morry St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	10 Elm St.	tall grass/weeds, D.H.	6/15/14	violation corrected
6/11/2014	10 Warren Ave.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	119 Reading Ave.	brush at curb, D.H.	6/16/14	violation corrected
6/11/2014	45 W. Bacon St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	161 Westwood Dr.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	90 Spring St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	deaddend of Leroy St.	brush in street	6/11/14	TOT street department as unable to determine who placed it
6/11/2014	24 Charles St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	9 Marion st.	tall grass/weeds, D.H.	6/19/14	violation corrected
6/11/2014	33 Charles St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	35 Charles St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	22 Marion St.	tall grass/weeds, D.H.	6/16/14	violation corrected
6/11/2014	77 Budlong St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	70 Marion St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	16 Budlong St.	brush at curb, D.H.	6/14/14	violation corrected
6/11/2014	106 Marion St.	tall grass/weeds, D.H.	6/16/14	violation corrected
6/11/2014	121 Lumbarb St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	36 Waldron St.	tall grass/weeds, D.H.	6/19/14	violation corrected
6/11/2014	38 Waldron St.	tall grass/weeds, D.H.	6/19/14	violation corrected

6/11/2014	170 E. South St.	tall grass/weeds, D.H.	6/14/14	vacant lot on E. South St., violation corrected
6/11/2014	15 E. St. Joe St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	163 W. St. Joe St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/11/2014	70 Greenwood St.	vehicle on lawn, D.H.	6/16/14	violation corrected
6/11/2014	101 Griswold St.	tall grass/weeds, D.H.	7/10/14	violation corrected
6/11/2014	43 Griswold St.	tall grass/weeds, D.H.	6/11/14	vacant, in foreclosure, assessing handling this one
6/11/2014	Garden Grove	improper, handicap violation	6/16/14	citation paid, 1757
6/12/2014	82 N. Norwood Ave.	brush at curb, D.H.	6/14/14	violation corrected
6/12/2014	29 W. Bacon St.	brush at curb, D.H.	6/14/14	violation corrected
6/12/2014	61 S. Norwood Ave.	tall grass/weeds, unreg. Veh, D.H.	6/19/14	violation corrected
6/12/2014	15 Westwood St.	tall grass/weeds, D.H.	6/19/14	violation corrected
6/12/2014	28 Westwood St.	brush at curb, D.H.	6/16/14	violation corrected
6/12/2014	312 E. Bacon St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/12/2014	345 E. Bacon St.	brush at curb, D.H.	6/14/14	violation corrected
6/12/2014	335 E. Bacon St.	parked on lawn, D.H.	6/14/14	violation corrected
6/12/2014	114 Orchard St.	parked on lawn, D.H.	6/14/14	violation corrected
6/12/2014	119 Orchard St.	brush at curb, D.H.	6/14/14	violation corrected
6/12/2014	108 State St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/12/2014	82 State St.	tall grass/weeds, D.H.	6/14/14	violation corrected
6/12/2014	77 State St.	tall grass/weeds, D.H.	6/19/14	violation corrected
6/12/2014	78 Spring St.	brush at curb, D.H.	6/17/14	violation corrected
6/12/2014	27 Highland Ave.	brush at curb, D.H.	6/14/14	violation corrected
6/12/2014	93 Griswold St.	tall grass/weeds		assessing having mowed, vague on exact owner at this time
6/15/2014	80 Hillsdale St.	tall grass/weeds, D.H.	6/18/14	violation corrected
6/15/2014	352 Hillsdale St.	tall grass/weeds, D.H.	6/23/14	violation corrected
6/15/2014	9 W. Hallett St.	brush at curb, D.H.	6/18/14	violation corrected
6/15/2014	190 Oak St.	brush at curb, D.H.	6/18/14	violation corrected
6/15/2014	64 Union St.	tall grass/weeds, D.H.	6/25/14	not corrected, no response to warning letter, citation issued
6/16/2014	326 Summit St.	brush at curb, D.H.	6/25/14	violation corrected
6/16/2014	80 Spring St.	brush at curb, D.H.	6/17/14	violation corrected
6/16/2014	11 N. Manning St.	brush at curb, city advised	6/26/14	violation corrected
6/23/2014	96 E. Carleton Rd.	vehicle for sale, email comp.	6/23/14	current/valid registration, at a car repair business, no violation
6/23/2014	34 W. Lynwood Blvd.	brush at curb, D.H.	6/25/14	violation corrected
6/24/2014	209 S. Howell St.	tall grass/weeds, D.H.	6/26/14	violation corrected
6/24/2014	211 S. Howell St.	tall grass/weeds, D.H.	6/28/14	violation corrected

6/25/2014	37 Reading Ave.	brush at curb, D.H.	6/28/14	violation corrected
6/25/2014	29 S. Manning St.	brush at curb, trash, advised	6/25/14	violation corrected
6/25/2014	204 E. Bacon St.	trash/rubbish, D.H.	7/14/14	violation corrected
6/26/2014	32 E. South St.	improper, parked on lawn	6/30/14	citation paid, 4056
6/26/2014	120 Oak St.	48 hr. parking violation	7/3/14	violation corrected
6/29/2014	128 Oak St.	brush at curb, D.H.	7/2/14	violation corrected
6/29/2014	59 S. West St.	tv at curb, D.H.	7/3/14	violation corrected

City of Hillsdale

Agenda Item Summary

Meeting Date: 7-21-2014

Agenda Item #: Old Business

SUBJECT: Amended Resolutions for Clerk's and Treasurer's Offices

BACKGROUND:

Attached are versions of the amended resolutions regarding filling mid-term vacancies in the offices of clerk and treasurer.

After Mr. Loren's discussions with Assistant Attorneys General Elworth and Markman, the resolutions were amended.

One of the amendments dealt with the Statement of Purpose. The lead in to that language stated that the statement that followed was at it would appear on the ballot. The inclusion of the words "on the ballot" in the resolution would result in all of the words in the statement to be counted as part of the 100 word limitation that otherwise would apply only to the ballot question. So, they were eliminated, and as now drafted the only the words in the question that will appear on the ballot will be counted as part of the 100 word limitation. Another clarified that the resolutions are being sent to the AG's office only for approval of the ballot language.

The remaining amendments were to the statement of purpose, the ballot question, and to the variations applicable to the proposed new subsection 5.4(b), which are dependent on whether both or only one of the proposals pass. If neither pass the current language will continue.

The AG's office required deletions of the language regarding the obligation to fill a vacancy by an election, rather than by appointment, within 30-days of its occurrence, and the obligation to fill a vacancy by election, rather than by appointment, if the vacancy occurs within 90 days of the expiration of the then existing term. This is because the clerk's and treasurer's offices are mandated by the Home Rule City Act; that is, a vacancy cannot be permitted. The requirement applicable to vacancies in either of those offices is that they be filled within a reasonable time. Failure to do so can result in a petition being filed in circuit court requesting an order compelling the City to fill the vacant office, as required by its charter.

The problem with the suggested language is it would seemingly suggest that a vacancy that is not filled within 30-days of its occurrence could be allowed to continue without action until the next city election. Although such a failure would be subject to a mandamus petition being filed, the AG's office simply did not want that suggestion to appear in the resolution or in any of the variations of the proposed new Section 5.4(b)

After making the required amendments, I submitted the amended resolutions to the AG's offices for informal review. This morning, I was advised that, as amended, they are good to go. Therefore, the attachments should be put on the next council agenda for council consideration and adoption. Assuming they are adopted, they should be certified and sent to the AG's office for formal review, approval of the ballot language, and forwarding to the Governor for his approval.

CITY MANAGER RECOMMENDATION:

I recommend passage of the two (2) amended Resolutions which are attached. They will then be certified and forwarded to the Attorney General and ultimately the Governor.

EXISTING AND PROPOSED CHARTER SECTIONS

EXISTING CHARTER SECTION 5.4(b)

Section 5.4(b) Filling vacancies in offices

(a) ...

(b) In the event of a vacancy in the office of mayor, councilperson, city clerk or city treasurer, the unexpired term shall be filled through an election which shall be held on the next general state election date.

PROPOSED CHARTER SECTION 5.4(b) (To apply if voters approve filling a mid-term vacancy in the office of city clerk by council appointment, but reject filling a mid-term vacancy in the office of city treasurer by council appointment)

(b) Commencing on November 5, 2014, mid-term vacancies in the offices of mayor, council member, city clerk, and city treasurer shall be filled as follows:

(1) A mid-term vacancy in the office of mayor or council member shall be filled for the unexpired portion of the term by election at the next general state election.

(2) A mid-term vacancy in the office of city clerk shall be filled for the unexpired portion of the existing term by council appointment upon a 3/5 vote of that body, rather than by election.

PROPOSED CHARTER SECTION 5.4(b) (To apply if voters approve filling a mid-term vacancy in the office of city treasurer by council appointment, but reject filling a mid-term vacancy in the office of city clerk by council appointment)

(b) Commencing on November 5, 2014, mid-term vacancies in the offices of mayor, council member, city clerk, and city treasurer shall be filled as follows:

(1) A mid-term vacancy in the office of mayor or council member shall continue to be filled for the unexpired portion of the term by election at the next regular state election.

(2) A mid-term vacancy in the office of city treasurer shall be filled for the unexpired portion of the existing term by council appointment upon a 3/5 vote of that body, rather than by election.

PROPOSED CHARTER SECTION 5.4(b) (To apply if voters approve filling a mid-term vacancy in the both the office of city treasurer and the office of city clerk by council appointment)

(b) Commencing on November 5, 2014, mid-term vacancies in the offices of mayor, council member, city clerk, and city treasurer shall be filled as follows:

(1) A mid-term vacancy in the office of mayor or council member shall continue to be filled for the unexpired portion of the term by election at the next regular state election.

(2) A mid-term vacancy in the office of city clerk or the office of city treasurer shall be filled for the unexpired portion of the existing term by council appointment upon a 3/5 vote of that body, rather than by election.

Amended Resolution # _____

**Re: PROPOSED AMENDMENT OF SECTION 5.4(b) OF THE HILLSDALE
CITY CHARTER; FILLING OF MID-TERM VACANCIES
IN THE OFFICE OF CITY CLERK**

WHEREAS, Section 3 of the Home Rule City Act mandates that each city charter provide for the election or appointment of a clerk; and

WHEREAS, the Section 3.7 of the Hillsdale City Charter duly provides for the election of a clerk; and

WHEREAS, Subsection 5.4(b) of the Hillsdale City Charter currently provides that in the event of a vacancy in the office of city clerk, the unexpired term shall be filled by an election to be held at the next general state election; and

WHEREAS, since the inception and implementation of the current provisions of Subsection 5.4(b) there have been three vacancies in the office of city clerk that have been occasioned by early resignations from office; and

WHEREAS, Section 5.4(b) makes no provision for filling a mid-term vacancy that occurs in the office of city clerk between the date the vacancy occurs and the next general state election; and

WHEREAS, the office of city clerk is vital to the efficient and continuous operation of city government, the provision of city services to its citizens, and the City's ability to participate with and fulfill its obligations to other governmental entities and units; and

WHEREAS, Section 5.4 of Hillsdale's City Charter currently provides as follows:

- (a) Vacancies in appointive offices shall be filled in the manner provided for making the original appointment.
- (b) In the event of a vacancy in the office of mayor, councilperson, city clerk or city treasurer, the unexpired term shall be filled through an election which shall be held on the next general state election date;

and;

WHEREAS, a mid-term vacancy in the office of city clerk would leave the City of Hillsdale and its citizens without a clerk and without the ability to meet the obligations and duties imposed on that office by statute, charter or Council between the date a

vacancy occurs and the next general state election including, but not limited to, the ability to plan, prepare for and oversee elections; the ability to maintain a journal of Council proceedings; the ability to maintain custody of and affix the City seal and attest to all documents and instruments, as required; and the ability to certify all ordinances and resolutions enacted or passed by Council; and

WHEREAS, the required holding of an election in order to fill mid-term vacancies in office of city clerk would, in addition to the foregoing, divert the City's limited and short-handed staff from their regular duties, and subject the City and its citizens to potentially repeated and unnecessary election related expenditure of its limited financial resources, amounting to several thousand dollars for each such election; and

WHEREAS, the special elections called for the purpose of filling mid-term vacancies in elective office have historically resulted in very low voter interest and turnout; and

WHEREAS, the Hillsdale City Council has determined it to be in the best interests of the City and its citizens to change the method by which mid-term vacancies in the office of city clerk are filled so to assure timely, qualified replacements, while at the same time avoiding the delay and expense associated with preparing for and holding special elections.

NOW, THEREFORE, IT IS RESOLVED, that the Hillsdale City Council hereby proposes that Subsection 5.4(b) of the Hillsdale City Charter be amended so as to provide as follows commencing on November 4, 2014:

A. Mid-term vacancies in the offices of Mayor and Council members shall continue to be filled for the unexpired portion of the term by election at the next general state election; and

B. Mid-term vacancies in the office of city clerk shall be filled for the unexpired portion of the existing term by council appointment upon a 3/5 vote of that body, rather than by election, provided that the appointment shall be of a person possessing the qualifications necessary to hold the office to which he or she is to be appointed.

IT FURTHER RESOLVED, the purpose of the proposed charter amendment is as follows:

The purpose of this charter amendment is to amend Charter Section 5.4(b) so as to authorize the City to fill a mid-term vacancy in the office of city clerk for the unexpired portion of the then existing term by council appointment, approved by a 3/5 vote of that body.

IT IS FURTHER RESOLVED, the question of whether Subsection 5.4(b) of the Hillsdale City Charter should be amended as herein provided shall appear on the ballot in the following form:

Should Subsection 5.4(b) of the Hillsdale City Charter be amended to authorize the City to fill a mid-term vacancy in the office of city clerk for the unexpired portion of the then existing term by council appointment, approved by a 3/5 vote of that body?

YES

NO

IT IS FURTHER RESOLVED, that the question of whether Subsection 5.4(b) of the Hillsdale City Charter should be amended as proposed shall be submitted to the electors of the City of Hillsdale at the regular city election to be held on November 4, 2014.

IT IS FURTHER RESOLVED, that the proposed charter amendment, together with the existing provisions that would be amended thereby shall be published once in full prior to said election.

IT IS FURTHER RESOLVED, that the proposed charter amendment shall be posted in full in a conspicuous place at each polling place.

IT IS FURTHER RESOLVED, that the City Clerk shall immediately submit a certified copy of this resolution to the Attorney General for the State of Michigan requesting his approval as to the ballot language of the proposed amendment.

IT IS FURTHER RESOLVED, that the City Clerk shall also transmit a certified copy of this resolution to the Governor of the State of Michigan requesting his approval of the proposed amendment.

Passed in an open regular council session this ____ day of _____ 2014 upon the following roll call vote:

Mayor Sessions:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Bail:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Stack-Davis:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Flannery:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Kinney:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Sharp:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Stockford:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Watkins:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Wells:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

I, Michelle Loren, Deputy City Clerk of the City of Hillsdale, do hereby certify that the above is a true and accurate copy of Amended Resolution No. _____
 Re: Proposed Amendment of Section 5.4(B) of the Hillsdale City Charter; Filling of Mid-Term Vacancy in the Office of City Clerk, which was passed by the affirmative roll call vote of _____ members of Council, with the entire Council being present and voting.

 Michelle Loren, Deputy Clerk

Amended Resolution # _____

**Re: PROPOSED AMENDMENT OF SECTION 5.4(b) OF THE HILLSDALE
CITY CHARTER; FILLING OF MID-TERM VACANCY
IN THE OFFICE OF CITY TREASURER**

WHEREAS, Section 3 of the Home Rule City Act mandates that each city charter provide for the election or appointment of a treasurer; and

WHEREAS, the Section 3.7 of the Hillsdale City Charter duly provides for the election of a treasurer; and

WHEREAS, Subsection 5.4(b) of the Hillsdale City Charter currently provides that in the event of a vacancy in the office of city treasurer, the unexpired term shall be filled by an election to be held at the next general state election; and

WHEREAS, Section 5.4(b) makes no provision for filling a mid-term vacancy that occurs in the office of city treasurer between the date the vacancy occurs and the next general state election; and

WHEREAS, the office of city treasurer is vital to the efficient and continuous operation of city government, the provision of city services to its citizens, and the City's ability to participate with and fulfill its obligations to other governmental entities and units; and

WHEREAS, the special elections called for the purpose of filling mid-term vacancies in elective office have historically resulted in very low voter interest and turnout; and

WHEREAS, Section 5.4 of Hillsdale's City Charter currently provides as follows:

(a) Vacancies in appointive offices shall be filled in the manner provided for making the original appointment.

(b) In the event of a vacancy in the office of mayor, councilperson, city clerk or city treasurer, the unexpired term shall be filled through an election which shall be held on the next general state election date;

and;

WHEREAS, a mid-term vacancy in the office of city treasurer would leave the City of Hillsdale and its citizens without a treasurer and without the ability to meet the obligation and duties imposed on that office by statute, charter, or Council between the

date a vacancy occurs and the next general state election including, but not limited to, the ability to maintain custody of all moneys and evidences of value belonging to, received by, or held in trust by the City; the ability to collect and maintain custody of state, county, school district, and City taxes and money; the ability to enforce tax collections on real and personal property; the ability to deposit such funds in such manner and accounts as Council determines, and the ability to provide reports detailing such deposits to the Clerk; and

WHEREAS, the required holding of an election in order to fill mid-term vacancies in the office of city treasurer would, in addition to the foregoing, divert the City's limited and short-handed staff from their regular duties, and subject the City and its citizens to potentially repeated and unnecessary election related expenditure of its limited financial resources, amounting to several thousand dollars for each such election; and

WHEREAS, the Hillsdale City Council has determined it to be in the best interests of the City and its citizens to change the method by which mid-term vacancies in the office of city treasurer are filled so to assure timely, qualified replacements, while at the same time avoiding the delay and expense associated with preparing for and holding special elections.

NOW, THEREFORE, IT IS RESOLVED, that the Hillsdale City Council hereby proposes that Subsection 5.4(b) of the Hillsdale City Charter be amended so as to provide as follows commencing on November 4, 2014:

A. Mid-term vacancies in the offices of Mayor and Council members shall continue to be filled for the unexpired portion of the term by election at the next general state election; and

B. Mid-term vacancies in the office of city treasurer shall be filled for the unexpired portion of the existing term by council appointment upon a 3/5 vote of that body, rather than by election, provided that the appointment shall be of a person possessing the qualifications necessary to hold the office to which he or she is to be appointed.

IT FURTHER RESOLVED, the purpose of the proposed charter amendment is as follows:

The purpose of this charter amendment is to amend Charter Section 5.4(b) so as to authorize the City to fill a mid-term vacancy in the office of city treasurer for the unexpired portion of the then existing term by council appointment, approved by a 3/5 vote of that body.

IT IS FURTHER RESOLVED, the question of whether Subsection 5.4(b) of the Hillsdale City Charter should be amended as herein provided shall appear on the ballot in the following form:

Should Subsection 5.4(b) of the Hillsdale City Charter be amended to authorize the City to fill a mid-term vacancy in the office of city treasurer for the unexpired portion of the then existing term by council appointment, approved by a 3/5 vote of that body?

YES

NO

IT IS FURTHER RESOLVED, that the question of whether Subsection 5.4(b) of the Hillsdale City Charter should be amended as proposed shall be submitted to the electors of the City of Hillsdale at the regular city election to be held on November 4, 2014.

IT IS FURTHER RESOLVED, that the proposed charter amendment, together with the existing provisions that would be amended thereby shall be published once in full prior to said election.

IT IS FURTHER RESOLVED, that the proposed charter amendment shall be posted in full in a conspicuous place at each polling place.

IT IS FURTHER RESOLVED, that the City Clerk shall immediately submit a certified copy of this resolution to the Attorney General for the State of Michigan requesting his approval as to the ballot language of the proposed amendment.

IT IS FURTHER RESOLVED, that the City Clerk shall also transmit a certified copy of this resolution to the Governor of the State of Michigan requesting his approval of the proposed amendment.

Passed in an open regular council session this ____ day of _____ 2014 upon the following roll call vote:

Mayor Sessions:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Bail:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Stack-Davis:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Flannery:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Kinney:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Sharp:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Stockford:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Watkins:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>
Councilperson Wells:	YES	<input type="checkbox"/>	NO	<input type="checkbox"/>

I, Michelle Loren, Deputy City Clerk of the City of Hillsdale, do hereby certify that the above is a true and accurate copy of Amended Resolution No. _____
 Re: Proposed Amendment of Section 5.4(B) of the Hillsdale City Charter; Filling of Mid-Term Vacancy in the Office of City Treasurer, which was passed by the affirmative roll call vote of _____ members of Council, with the entire Council being present and voting.

 Michelle Loren, Deputy Clerk

City of Hillsdale Agenda Item Summary

Meeting Date: July 21, 2014

Agenda Item #9: Old Business

SUBJECT: Budget Reductions

BACKGROUND:

Following the adoption of the budget, there was a request to have staff find various ways to increase the revenue in their respective departments. I met with staff and asked that the information be provided regarding their departments. I have included information received from them for your review.

Police Department

See attached memo. Unfortunately, while I have requested an accurate dollar amount to charge for those times when our fire truck is called out, I have not yet received that. I will continue to pursue that.

Assessing/Code Enforcement

See attached information. The recommended increased have been acted upon by Council and became effective July 1, 2014.

Clerk

Mrs. Price prepared suggestions regarding adding certain fees that currently do not exist. The information she provided is attached.

Dial-a-Ride

The last thing I recall is that Council did not want to modify any fees for Dial-a-Ride.

Public Services

DPS personnel is in the process of preparing information for Council regarding 1) how many staff and equipment hours are spent each fiscal year 'shuttling' barricades/ signage to/ from the various parades and other events that we are asked to provide these items and 2) Total Cost information on seasonal/ temps for DPS.

*Why is
Award of
City Council
request
And that
they are
waiting*

CITY MANAGER RECOMMENDATION:

No recommendation is required. This is informational unless Council agrees to increase the fees as suggested.

Interoffice Memorandum

To: Linda Brown, City Manager
From: Christopher G. Gutowski, Director of Public Safety
Date: June 19, 2014
Re: Budget Review

Recently the city council members asked that department heads to review their budgets and give suggestions on ways to possibly make reductions. I have looked at both the police and fire budgets and honestly cannot see any areas to cut outside of staffing or contractual issues.

What we really need to look at and we have discussed recently is ways to increase our revenue.

On the police side of revenue increases we should double parking ticket fines. The vast majority of our parking tickets are only \$10.00 which is low compared to other cities. Last calendar year, the parking fine revenues brought in approximately \$2,373.

Also, on the police side of revenues, I believe we should have a discussion with the district court concerning our fines and costs to see if they need to be adjusted as some fines appear to be low.

On the fire side of revenues; as discussed in the past, we need to start charging for fire alarms and structure fires. I am not in favor of charging for carbon monoxide detector/gas odor calls, or medical first responder calls. Most medical calls are handled by Reading Emergency Unit and they are the billing entity.

I know the fire department in conjunction with the building department started charging for use and occupancy inspections.

From The Desk Of...

CHRISTOPHER G. GUTOWSKI
DIRECTOR OF PUBLIC SAFETY
Hillsdale City Police Department
97 N. Broad St.
Hillsdale, MI 49242

(517) 437-6460
Fax: (517) 437-6484

03026

CITY OF HILLSDALE

PARKING VIOLATIONS TICKET

LICENSE NUMBER										STATE
										<input type="checkbox"/> 1. MICHIGAN <input type="checkbox"/> 2. _____

VIN# _____

TYPE OF PLATE 1. PASSENGER 2. COMMERCIAL 3. DEALER 4. MOTOR-CYCLE 5. OTHER

MAKE OR MODEL 1. FORD 2. CHEV. 3. DODGE 4. CHRYS. 5. PLYM. 6. MERC. 7. PONT. 8. BUICK 9. OLDS. 10. _____

BODY TYPE 1. SEDAN 2. SEDAN 3. PICKUP 4. VAN, BUS 5. WAGON 6. _____ COLOR _____

PLACE OF VIOLATION NUMBER STREET LOCATION

DATE MO. DAY YEAR TIME A.M. P.M. EXPIRATION DATE OF REGISTRATION MONTH YEAR

AFFIRMED UNDER PENALTY OF PERJURY FIRST INITIAL AND LAST NAME BADGE NUMBER

You are hereby charged with the violation marked below.

- 1. ABANDONED VEHICLE \$10.00
- 2. PARKED IN PROHIBITED AREA \$10.00
- 3. BLOCKING PEDESTRIAN PASSAGE \$10.00
- 4. PARKING IN FIRE LANE \$10.00
- 5. WRONG SIDE OF STREET \$10.00
- 6. PARKED WITHIN 15 FEET OF HYDRANT \$10.00
- 7. BLOCKING ALLEY OR DRIVEWAY \$10.00
- 8. PARKING BETWEEN 3 AM & 5 AM PROHIBITED \$10.00
- 9. HANDICAPPED PARKING ONLY \$50.00
- 10. PARKING ON LAWN \$10.00
- 11. VEHICLE RESTRICTING SNOW REMOVAL \$10.00
- 12. OTHER \$10.00
- 13. NOTICE: IF VEHICLE IS NOT REMOVED FROM STREET WITHIN _____ HOURS, IT MAY BE TOWED

NAME _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____

YOU MAY PAY THIS TICKET BY PLACING THE PROPER AMOUNT IN THIS ENVELOPE. ATTACH SUFFICIENT POSTAGE AND DEPOSIT IN U.S. MAIL OR BRING TO THE CITY POLICE DEPARTMENT, 97 N. BROAD ST.

IF NOT PAID WITHIN 72 HOURS, THE PARKING FINE IS DOUBLED. IF NOT PAID WITHIN 10 DAYS, YOU WILL BE SUBJECT TO A COURT CIVIL INFRACTION AND POSSIBLE WARRANT ISSUED IF NOT PAID.

APPEAL PROCEDURE: YOU ARE TO BRING THIS TICKET TO THE CITY POLICE DEPARTMENT AND A COURT CIVIL INFRACTION WILL BE ISSUED TO THE VEHICLE OWNER.

DISPOSITION _____ BY _____ DATE _____



TO: City Manager; City Council
FROM: Kimberly Thomas, City Assessor
DATE: May 13, 2014
RE: Recommended Fee Schedule Changes for FY 2014-15

Background: The City of Hillsdale adopted several changes to the fee schedule on January 8, 2014. At that time, there were several items for the Assessing Department that were listed as \$TBD while we reviewed actual costs to determine reasonable fees. At this time I would like to recommend the following changes to the fee schedule to become effective July 1, 2014:

1. Property Maintenance Code as adopted, Land Use Master Plan, Ordinances - \$0.25/page (standard per page copy fee – available on city website for free)
2. Data Exports - \$150 (complete database)
3. Zoning Administrator Review – non-refundable application fee (pre-construction site plans, permanent signs, awnings, land divisions, changes in use, new structures and/or changes to footprint of existing structures)
 - a. \$50 – projects under \$100,000 (no change from current schedule)
 - b. \$100 – projects over \$100,000
 - c. Effective immediately – no charge for residential fences (Fence permit still required)
4. Planning Commission Review if required by Ordinance - \$100 (increased from \$50)
5. Permit Fee - \$25
 - a. Prior review may be required prior to issuance – fees as shown above
 - b. Initial on-site inspection at no cost
 - c. If initial on-site inspection not approved, additional inspections may be required at \$25/each (may be waived with department head approval)
 - d. Zoning Compliance, Fence, Permanent Sign, Use & Occupancy
6. Petitions to Property Maintenance Code Board of Appeals - \$25 non-refundable application fee
7. Special Use Zoning Permits, PUD's, Mobile Home Parks - \$300 non-refundable application fee + publication costs (if required by statute or Ordinance)
8. Application fee for property tax abatements (IFT, CRE, OPRA, NEZ) – Lesser of actual costs incurred or 2% of requested total taxes to be abated – see IFT example attached

Statutory Requirements: Generally speaking, statute allows for local units to collect fees in an amount to reasonably cover actual costs incurred. MCL 207.555 specifically limits the fees allowed to be charged for Industrial Facilities Exemption Certificate (IFT/IFE) applications to actual cost incurred or 2% of the total property taxes abated, whichever is less.

Fiscal Impact: Increased revenues offset by actual costs incurred in processing all above applications and/or requests.

Applicant:	example				
Date Received:					
Property Address:					
Real Property Investment:	\$	100,000			
Personal Property Investment:	\$	100,000			
Real Property Classification:	Industrial				
	Real & Personal City Taxes Foregone	Cumulative City Taxes Foregone	Real & Personal Taxes Foregone - All Entities	Cumulative Taxes Foregone - All Entities	Fee @ 2% of taxes abated
1 Year	\$ 701.26	\$ 701.26	\$ 1,847.72	\$ 1,847.72	Fee: \$ 36.95
2 Year	\$ 649.04	\$ 1,350.31	\$ 1,739.08	\$ 3,586.80	Fee: \$ 71.74
3 Year	\$ 611.74	\$ 1,962.05	\$ 1,660.19	\$ 5,246.99	Fee: \$ 104.94
4 Year	\$ 581.90	\$ 2,543.95	\$ 1,596.17	\$ 6,843.16	Fee: \$ 136.86
5 Year	\$ 555.79	\$ 3,099.73	\$ 1,539.58	\$ 8,382.74	Fee: \$ 167.65
6 Year	\$ 533.41	\$ 3,633.14	\$ 1,490.42	\$ 9,873.16	Fee: \$ 197.46
7 Year	\$ 514.76	\$ 4,147.90	\$ 1,448.70	\$ 11,321.86	Fee: \$ 226.44
8 Year	\$ 499.84	\$ 4,647.74	\$ 1,414.42	\$ 12,736.28	Fee: \$ 254.73
9 Year	\$ 481.19	\$ 5,128.92	\$ 1,372.70	\$ 14,108.98	Fee: \$ 282.18
10 Year	\$ 470.00	\$ 5,598.92	\$ 1,345.85	\$ 15,454.83	Fee: \$ 309.10
11 Year	\$ 455.08	\$ 6,053.99	\$ 1,311.56	\$ 16,766.39	Fee: \$ 335.33
12 Year	\$ 443.88	\$ 6,497.88	\$ 1,284.71	\$ 18,051.11	Fee: \$ 361.02

Estimated Actual Costs:	
Publication & Mailings (notices of hearing, application to STC):	\$ 200.00
Staff time - Clerk, Assessor, Planning Administrator, Economic Development Consultant, EDC or Business Review Committee, City Council, City Manager:	\$ 300.00
Total	\$ 500.00

PERMITS:

SOLICITOR & PEDDLERS

CURRENT PRICE: FREE (No Charge)

SUGGESTED PRICE:

\$25.00 (HILLSDALE COUNTY RESIDENCE) \$50.00 (OUTSIDE OF HILLSDALE COUNTY)

(Price for Each Registration -persons)

REQUIREMENTS:

- CURRENT DRIVER'S LICENSE COPY
- CURRENT VEHICLE REGISTRATION COPY
- NOTARY SIGNATURE
- ONCE APPROVED PERMIT GOOD FOR 30 DAYS

EXAMPLES OF OTHER MUNICIPALITIES:

<http://www.saginawtownship.org/departments/clerk/permits.php> -SAGINAW TOWNSHIP

http://www.lansingmi.gov/media/view/peddler_application/1986 - CITY OF LANSING (Registration)

-Local background check done, but does not check MI records outside of Hillsdale.

GARAGE SALE

CURRENT PRICE: FEE (No Charge)

SUGGESTED PRICE:

\$5.00 PERMIT

REQUIREMENTS:

- CURRENT DRIVER'S LICENSE COPY
- IF NOT OWNER OF RESIDENCE, SIGNATURE OF OWNER
- DAYS OF SALE LISTED (UP TO 3 DAY PERIOD WITHIN A 90 DAY PERIOD)
- ONCE APPROVED PERMIT ISSUED FOR 3 DAYS

EXAMPLE OF OTHER MUNICIPALITIES:

<http://cityofwestland.com/departments/city-clerk> -CITY OF WESTLAND

(See Code Enforcement for other requirements)

<http://www.cityofhillsdale.org/media/26260/yard%20sale%20code%20enforcement.pdf>

NOTARY SERVICES

CURRENT PRICE: \$5.00

SUGGESTED PRICE:

\$10.00 (SIGNATURE)

REQUIREMENTS:

- DRIVER'S LICENSE
- DOCUMENTS NEEDING NOTARY SIGNATURE

EXAMPLE IN STATE OF MICHIGAN

http://www.notarysuccess.com/michigan_notary.html - FEE \$10.00

City of Hillsdale

Agenda Item Summary

Meeting Date: July 21, 2014

Agenda Item #10: New Business

SUBJECT Sewer Fund Deficit Resolution for Michigan Treasury

BACKGROUND PROVIDED BY STAFF (Rick Rose)

The Hillsdale Board of Public Utilities was required to submit a deficit elimination plan for the sewer department to the State of Michigan Treasury Department in 2012. The deficit was a result of borrowing from the water and electric departments to keep sewer rates low during the last rate cycle. When new rates were adopted we anticipated elimination of the deficit upon debt retirement. Unfortunately, a number of operational issues at the WWTP have required unintended spending on replacement of a large array of equipment and motors. Last year's audit showed the deficit growing, not shrinking, so we are required to submit an amended plan to address the issue within the appropriate time frame.

✂ We took a couple of steps earlier this year to try to stabilize the issue by adopting the 2012 sewer rates and using restricted and designated funds to pay the majority of the shortfall back to the water and electric funds. This reduced the deficit to the range of \$60,000 in February of this year. A new Cost of Service study has been conducted and will be presented to the Board and Council in August. We have been holding the State off from imposing any sanctions until we had the numbers in from the rate work and with that in hand we need to address the plan amendment. A copy of the Treasury letter is included.

To meet State requirements we must provide proof of Council's approval through meeting minutes and we recommend Council's approval of the included Resolution and Deficit Elimination Plan.

RECOMMENDATION:

I recommend passage of the Resolution to remain in compliance with the Treasury Department's requirements.



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

RICK SNYDER
GOVERNOR

R. KEVIN CLINTON
STATE TREASURER

**DEFICIT ELIMINATION
PLAN NOTIFICATION**
State ID Number
30-2-010

December 18, 2013

Supervisor
City of Hillsdale
97 North Broad Street
Hillsdale, MI 49242-1695

City Manager's Office

RECEIVED
Date 12/20/2013

Dear Supervisor:

On April 26, 2012, a four year deficit elimination plan covering the 2012-2015 fiscal years was certified for the City's Sewer Fund. The certified plan projected a 2013 unrestricted deficit of \$47,961; however, the actual 2013 unrestricted deficit of \$440,785 did not meet this projection. Please submit an amended plan for the 2013 deficit of \$440,785 that adheres to the five year limit for an approved plan, i.e., through fiscal year 2016. I have enclosed a sample deficit elimination plan that may assist the City. The following are acceptable evidence to support a plan:

1. Certified copies of board/council resolutions (describing funds and amounts) approving additional appropriations sufficient to eliminate the deficit and a copy of the journal entry that shows that the transfer has been made.
2. Projected budget approved by the legislative body as evidenced by a certified resolution itemizing yearly revenues by source, expenditures/expenses by activity, and changes in the fund balance/net assets through the year of the deficit's eventual elimination. **There is a five-year limit for an approved plan; the plan must be amended if the deficit increases or the plan is not otherwise followed.**

Please submit an amended deficit elimination plan for the fund listed above within 30 days from the date of this letter. Should a plan not be filed within 30 days, we will withhold 25% of the local unit's State Incentive Payments or payments issued under Public Act 140 of 1971, the Glenn Steil State Revenue Sharing Act of 1971. Once withheld, payments are released not when a plan has been filed, but when a plan has been evaluated and certified by Treasury.

After receiving your plan, we will notify you in writing if additional information is needed or that your plan has been certified. If you have any questions or concerns, please do not hesitate to contact me at (517) 335-1205 or Treas_MunicipalFinance@michigan.gov. Our mailing address is Michigan Department of Treasury, Local Audit and Finance Division, P.O. Box 30728, Lansing, MI 48909-8228.

Sincerely,



Angelica Zahrt, Auditor
Local Audit and Finance Division

Enclosures



RESOLUTION # _____
 CITY OF HILLSDALE BOARD OF PUBLIC UTILITIES
 SEWER DEPARTMENT RESOLUTION AND DEFICIT ELIMINATION PLAN

WHEREAS THE CITY OF HILLSDALE BOARD OF PUBLIC UTILITIES SEWER DEPARTMENT has a \$77,749 deficit fund balance on June 30,2014; and

WHEREAS, Act 140 of the Public Acts of 1971 requires that a Deficit Elimination Plan be formulated by the local unit of government and filed with the Michigan Department of Treasury:

NOW THEREFORE, IT IS RESOLVED THAT THE CITY OF HILLSDALE CITY COUNCIL adopts the following as the CITY OF HILLSDALE BOARD OF PUBLIC UTILITIES SEWER DEPARTMENT Deficit Elimination Plan:

HILLSDALE BOARD OF
 PUBLIC UTILITIES
 Year Ending 6-30-2014

	2014	2015	2016	2017
Fund Balance(Deficit)		(228,834.00)	(92,544.00)	248,830.00
Income:				
Sales	\$ 1,174,860.00	1,308,090.00	1,485,960.00	1,574,440.00
Miscellaneous	4,282.00	4,200.00	4,200.00	4,200.00
Non-Operating	2,634.00	-	-	-
Total Revenue	1,181,776.00	1,312,290.00	1,490,160.00	1,578,640.00
Expenditures:				
Collection	203,931.00	155,000.00	148,078.00	
Treatment	696,505.00	560,000.00	515,708.00	
Administration	254,189.00	232,000.00	250,000.00	
Pilot	32,392.00	40,000.00	45,000.00	
Depreciation	183,877.00	189,000.00	190,000.00	
Capital Outlay	39,716.00			

Total Expenditures	1,410,610.00	1,176,000.00	1,148,786.00
Net Income(Loss)	(228,834.00)	136,290.00	341,374.00
Fund Balance(Deficit)	(228,834.00)	(92,544.00)	248,830.00

	2014	2015	2016	2017
CA- CL Deficit July 1	(77,749.00)	(122,706.00)	202,584.00	733,958.00
Revenue	1,181,776.00	1,312,290.00	1,490,160.00	
Expenditures	(1,410,610.00)	(1,176,000.00)	(1,148,786.00)	
Depreciation	183,877.00	189,000.00	190,000.00	
Deficit June 30	(122,706.00)	202,584.00	733,958.00	733,958.00

BE IT FURTHER RESOLVED THAT THE CITY OF HILLSDALE'S Mayor and Clerk submits the Deficit Elimination Plan to the Michigan Department of Treasury for certification.

 Scott Sessions, Mayor
 July, _____, 2014

 Michelle Loren, Deputy Clerk
 July _____, 2014

City of Hillsdale Agenda Item Summary

Meeting Date: July 21, 2014

Agenda Item: New Business

SUBJECT: Airport Committee

BACKGROUND:

The topic of establishing an Airport Committee has come up recently. Staff has searched records at City Hall trying to find some reference to the committee. There simply is nothing here.

CITY MANAGER RECOMMENDATION:

I recommend that this matter be referred to the Community Development Committee to research committees from other airports. In the meantime, I will gather information from the municipally owned airports among the approximate 180 airports listed with Michigan Aeronautics to provide the committee guidance in determining what course to take in this matter.

