

**City of Davison
City Council Meeting
June 23, 2014
7:30 PM
City Council Chambers**

- I. Call to Order, Pledge of Allegiance, and Roll Call of Council**
- II. Approval of the Regular Agenda**
- III. Brief Public Comments and Questions on Non Agenda Items**
- IV. Brief Public Comments and Questions on Agenda Items**
- V. Approval of Consent Agenda**
 - A. Policy Committee Minutes May 14, 2014 – Draft (att.)
 - B. Policy Committee Minutes June 11, 2014 – Draft (att.)
 - C. Planning Commission Minutes June 10, 2014 – Draft (att.)
 - D. DDA Minutes June 12, 2014 – Draft (att.)
 - E. LDFA/BRA Minutes June 16, 2014 – Draft (att.)
- VI. Approval of Minutes**
 - A. Council Meeting Minutes June 9, 2014 Meeting (att.)
- VII. Communications to the Council**
 - A. Thank You
- VIII. City Manager Report**
- IX. Council Committee Reports**
- X. Unfinished Business**
 - A. Engineering Report
 - B. Resolution 2014- 23 Personal Property Tax Reform (att.)
 - C. First Reading Ordinance 2014-06 IDEP (att.)
 - D. Leaf Pickup
 - E. Open Issues Log (att.)
- XI. New Business**
 - A. 6th Annual Davison Dog Walk (att.)
 - B. Budget Amendments
 - C. Motion Protocol
 - D. Chief Brandon's Retirement
 - E. DDA Joint Façade Committee Presentation
- XII. Public Comments not included on the agenda**
- XIII. Announcements**
- XIV. Closed Session - Real Estate Lease**
- XV. Adjournment**

**Per City of Davison Council Rules and Procedures:
Each member of the public is limited to 3 minutes for public comment
unless granted more time by the Mayor.**

POLICY COMMITTEE MEETING MINUTES
May 14, 2014

Call to Order:

The meeting was called to order at 7:33 PM by Chairman Hammond.

Present: Paul Hammond, Jack Abernathy, Gary Peppin, and Manager Hart.

Approval of the Agenda

It was moved by Councilman Abernathy and seconded by Councilman Peppin to approve the Agenda as presented. Motion carried unanimously.

Old Business

A. Council Rules

There was a review of the Council Rules with the change incorporated from the Council Meeting of May 12, 2014. No typographical errors or omissions were found. It was moved by Councilman Peppin and seconded by Councilman Abernathy to forward the Working Copy and Final Draft of the Rules to Council for Second Reading at the June 9, 2014 meeting. Motion carried unanimously.

B. Fireworks Ordinance

The Attorney's opinion on the proposed language for the revision of the Fireworks Ordinance was reviewed. The Attorney had no suggestions for changes. It was moved by Councilman Peppin and seconded by Councilman Abernathy to present the Ordinance to Council for First Reading at the June 9, 2014 meeting. Motion carried unanimously. Chairman Hammond will follow up with Clerk Schroeder for putting the Ordinance revision in proper form for presentation to Council.

New Business

A. Fall Leaf Pickup Survey

There was a discussion of the request from Council to develop a survey concerning curbside fall leaf pickup that was sent to the Committee at the May 12, 2014 Council meeting. Language was proposed and discussed. It was moved by Councilman Peppin and seconded by Councilman Abernathy to present the following Survey statement and questions to the City Council for their review and approval at the June 9, 2014 Council meeting. Motion carried unanimously.

The Survey:

Fall Leaf Pick up Citizen Survey

In the past, the City was able to pick up leaves in the fall. With the closing of the Compost site last year, the cost of street leaf pick up will be more expensive. Our current refuse contract with Republic Waste allows for unlimited curb side pick up of all leaves and yard refuse that are bagged or in marked containers.

We ask you to please take a few moments and complete the following survey:

1. Are you in favor of having un-bagged leaves picked up curb-side in the fall? YES _____ NO _____

2. Do you know that the contract with Republic Waste includes the pickup of yard waste curb-side as long as the leaves are in paper bags or approved cans marked for yard waste? YES _____ NO _____

3. Would you be willing to pay an assessment of approximately \$30.00 yearly per residence for the fall curb-side pickup of leaves by the City?

YES _____ NO _____

Approval of Minutes

It was moved by Councilman Peppin and seconded by Chairman Hammond that the Minutes from April 16, 2014 be approved. Motion carried unanimously. Signed Copy of the Minutes to be forwarded to the Clerk.

Closing Remarks

There was a report by Manager Hart on the status of the Dumpster Ordinance from the Planning Commission meeting the previous evening.

Adjournment

A motion to adjourn was made by Councilman Peppin and seconded by Chairman Hammond. Motion carried unanimously. The meeting was adjourned by Chairman Hammond at 9:25 PM.

Jack Abernathy
Recording Secretary

Date

Paul Hammond
Chairman

Date

Draft
POLICY COMMITTEE MEETING MINUTES
June 11, 2014

Call to Order:

The meeting was called to order at 7:36 PM by Chairman Hammond.

Present: Paul Hammond, Gary Peppin, Jack Abernathy. Also present was Manager Michael Hart.

Approval of the Agenda

It was moved by Councilman Peppin and seconded by Councilman Abernathy to approve the Agenda as presented. Motion carried unanimously.

Old Business

A. Fireworks Ordinance Revisions

After discussion along the lines of wanting more time to review other Cities' local ordinances, it was moved by Councilman Peppin and seconded by Councilman Hammond to table the revisions until the Policy Committee meeting of July 9, 2014. Motion carried unanimously.

Each Committee member is to bring to the next meeting, ordinance language for Committee consideration.

B. Purchasing Ordinance Review and Revision

Purchasing Ordinance review began at Section 246.02 (6), page 4 line 11 in the June 11, 2014 working copy.

It was moved by Councilman Peppin and seconded by Chairman Hammond to delete Section 246.02 (6) on page 4 lines 11 and 12. Motion carried unanimously.

It was moved by Councilman Abernathy and seconded by Councilman Peppin to delete Section 246.02 (7) on page 4 lines 13 through 15. Motion carried unanimously.

Consideration of revisions will continue at the July 9, 2014 meeting beginning with Section 246.04, Sufficient Funds Required, page 6 line 8 in the June 11, 2014 working copy.

It was agreed by consensus that additions would be in green, deletions in red with strike through, all changes to be dated.

New Business

Manager Hart presented a memo, dated June 10, 2014, from Alan Bean of the Spicer Group expressing concerns with the proposed Dumpster Ordinance revisions from the Planning Commission which was referred to Clerk Schroeder for preparation for First Reading at the June 9, 2014 Council meeting.

For Mr. Bean, the main issue revolved around State law that prevents the outlawing of uses that were legal before the zoning law took effect. This is commonly known as "grandfathering." Following Council directed guidelines from the Policy

Committee to the Planning Commission, the proposed Dumpster Ordinance revisions do not allow grandfathering.

Mr. Bean also mentioned in his memo that Amortization can occur in general ordinances but not in zoning ordinances. The Committee understood this to mean that not allowing grandfathering in general ordinances was permitted but not in zoning ordinances. The direct quote from his memo is, "Amortization can occur in a general ordinance, but not in zoning ordinances."

There was some discussion that maybe the Council could refer the recommendations from the Planning Commission to the Policy Committee for revision if the revisions are not extensive. The Policy Committee was not able to determine if this was possible in light of the Attorney's opinion regarding the requirement that all zoning changes come from the Planning Commission.

There was considerable discussion of the possibility of a dual path approach with a Dumpster Ordinance in the general ordinances outlawing grandfathering and a Dumpster Ordinance in the zoning ordinances recognizing grandfathering, with identical wording of the ordinances where possible. This would mean in effect that new construction in the site-plan process would be controlled by the zoning ordinance on Dumpsters and existing dumpsters would be controlled by the general ordinance. Manager Hart will discuss this possibility with Mr. Bean.

It was suggested by Manager Hart that the Committee have a special meeting with Mr. Bean for discussion of this issue. By consensus the Committee agreed to this. Manager Hart will pursue this with Mr. Bean.

Approval of Minutes

It was moved by Councilman Peppin and seconded by Chairman Hammond that the Minutes from May 14, 2014 be approved. Motion carried unanimously. The signed Copy of the Minutes for filing and inclusion in the Council Consent Agenda to be forwarded to Clerk Schroeder by Manager Hart.

While discussing the motion, It was pointed out that the Leaf Pickup Survey developed at the last Committee meeting was not approved by Council before it was presented to the public. Committee minutes stated the survey was to be approved by Council at its June 9, 2014 meeting. This was not done. Manager Hart will follow this issue for resolution.

Adjournment

A motion to adjourn was made by Councilman Peppin and seconded by Councilman Abernathy. Motion carried unanimously. The meeting was adjourned by Chairman Hammond at 10:33 PM.

Jack Abernathy
Recording Secretary

Date

Paul Hammond
Chairman

Date

**CITY OF DAVISON
PLANNING COMMISSION
REGULAR MEETING MINUTES
June 10, 2014**

PRESENT: Craig Carlton, Gerald Kennedy, Mary Stearns, Carrie Baugher, Pat Stetson,
Alex Fabian

ABSENT: Chris Hinkley

STAFF PRESENT: Michael Hart, Barbara McCrea

OTHERS PRESENT: 1

1. CALL TO ORDER:

Chairperson Carlton called the meeting to order at 7:00 p.m.

2. APPROVAL OF AGENDA:

Motion made by Mr. Stetson, seconded by Mr. Fabian, to approve the June 10, 2014 agenda as presented with the addition of Election of Vice-Chair to New Business. **Motion carried.**

3. APPROVAL OF MEETING MINUTES:

Motion made by Mr. Stetson, seconded by Mr. Kennedy, to approve the meeting minutes as presented from May 13, 2014. **Motion carried.**

4. PUBLIC COMMENTS & COMMUNICATIONS CONCERNING ITEMS ON THE AGENDA:

5. NEW BUSINESS:

Election of new Vice-Chairperson:

Motion made by Mr. Kennedy, seconded by Mr. Baugher, to nominate Alex Fabian as Vice-Chairperson. **Motion carried.**

Motion made by Ms. Stearns, seconded by Mr. Fabian, to nominate Carrie Baugher as Secretary. **Motion carried.**

6. UNFINISHED BUSINESS:

7. COMMITTEE AND SPECIAL REPORTS:

6. UNFINISHED BUSINESS:

Master Plan: Alan Bean, of Spicer Group, led discussion regarding the goals and overall action plan for the Master Plan.

7. COMMITTEE AND SPECIAL REPORTS:

8. OTHER BUSINESS

9. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA:

10. NEXT SCHEDULED MEETING JULY 8, 2014

11. ADJOURNMENT:

Motion made by Mr. Stetson, seconded by Mr. Fabian, to adjourn the meeting at 7:48 p.m.
Motion carried.

Craig Carlton, Chairperson

Barbara McCrea, Planning Commission
Coordinator

**CITY OF DAVISON
DOWNTOWN DEVELOPMENT AUTHORITY
JUNE 12, 2014**

PRESENT: Deb Loveland, Paul Snyder, Cindy Wentzel, Kristen Bullock, Chris Stritmatter, Tim Bishop, Carrie Baugher

ABSENT: Tim Look

STAFF: City Manager Michael Hart, DDA Coordinator Elizabeth Holm

OTHERS: 1

CALL TO ORDER

Chairman Loveland called the meeting to order at 6:37 p.m.

APPROVAL OF AGENDA

MOTION 63-14 APPROVAL OF AGENDA FOR JUNE 12, 2014

Motion by Mayor Bishop, and seconded by Ms. Bullock to approve the agenda for June 12, 2014 adding budget amendments under new business. Motion carried.

MOTION 64-14 APPROVAL OF MAY 21, 2014 REGULAR MINUTES

Motion by Mayor Bishop, and seconded by Ms. Bullock to approve the May 21, 2014 Regular Minutes as presented. Motion carried.

Mr. Stritmatter arrived at 6:39 p.m.

MOTION 65-14 BILLS PRESENTED FOR PAYMENT

Original Motion:

Motion by Ms. Wentzel, and seconded by Ms. Bullock to approve the bills presented for payment in the amount of \$7067.11.

Amended Motion read:

Motion by Ms. Wentzel, and seconded by Ms. Bullock to approve the bills presented for payment taking off the Farmer's Market bill, for a total bills presented for payment in the amount of \$6917.11. Motion carried.

APPROVAL OF TREASURER'S REPORT

MOTION 66-14 APPROVAL OF TREASURER'S REPORT

Motion by Mayor Bishop, and seconded by Ms. Bullock to approve the June Treasurer's Report as presented. Motion carried

MOTION 67-14 REVENUE & EXPENSE REPORT

Motion by Mayor Bishop, and seconded by Mr. Stritmatter to accept the Revenue and Expenditure report as presented. Motion carried.

PUBLIC COMMENTS/ COMMUNICATIONS CONCERNING ITEMS ON THE AGENDA

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CITY OF DAVISON
DOWNTOWN DEVELOPMENT AUTHORITY
JUNE 12, 2014**

CITY MANAGER'S REPORT

Mr. Hart asked if a couple of people from the Joint Design/Organization Committee could come and give the Council an update on the façades at the next council meeting.

**UNFINISHED BUSINESS
FAÇADE GRANT PROGRAM**

Chairman Loveland stated that Larson will be pursuing the grant money from the MEDC. She is not sure if Baumbachs or Teeds will be pursuing it as well.

DDA LETTERHEAD

Mr. Snyder arrived at 6:55 p.m.

MAIN STREET PROPERTY

Mr. Hart stated that the DDA is in position to do something with their Main Street property. It can be a stand alone or combined transaction. The City can't sell their property but they can still offer it to be developed. The DDA property can be sold and the City property can be used but would need to stay titled to the City. The Economic Restructuring committee will meet with Mr. Hart and Jim Dowsett regarding the properties.

BRAIDWOOD PARKING ISSUES

Staff will be getting a downtown business sign markup that will be presented at the next meeting.

**NEW BUSINESS
COMMITTEE MEMBERS**

Motion by Mr. Snyder, and seconded by Ms. Bullock to approve the DDA committee members as amended, adding Chris Stritmatter as a volunteer under the Economic Restructuring Committee. Motion carried.

A Thank you note will be given for the painting of the mural.

INSURANCE PREMIUM

Ms. Holm stated that our property pool insurance from the MML has a slight increase but we will also receive a dividend.

MOTION 68-14 2013-14 BUDGET AMENDMENT

Motion by Ms. Bullock, and seconded by Mr. Snyder to approve the 2013-14 budget amendment as presented contingent on the City Treasurer's concurrence. Motion carried.

ORGANIZATION COMMITTEE

Worked on budget amendments.

PROMOTIONS COMMITTEE (EVENTS COORDINATOR REPORT)

Diane presented her written report.

Discussion held on the Farmer's Market and issues with making money/covering costs with the Farmer's Market. Possibly combine the Farmer's Market with the Car Cruise. The entertainment will need to be cancelled as it is not feasible this year. The times may also change to combine with car cruise.

Art Festival: The music portion won't be a problem. Ms. Millington is working on the food portion. Chairman Loveland stated that we need to have 20 vendors or we don't really have a show. If 20 vendors aren't committed by next week the show will be cancelled until next year.

The Main Street Music Festival will be in late August or September.

MOTION 69-14 BILLS PRESENTED FOR PAYMENT

Motion by Mayor Bishop, and seconded by Mr. Stritmatter to approve the July bills for payment as amended, removing the Farmer's Market invoices in the amount of \$300 to be paid in the 2014-15 fiscal year. Motion carried.

DESIGN COMMITTEE

ECONOMIC RESTRUCTURING COMMITTEE

The next meeting is Thursday, June 19th.

ANY GENERAL PUBLIC COMMENTS ON ANY ITEM NOT ON THE AGENDA

ANNOUNCEMENTS

Mayor Bishop: Welcomed Carrie Baugher to the DDA.

Chairman Loveland: Doing the color run on Thursday.

Ms. Wentzel: Living Grace Church kids are raising money for a Brazil trip during the car cruise.

Mr. Snyder: Elixer Clothing in Lake Orion should be open by July 1st.

Ms. Baugher: Thanks for having me.

MOTION 70-14 AJOURNMENT

Motion by Mayor Bishop and seconded by Mr. Snyder to adjourn the meeting at 7:57 p.m.

Motion carried.

Elizabeth J. Holm, DDA Coordinator

**CITY OF DAVISON
LOCAL DEVELOPMENT FINANCE AUTHORITY
REGULAR MEETING MINUTES
June 16, 2014**

PRESENT: Mayor Tim Bishop, Larry Gawthrop, Pegge Adams, Leroy Cole

ABSENT: Duane Veit, Larry Fox, T.J. Bauswell

STAFF PRESENT: Michael Hart City Manager, Angela West LDFA Coordinator,
Kristin Moore LDFA Coordinator

CALL TO ORDER

Mr. Cole called the meeting to order at 1:33 p.m.

APPROVAL OF AGENDA FOR June 16, 2014

Motioned by Mayor Bishop and seconded by Mr. Gawthrop, to approve the agenda for June 16, 2014 as presented. Motion carried.

APPROVAL OF MINUTES FOR March 17, 2014

Motioned by Mayor Bishop, and seconded by Ms. Adams, to approve the regular meeting minutes for March 17, 2014 as presented. Motion carried.

BILLS PRESENTED FOR PAYMENT

Motioned by Mayor Bishop, seconded by Mr. Gawthrop, to approve bills presented for payment in the amount of \$5,420.00. Motion carried.

TREASURER'S REPORT

Approval of the Treasurer's report:

- A. Motioned by Mayor Bishop, seconded by Ms. Adams, to accept the Treasurer's report as presented for March, April, and May 2014. Motion carried.

PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS ON THE AGENDA

UNFINISHED BUSINESS

NEW BUSINESS

- A. Motioned by Ms. Adams and seconded by Mr. Gawthrop, to postpone election of officers until September 15, 2014 meeting. Motion carried. Note to check bylaws to verify criteria for being elected to LDFA officer position.
- B. Mr. Hart reported that the council's goals and objectives include several economic resolutions to help the LDFA.

CITY OF DAVISON
LOCAL DEVELOPMENT FINANCE AUTHORITY
REGULAR MEETING MINUTES
June 16, 2014

COMMITTEE AND SPECIAL REPORTS

ANY GENERAL PUBLIC COMMENTS ON ANY ITEM NOT ON THE AGENDA

ANNOUNCEMENTS

NEXT MEETING

The next regularly scheduled meeting will be held on September 15, 2014.

ADJOURNMENT

Motioned by Mayor Bishop, seconded by Mr. Gawthrop, to adjourn the meeting at 1:50 p.m. Motion carried.

Leroy Cole, Chairman

Kristin Moore, Coordinator

**CITY OF DAVISON
BROWNFIELD REDEVELOPMENT AUTHORITY
REGULAR MEETING MINUTES
June 16, 2014**

PRESENT: Leroy Cole, Mayor Tim Bishop, Leroy Cole, Larry Gawthrop, Pegge Adams

ABSENT: Duane Veit, Larry Fox, T.J. Bauswell,

STAFF PRESENT: Michael Hart City Manager, Angela West LDFA Coordinator, Kristin Moore LDFA Coordinator

CALL TO ORDER

Mr. Cole called the meeting to order at 1:50 p.m.

APPROVAL OF AGENDA FOR June 16, 2014

Motioned by Mayor Bishop, and seconded by Mr. Adams, to approve the agenda for June 16, 2014 as presented. Motion carried.

APPROVAL OF MINUTES FOR March 17, 2014

Motioned by Mayor Bishop, and seconded by Ms. Adams, to approve the regular meeting minutes from March 17, 2014 as presented. Motion carried.

**PUBLIC COMMENTS AND COMMUNICATIONS CONCERNING ITEMS ON THE AGENDA
UNFINISHED BUSINESS**

NEW BUSINESS

A. Mr. Hart provided information regarding the sale of Davison Oil and Gas

COMMITTEE AND SPECIAL REPORT

ANY GENERAL PUBLIC COMMENTS ON ANY ITEM NOT ON THE AGENDA

ANNOUNCEMENTS

NEXT MEETING

The next regularly scheduled meeting will be held on September 15, 2014.

ADJOURNMENT

Motioned by Mayor Bishop, and seconded by Mr. Gawthrop, to adjourn the meeting at 1:58 pm. Motion Carried.

Leroy Cole, Chairman

Kristin Moore, Coordinator

**City of Davison
City Council Meeting
June 9, 2014
7:30 PM
City Council Chambers**

Present: Mayor Tim Bishop, Jack Abernathy, Paul Hammond, Gary Peppin, Pat Stetson and Ron Emery

Absent: Joan Snyder

Staff: City Manager Michael Hart, Deputy Clerk Elizabeth Holm, Police Chief Bill Brandon, DPW Supervisor Ed Brown and Treasurer Julie Pray

Others: 27 General public

CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Mayor Bishop called the meeting to order at 7:30 p.m.

MOTION 113-14 APPROVAL OF THE REGULAR AGENDA

Motion by Mr. Abernathy, and seconded by Mr. Stetson to approve the regular agenda for June 9, 2014 as presented. Motion carried.

PUBLIC COMMENTS

APPROVAL OF CONSENT AGENDA

- A. Street Closing Application Chamber of Commerce Festival of Flags Parade – June 18, 2014
- B. DDA Minutes April 16, 2014 – Draft
- C. Davison Library Board Minutes – May 7, 2014 – Draft
- D. DDA Appointment Carrie Baugher Term Ending September 1, 2015

MOTION 114-14 APPROVAL OF CONSENT AGENDA

Motion by Mr. Abernathy, and seconded by Mr. Emery to approve consent agenda as presented. Motion carried unanimously by roll call vote.

APPROVAL OF MINUTES

MOTION 115-14 APPROVAL OF MAY 12, 2014 REGULAR MEETING MINUTES AND MAY 20, 2014 SPECIAL MEETING MINUTES

Motion by Mr. Emery, and seconded by Mr. Abernathy to approve the May 12, 2014 regular meeting minutes, and May 20, 2014 special meeting minutes as presented. Motion carried.

MOTION 116-14 BILLS PRESENTED FOR PAYMENT

Motion by Mr. Emery, and seconded by Mr. Abernathy to approve the bills for payment in the amount of \$283,866.76. Motion carried.

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COUNCIL MEETING
JUNE 9, 2014

PUBLIC HEARING LEAF PICKUP

Mayor Bishop opened the public hearing at 7:35 p.m.

Douglas Figgins 808 S. Dayton Street: I'm here in regards to the leaf pickup. I'm for the continuation of the curbside leaf pickup, raking them into gutters and have it picked up as it has in the past. Rather than leaves bagging up. It would cost probably \$500 worth of bags, let alone the labor of picking them up and putting them all to the curb. Either that or I will have a big giant compost pile. It is a hardship on me. I'm retired and I'm still working 3 jobs to help to pay the water bill. This is like the straw that broke the camel's back. I would be in favor of a \$30 assessment per person. I would be in favor of a \$30 per household assessment for the pickup of leaves for the continuation. Thank you.

Robert Johnson 819 Meadow Drive: I don't have many leaves. I agree with leaf pickup. It would cost me a fortune for leaf pickup if bagged; but I don't have many trees. I have priced out bags and it is expensive. But it is difficult to put in bags. I can see some exception to putting them in bags. I can also see the difficulty of putting them in bags. Thank you.

Lois Lindenschmidt 315 N. Lapeer Street: I'm all for paying that assessment. For one, I am a senior citizen, the school rakes the leaves into street every year for me and has for the last four years and church does too. These bags, I doubt that I can get them to put them in bags. The other thing that has not been mentioned is that you can only put 20 bags out a week out to the curb. And that was told to me by the Republic person that picks up my yard waste. They told me that you can only place 20 bags out to the curb a week. So what do we do if we have 100 bags? Where do we put them? Would we put them until leaf pickup is over? I am quite concerned about it. I have lived here 60 years. I have always helped all of the other senior citizens and now it is my turn and the school won't do that; bag them all for you. Thank you.

Jim Griener 930 Oda Street: I would like to make it known that I would like the City to seriously consider continuing the leaf pickup. Senior citizens trying to hold the bag and place stuff in is for your younger days. Please give consideration. Thank you.

April Squires 901 Meadow Drive: I live in the older part of Meadow that has a lot of trees. I have been in the city for 15 years and I take pride in my yard. It is going to make the city look awful to have all those bags out there on the curb. Plus it is going to be quite an expense. I don't want to spend my whole time, my husband can't do it anymore and trying to get my kids to do it – that's a joke, so it is me. I will spend all of my time bagging leaves. No time to do it. I will pay the assessment.

Dean VanWagnen 312 Elmwood Drive: Not for paying extra dollars to for the extra assessment. I think that is something that is comes out of my taxes already. I think that is something that is worthy to come out of my taxes. I think that we should be creative instead. I don't know where the extra \$16,000 went from last year to \$32,000 this year. Maybe we can explore some other place to use as a compost site. We need to be creative on how we can use that site, as an education site for composting. We can educate out students on how leaves rot. So it is not a compost site but an education site. Is there some way that we can use that site that it would be acceptable for the State? Is there some other site in the city that can be used so we can keep the cost down to \$16,000 instead of \$30,000. I don't know. I'm not for an extra \$30 but I do want curbside pickup. Be creative. Thank you.

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COUNCIL MEETING
JUNE 9, 2014

Leo Persails 825 Tamarac Drive: I also don't agree with the \$30 assessment. I would real be surprised if people would be for bagging. What are you referring to as the \$16,000 to \$30,000? I know that the paper said that it was an estimate; I'm curious where that estimate came from. Some of the problems I see with the pickup when I rake them into the street. I was told that it will be picked up but it goes like a week without being picked up. I know that sticks aren't supposed to be in there. I'm not sure if that was some of the problem. One of my suggestions would be to have set days with leaf pick up. I know personally that the leaves don't always cooperate. They don't always fall off the tree on those dates. Maybe we can make it more flexible. Maybe reduce the number of days. When the leaves are light, then yeah, I don't have a problem putting them in my cans and putting them out to the streets for Republic to pick them up. That is not a problem. I don't want to get carried away with bags and bags. Plus it starts getting heavy, I think around Halloween. We don't want our streets filled with leaves when the kids are out trick-or-treating. So we definitely need to set the date before Halloween for the first date or whatever. If we have to we can reduce the other dates. Also the governor of Michigan talks about how communities should work together. So if you pursued other communities that have equipment and/or places to put leaves. We could cooperate and work with them. I like the idea of the location of dumping our leaves if we could find a spot. What I think we could do, is if we could dump and then Republic could just go there and pick them up. This saves them a ton of gas. They don't have to go to each resident and pick them up. The time is spent by just going to one site. I don't know if we have resources that Republic can just put it in their truck themselves. I have to believe that it saves them time and money. That is all I have. Thanks.

Elmer Cox 343 North Drive: Mr. Mayor, you said you might have something going on about leaf pick up Why don't we go ahead and get into that and it might end a lot of questions about it and then do a public hearing.

Doug Figgins 808 Davison Street: 15 years ago, or maybe 12 years ago between the sidewalk and the curb we didn't have any trees. The City came around and said that they were going to putup trees. The City put in trees and now we are expected to pick up those leaves too. Thank you.

Mayor Bishop closed the public hearing at 7:47 p.m.

Leaf Pickup (Historical Overview & Discussion)

Mr. Hart gave an historical overview of leaf pickup.

COMMUNICATION TO THE COUNCIL

Retiree Health Care Appreciation Letter

APPOINTED OFFICERS REPORT

Mr. Hart presented the Monthly Permits, Inspections and Zoning Violation Report for May 2014.

Mr. Brown presented the Monthly DPW Report for May 2014.

Chief Brandon presented the Monthly Police Report for May 2014.

Mrs. Pray presented the Monthly Revenue & Expenditure Report for May 2014.

CITY MANAGER REPORT

Mr. Hart stated that our property pool insurance from the MML has a slight increase but we also receive a dividend.

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COUNCIL MEETING
JUNE 9, 2014**

COUNCIL COMMITTEE REPORT

Mr. Abernathy: The Fire Authority approved the 2014-15 budget. Construction on the substation is progressing well. Richfield Township will be using the substation as a voting location instead of Siple Elementary.

Mr. Stetson: The Planning Commission has given the dumpster ordinance to council. The Master Plan continues to be worked on.

Mr. Peppin: Jud Judkins from Love Inc. spoke at Small Cities and talked about providing people with food and clothing.

**UNFINISHED BUSINESS
ENGINEERING REPORT**

MOTION 117-14 ADOPTION OF RESOLUTION 2014-22 REVISED COUNCIL RULES

Motion by Mr. Hammond, and seconded by Mr. Peppin to approve Resolution 2014-22 Revised Council Rules as presented. Motion carried.

MOTION 118-14 ADOPTION OF FY 2014-2015 GOALS & OBJECTIVES

Motion by Mr. Hammond, and seconded by Mr. Peppin to approve the FY 2014-2015 Goals & Objectives as presented. Motion carried. – Emery no.

MOTION 119-14 ACCEPTANCE OF PLANNING COMMISSION DUMPSTER ORDINANCE RECOMMENDATION

Motion by Mr. Stetson, and seconded by Mr. Hammond to accept the planning commission's recommendation of the dumpster ordinance and to direct the clerk to prepare the ordinance for a first reading. Motion carried.

ANY ITEM REMOVED FROM CONSENT AGENDA

NEW BUSINESS

MOTION 120-14 APPROVAL OF RESOLUTION 2014-23 PERSONAL PROPERTY TAX REFORM

Motion by Mr. Emery, and seconded by Mr. Stetson to approve Resolution 2014-23 Personal Property Tax Reform. Motion denied unanimously.

MOTION 121-14 RESUBMISSION REQUEST OF RESOLUTION 2014-23

Motion by Mr. Emery, and seconded by Mr. Hammond to have staff resubmit Resolution 2014-23 Personal Property Tax Reform Resolution at the June 23, 2014 meeting. Motion carried.

MOTION 122-14 FIRST READING ORDINANCE 2014-04 CHAPTER 690.01 FIREWORK & ORDINANCE 2014-05 CHAPTER 1610 BOCA NATIONAL FIRE PREVENTION CODE

Motion by Mr. Hammond, and seconded by Mr. Emery that the Chapter 690.01 Fireworks Ordinance and Chapter 1610 BOCA National Fire Prevention Code Ordinance be referred back to the Policy Committee for revision in line with Council direction and State law and subsequent re-submission to Council. Motion carried.

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COUNCIL MEETING
JUNE 9, 2014**

MOTION 123-14 FIRST READING ORDINANCE 2014-06 IDEP

Motion by Mr. Hammond, and seconded by Mr. Abernathy to approve the first reading of Ordinance 2014-06 IDEP. Motion denied unanimously.

MOTION 124-14 DELINQUENT PERSONAL PROPERTY TAX REMOVALS

Motion by Mr. Abernathy, and seconded by Mr. Stetson, to remove delinquent tax property off of rolls as presented. Motion carried.

MOTION 125-14 DELINQUENT UTILITY & MISCELLANEOUS RECEIVABLES SPECIAL ASSESSMENTS TO TAX ROLL

Motion by Mr. Abernathy, and seconded by Mr. Emery to approve the delinquent utility and miscellaneous receivables special assessments to the July 2014 tax roll. Motion carried.

MOTION 126-14 GARBAGE SPECIAL ASSESSMENTS ON TAX ROLL

Motion by Mr. Abernathy, and seconded by Mr. Stetson, to add the garbage special assessments to the July 2014 tax roll. Motion carried.

PUBLIC COMMENTS NOT INCLUDED ON THE AGENDA

Comment was made that the Mill Street and Rising Street concept drawings will be presented soon from the DDA.

Pegge Adams gave an update regarding project fresh information, home improvement projects through the Metropolitan Planning Commission, “adopt a cat month” at animal control, and fracking.

ANNOUNCEMENTS

Abernathy: June 16th Quad Gov Meeting will be at Davison Township.

Stetson: Will be a great grandfather soon.

Mayor: The Festival of Flags is June 18-22. The “Human Flag” will be on June 22nd. The Class of 2014 is graduating tonight.

Hammond – Read thoughts and history regarding the D-Day invasion.

MOTION 126-14 ADJOURNMENT

Motion by Mr. Emery, and seconded by Mr. Abernathy to adjourn the meeting at 9:30 p.m. Motion carried.

Mayor Tim Bishop

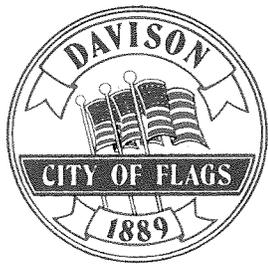
Deputy Clerk Elizabeth J. Holm

Devon City Council &
Office Staff -

Special Thanks to
Andrew Schroder and
all her help with
our Parcel for the
park fund raisers.

Thank you to City
Council & office staff
for your generous
gift to the Lake
Callie Pavilion Fund
She couldn't have done
it without you.

Gerry Callie
& Family



City of Davison

200 E. FLINT STREET, SUITE 2
DAVISON, MICHIGAN 48423-1246

TELEPHONE (810) 653-2191
FAX (810) 653-9621

CITY OF DAVISON RESOLUTION 2014-23

RESOLUTION SUPPORTING LOCAL COMMUNITY STABILIZATION AND PERSONAL PROPERTY TAX REFORM RAISING TAXES

At a regular meeting of the Davison City Council, held in the City Council Chambers at 200 E Flint Street, Davison, MI 48423 on the 23rd day of June, 2014.

PRESENT:

ABSENT:

WHEREAS, local governments in Michigan have struggled with unstable funding needed to provide services; and

WHEREAS, Michigan businesses have struggled with an uncompetitive tax on business; and

WHEREAS, small businesses and manufacturers power out economy and are the largest contributor to job growth in Michigan; and

WHEREAS, no other state in our region taxes business equipment the way Michigan does – and most of those states do not tax it at all, which makes Michigan significantly less competitive when it comes to job creation and business investment; and

WHEREAS, Michigan communities have struggled for years to pay for essential services like police, fire, ambulance, schools, and jails; and

WHEREAS, Michigan communities have relied on this shrinking source of Personal Property Tax revenue to provide other community service as well, including roads, transportation and libraries; and

WHEREAS, with bipartisan support the Michigan Legislature has voted to reform the antiquated personal property tax to help increase Michigan's competitiveness with other states and remove an onerous tax that will allow more business investment and create more jobs while providing a stable source for local communities; and

WHEREAS, this is not a constitutional amendment but the state constitution requires Michigan voters to approve certain changes in local taxes; and

WHEREAS, local governments have struggled with unstable funding needed to provide services and business have struggled with an uncompetitive tax on equipment for years; and

WHEREAS, the proposal will make Michigan more competitive, which will help local communities to attract more businesses and talent and create local jobs; and

WHEREAS, the proposal is supported by the Michigan Municipal League, the Michigan Townships Association, Michigan Association of Chiefs of Police, Michigan Association of Police Organizations, Michigan Community College Association, Michigan Farm Bureau, the Small Business Association of Michigan, Michigan Sheriffs Association, Michigan Chamber of Commerce, National Association of Independent Businesses and the Michigan manufacturers Association, among others.

NOW THEREFORE, BE IT RESOLVED, the Davison City Council, hereby expresses its strong support for the proposal to eliminate the unfair double tax and strengthens our communities. We urge our residents to vote YES on this proposal on August 5, 2014.

June 23, 2014

Tim Bishop, Mayor
City of Davison

Model Illicit Discharge and Connection Storm-water Ordinance for IDEP provisions

ORDINANCE NO. 2014-06

SECTION 1. PURPOSE/INTENT.

The purpose of this ordinance is to provide for the health, safety, and general welfare of the citizens of The City of Davison through the regulation of non-storm water discharges to the storm drainage system to the maximum extent practicable as required by federal and state law. This ordinance establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) permit process. The objectives of this ordinance are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system (MS4) by storm-water discharges by any user
- (2) To prohibit Illicit Connections and Discharges to the municipal separate storm sewer system
- (3) To establish legal authority to carry out all inspection, surveillance and monitoring procedures necessary to ensure compliance with this ordinance

SECTION 2. DEFINITIONS.

For the purposes of this ordinance, the following shall mean:

Authorized Enforcement Agency: employees or designees of the City Manager of the municipal agency designated to enforce this ordinance.

Best Management Practices (BMPs): schedules of activities, prohibitions of practices, general good house-keeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly to storm-water, receiving waters, or storm-water conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

Clean Water Act: The federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

Construction Activity: Activities subject to NPDES Construction Permits. Currently these include construction projects resulting in land disturbance of 5 acres or more. Beginning in March 2003, NPDES Storm Water Phase II permits will be required for construction projects resulting in land disturbance of 1 acre or more. Such activities include but are not limited to clearing and grubbing, grading, excavating, and demolition.

Hazardous Materials: Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Illegal Discharge: Any direct or indirect non-storm water discharge to the storm drain system, except as exempted in Section X of this ordinance.

Illicit Connections: An illicit connection is defined as either of the following:

Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including but not limited to any conveyances which allow any non-storm water discharge including sewage, process wastewater, and wash water to enter the storm drain system and any connections to the storm drain system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency or,

Any drain or conveyance connected from a commercial or industrial land use to the storm drain system which has not been documented in plans, maps, or equivalent records and approved by an authorized enforcement agency.

Industrial Activity: Activities subject to NPDES Industrial Permits as defined in 40 CFR, Section 122.26 (b)(14)

National Pollutant Discharge Elimination System (NPDES) Discharge Permit: A permit issued by EPA (or by a State under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to waters of the United States, whether the permit is applicable on an individual, group, or general area-wide basis.

Non-Storm Water Discharge: Any discharge to the storm drain system that is not composed entirely of storm water.

Person: Any individual, association, organization, partnership, firm, corporation or other entity recognized by law and acting as either the owner or as the owner's agent.

Pollutant: Anything which causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquid and solid wastes and yard wastes; refuse, rubbish, garbage, litter, or other discarded or abandoned objects, ordinances, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind.

Premises: Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and parking strips.

Storm Drainage System: Publicly-owned facilities by which storm water is collected and/or conveyed, including but not limited to any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

Storm Water: Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation, and resulting from such precipitation.

Storm-water Pollution Prevention Plan: A document which describes the Best Management Practices and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges to Storm-water, Storm-water Conveyance Systems, and/or Receiving Waters to the Maximum Extent Practicable.

Wastewater: Any water or other liquid, other than uncontaminated storm water, discharged from a facility.

SECTION 3. APPLICABILITY.

This ordinance shall apply to all water entering the storm drain system generated on any developed and undeveloped lands unless explicitly exempted by an authorized enforcement agency.

SECTION 4. RESPONSIBILITY FOR ADMINISTRATION.

The City of Davison shall administer, implement, and enforce the provisions of this ordinance. Any powers granted or duties imposed upon the authorized enforcement agency may be delegated by the City Manager of the authorized enforcement agency to persons or entities acting in the beneficial interest of or in the employ of the agency.

SECTION 5. SEVERABILITY.

The provisions of this ordinance are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Ordinance or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Ordinance.

SECTION 6. ULTIMATE RESPONSIBILITY.

The standards set forth herein and promulgated pursuant to this Ordinance are minimum standards; therefore this Ordinance does not intend nor imply that compliance by any person will ensure that there will be no contamination, pollution, nor unauthorized discharge of pollutants.

SECTION 7. DISCHARGE PROHIBITIONS.

Prohibition of Illegal Discharges.

No person shall discharge or cause to be discharged into the municipal storm drain system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than storm water.

The commencement, conduct or continuance of any non-authorized discharge to the storm drain system is prohibited except as described as follows:

- (a) The following discharges are exempt from discharge prohibitions established by this ordinance: water line flushing or other potable water sources; landscape irrigation or lawn watering, and irrigation waters; diverted stream flows and flows from riparian habitats and wetlands; rising ground water and springs; uncontaminated ground water infiltration and seepage; uncontaminated pumped ground water except for groundwater cleanups specifically authorized by NPDES permits; foundation drains, water from crawl space pumps, footing drains and basement sump pumps (not including active groundwater dewatering systems); air conditioning condensation; waters from non-commercial washing of vehicles; street wash water; de-chlorinated swimming pool water from single, two, or three family residences; firefighting activities; and any other water source not containing Pollutants.
- (b) Dye testing done under the authorization of the MDEQ (general Rule 97) is an allowable discharge, but requires a complete Notice of Intent to the MDEQ prior to the time of the test.
- (c) The prohibition shall not apply to any non-storm water discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the Federal Environmental Protection Agency, provided that the discharger is in

full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm drain system.

Prohibition of Illicit Connections.

- (e) The construction, use, maintenance or continued existence of illicit connections to the storm drain system is prohibited.
- (f) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
- (g) A person is considered to be in violation of this ordinance if the person connects a line conveying sewage to the MS4, or allows such a connection to continue.

SECTION 8. SUSPENSION OF MS4 ACCESS.

Suspension due to Illicit Discharges in Emergency Situations

The City of Davison may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the United States. If the violator fails to comply with a suspension order issued in an emergency, the authorized enforcement agency may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the United States, or to minimize danger to persons.

Suspension due to the Detection of Illicit Discharge

Any person discharging to the MS4 in violation of this ordinance may have their MS4 access terminated if such termination would abate or reduce an illicit discharge. The authorized enforcement agency will notify a violator of the proposed termination of its MS4 access. The violator may petition the authorized enforcement agency for a reconsideration and hearing.

A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the authorized enforcement agency.

SECTION 9. INDUSTRIAL OR CONSTRUCTION ACTIVITY DISCHARGES.

Any person or party subject to an industrial or construction activity NPDES storm water discharge permit shall comply with all provisions of such permit. Proof of compliance with said permit may be required in a form acceptable to the City of Davison prior to the allowing of discharges to the MS4. Also, see the City's adopted ordinance 2014-03, Chapter 1047.

SECTION 10. MONITORING OF DISCHARGES.

A. Applicability.

This section applies to all facilities that have storm water discharges associated with industrial activity, including construction activity.

B. Access to Facilities.

- (a) The City of Davison shall be permitted to enter and inspect facilities subject to regulation under this ordinance as often as may be necessary to determine compliance with this ordinance. If a discharger has security measures in force which require proper identification and clearance before entry into its premises, the discharger shall make the necessary arrangements to allow access to representatives of the authorized enforcement agency.
- (b) Facility operators shall allow the City of Davison ready access to all parts of the premises for the purposes of inspection, sampling, examination and copying of records that must be kept under the conditions of an NPDES permit to discharge storm water, and the performance of any additional duties as defined by state and federal law.
- (c) The City of Davison shall have the right to set up on any permitted facility such devices as are necessary in the opinion of the authorized enforcement agency to conduct monitoring and/or sampling of the facility's storm water discharge.
- (d) The City of Davison has the right to require the discharger to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure storm-water flow and quality shall be calibrated to ensure their accuracy.
- (e) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City of Davison and shall not be replaced. The costs of clearing such access shall be borne by the operator.
- (f) Unreasonable delays in allowing the City of Davison access to a permitted facility is a violation of a storm water discharge permit and of this ordinance. A person who is the operator of a facility with a NPDES permit to discharge storm water associated with industrial activity commits an offense if the person denies the authorized enforcement agency reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this ordinance.
- (g) If the City of Davison has been refused access to any part of the premises from which storm-water is discharged, and the City is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program designed to verify compliance with this ordinance or any order issued hereunder, or to protect the overall public health, safety, and welfare of

the community, then the authorized enforcement agency may seek issuance of a search warrant from any court of competent jurisdiction.

SECTION 11. REQUIREMENT TO PREVENT, CONTROL, AND REDUCE STORM WATER POLLUTANTS BY THE USE OF BEST MANAGEMENT PRACTICES.

The City of Davison will adopt requirements identifying Best Management Practices for any activity, operation, or facility which may cause or contribute to pollution or contamination of storm water, the storm drain system, or waters of the U.S. The owner or operator of a commercial or industrial establishment shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the municipal storm drain system or watercourses through the use of these structural and non-structural BMPs. Further, any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at said person's expense, additional structural and non-structural BMPs to prevent the further discharge of pollutants to the municipal separate storm sewer system. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of storm water associated with industrial activity, to the extent practicable, shall be deemed in compliance with the provisions of this section. These BMPs shall be part of a storm-water pollution prevention plan (SWPP) as necessary for compliance with requirements of the NPDES permit.

SECTION 12. WATERCOURSE PROTECTION.

Every person owning property through which a watercourse passes, or such person's lessee, shall reasonably keep and maintain that part of the watercourse within the property free of their trash and debris, that would pollute or contaminate the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

SECTION 13. NOTIFICATION OF SPILLS.

Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into storm water, the storm drain system, or water of the U.S. said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such release. In the event of such a release of hazardous materials said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. In the event of a release of non-hazardous materials, said person shall notify the authorized enforcement agency in person or by phone or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City of Davison within three (3) business days of the phone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or

operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

SECTION 14. ENFORCEMENT.

Notice of Violation.

Whenever the City of Davison finds that a person has violated a prohibition or failed to meet a requirement of this Ordinance, the authorized enforcement agency may order compliance by written notice of violation to the responsible person or party. Such notice may require without limitation:

- (a) The performance of monitoring, analyses, and reporting;
- (b) The elimination of illicit connections or discharges;
- (c) That violating discharges, practices, or operations shall cease and desist;
- (d) The abatement or remediation of storm water pollution or contamination hazards and the restoration of any affected property; and
- (e) Payment of a fine to cover administrative and remediation costs; and
- (f) The implementation of source control or treatment BMPs.

If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency or a contractor and the expense thereof shall be charged to the violator.

SECTION 15. APPEAL OF NOTICE OF VIOLATION.

Any person receiving a Notice of Violation may appeal the determination of the authorized enforcement agency. The notice of appeal must be received within fifteen (15) days from the date of the Notice of Violation. Hearing on the appeal before the appropriate authority or his/her designee shall take place within 15 days from the date of receipt of the notice of appeal. The decision of the municipal authority or their designee shall be final.

SECTION 16. ENFORCEMENT MEASURES AFTER APPEAL.

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within fifteen (15) days (or sooner as necessary), of the decision of the municipal authority upholding the decision of the authorized enforcement agency, then representatives of the authorized enforcement agency shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property. It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the government agency or designated contractor to enter upon the premises for the purposes set forth above.

SECTION 17. COST OF ABATEMENT OF THE VIOLATION.

Within forty-five (45) days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs. The property owner may file a written protest objecting to the amount of the assessment within fifteen (15) days. If the amount due is not paid within a timely manner as determined by the decision of the municipal authority or by the expiration of the time in which to file an appeal, the charges shall become a special assessment against the property and shall constitute a lien on the property for the amount of the assessment.

Any person violating any of the provisions of this article shall become liable to the City by reason of such violation. The liability shall be paid in not more than twelve (12) equal payments. Interest at the rate of (6%, 4%, and ½ % percent per annum as outlined in ordinance 248.12) shall be assessed on the balance beginning on the 1st day following discovery of the violation.

SECTION 18. INJUNCTIVE RELIEF.

It shall be unlawful for any person to violate any provision or fail to comply with any of the requirements of this Ordinance. If a person has violated or continues to violate the provisions of this ordinance, the authorized enforcement agency may petition for a preliminary or permanent injunction restraining the person from activities which would create further violations or compelling the person to perform abatement or remediation of the violation.

SECTION 19. COMPENSATORY ACTION.

In addition to enforcement proceedings, penalties, and remedies authorized by this Ordinance, the authorized enforcement agency may impose upon a violator, alternative compensatory actions such as storm drain stenciling, attendance at compliance workshops, creek cleanup, etc.

SECTION 20. VIOLATIONS DEEMED A PUBLIC NUISANCE.

In addition to the enforcement processes and penalties provided, any condition caused or permitted to exist in violation of any of the provisions of this Ordinance is a threat to public health, safety, and welfare, and is declared and deemed a nuisance, and may be summarily abated or restored at the violator's expense, and/or a civil action to abate, enjoin, or otherwise compel the cessation of such nuisance may be taken.

SECTION 21. CRIMINAL PROSECUTION.

Any person that has violated or continues to violate this Ordinance shall be liable to criminal prosecution to the fullest extent of the law, and shall be subject to a criminal penalty of five hundred dollars (\$500) per violation per day and/or imprisonment for a period of time not to exceed Ninety (90) days.

The authorized enforcement agency may recover all attorney fees, court costs, and other expenses associated with enforcement of this Ordinance, including sampling and monitoring expenses.

SECTION 22. REMEDIES NOT EXCLUSIVE.

The remedies listed in this ordinance are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the authorized enforcement agency to seek cumulative remedies.

SECTION 23. ADOPTION OF ORDINANCE.

This Ordinance shall be in full force and effect ten (10) days after its final passage and adoption. All prior ordinances and parts of ordinances in conflict with this Ordinance are hereby repealed.

PASSED AND ADOPTED this ____ day of June, 2014 by the following vote:

OPEN ISSUES LOG
APRIL 2014

CITY MANAGER

<u>Date</u>	<u>Issue</u>	<u>Action Taken</u>	<u>Priority</u>	<u>Expected Committee Completion Date</u>
2/24/2014	Redevelopment Liquor License	Commence May/June 2014	1	2nd Quarter 2015
1/15/2014	DCER Contract	In Progress	1	2nd Quarter 2014

PERSONNEL COMMITTEE

(Tim Bishop, Joan Snyder & Ron Emery)

<u>Date</u>	<u>Issue</u>	<u>Action Taken</u>	<u>Priority</u>	<u>Expected Committee Completion Date</u>
1/27/2014	Hiring of New Police Chief		1	2014
3/24/2014	Wage & Benefit Study		1	2014

POLICY COMMITTEE

(Paul Hammond, Gary Peppin & Jack Abernathy)

<u>Date</u>	<u>Issue</u>	<u>Action Taken</u>	<u>Priority</u>	<u>Expected Committee Completion Date</u>
1/9/2013	Sidewalk Construction & Maintenance	On hold	3	2nd Quarter 2015
3/5/2013	Ordinance Review	Requested Ordinance review procedure was adopted by Council on 2/25/2013	4	2nd Quarter 2015
2/13/2013	Council Rules & Procedures	In Progress	1	2nd Quarter 2014
3/25/2013	Purchasing Ordinance	In Progress	2	4th Quarter 2014
8/14/2013	Fireworks Ordinance Review	Assigned by Council	1	2nd Quarter 2014

FINANCE COMMITTEE

(Gary Peppin, Pat Stetson & Jack Abernathy)

<u>Date</u>	<u>Issue</u>	<u>Action Taken</u>	<u>Priority</u>	<u>Expected Committee Completion Date</u>

Presentation for Davison City Council
June 23, 2014

.....



6th annual

Davison
DOG WALK



Sunday September 14th, 2014
1 - 4pm

Deanna Sytek Snyder and Denice Wagner
request the following from Davison City
Council.....

- 1) Approve the event...6th Annual Davison Dog
Walk at Jack Abernathy Park*
- 2) Wave Park /Pavilion Fees for use of the
Park*

* dog walk date is "penciled in " on the Park reservation
log. Event date was selected based on the fact that no
one else had requested front pavilions or park use that day



Davison Dog Walk



Mission

Raise money and awareness for local non-profit animal rescue groups through a fun family event in the Davison Community

Davison Dog Walk partners with local non-profit groups	
Event Year	Non-Profit
2009	C.A.R.E (Citizens for Animal Rescue & Emergencies)
2010	C.A.R.E (Citizens for Animal Rescue & Emergencies)
2011	F.G.C.A.S (Friends of Genesee County Animal Shelter)
2012	F.G.C.A.S (Friends of Genesee County Animal Shelter)
2013	Adopt-a-Pet
2014	Adopt-a-Pet
2015	TBD

Davison Dog Walk Highlights

- Over \$2,000 donated in goods / services annually
- Average number of registered dogs = +100 each year
- Money raised is used for food, medical expenses, spaying/ neutering programs, to foster animals, and for fees to rescue dogs and cats
- Animal adoptions is encouraged and occur at this event
- Davison area veterinarians and local businesses participate