

#### Regular Meeting Agenda April 11, 2022 – 7:00 P.M.

1.Call to orde	r, Roll Call of Council, Pledge of Allegiance, and invocation	
2. Approval of	f Consent Agenda:	Miller
•	Approval of minutes of the March 14, 2022, Regular Council Meet	ing
•	Approval of minutes of the March 21, 2022, DDA Meeting	
•	Approval of minutes of the March 21, 2022, Planning Commission	Meeting
•	Approval of minutes of the March 8, 2022, RARA	
•	Accept of Sheriff's Report for March 2022	
•	Accept Zoning Director's March 2022 Report	
•	Approve the Bills to be paid	
3. Approval of	f Regular Agenda	Miller
4. Manager's	Report	Alden
5. Public Ackn	owledgement on Agenda Items (Two minutes per speaker)	
6. Unfinished	Business	
•	DPW Update	Cherver
•	Economic Development Update	Scow
•	Retail Recreational Marijuana Update	Alden
•	Zoning Board of Appeals Nomination	Alden
7. New Busine	ess	
•	RARA Master Plan	Jory Klumpp
•	Resolution of Assurance, Hiawatha Funding	Alden
•	Billboard Village Marketing	Scow
•	Village Manager Evaluation	Miller
8. Discussion	Items	
•	Nuisance (Blight)	Alden
	owledgement (Two minutes per speaker)	
10. Council Co	omments	
11. Items for	the Next Agenda	

12. Adjournment

#### VILLAGE OF ROSCOMMON

Minutes of the March 14, 2022 Regular Council Meeting

President Michael Miller called the Regular Council Meeting to order at 7:00 PM. Members of the Council present: Michael Miller, Dan Fishel, Tony Medina, Joanne Lederman, Heather Roemer, Maureen Ruddy and Angela Cook. Others present - Manager Ron Alden, Clerk Frances Dawson, DPW Director Lance Cherven and Trent Mulder, Accountant. Public present at the meeting were Dan Scow, Sean Brabant, Jason & Jessie Sharpe, Mike Allen, Phillip Cole, Pastor Erikson Aldridge, Mike Freese, Richard Robar and Jennie Walker. The Pledge of Allegiance was recited by all and an Invocation was given by Trustee Dan Fishel.

#### **CONSENT AGENDA**

Moved by Roemer, seconded by Ruddy, to accept the Consent Agenda with bills to be paid in the amount of \$22,887.39. Ayes: Medina, Fishel, Miller, Roemer, Lederman, Cook, Ruddy. Nays: None. The motion carried.

#### **REGULAR AGENDA**

Moved by Medina, seconded by Roemer to approve the Regular Agenda with the postponement of the Village Manager Evaluation and Closed Session to April 2022 . Ayes: Roemer, Ruddy, Fishel, Cook, Medina, Lederman, Miller. Nays: None. The motion carried.

#### MANAGER'S REPORT

#### Alden gave updates on:

They will be interviewing a couple of people for the one position on the ZBA Board this week. Nancy Forrester has purchased the old AuSable Bakery. Nancy owns the Bird and the Bear and will be opening a branch here in Roscommon. They hope to be open by summer. Thursday, April 21<sup>st</sup> is the Five Families meeting. Public welcome please. Saturday, April 30<sup>th</sup> is the Village Clean Up. Meet at the AuSable River Center. Friday, March 18, Alden will be meeting with Ken Borton, the new State Representative to discuss some projects that are going on in town and the grant monies available. Five new businesses opened up in 2021 in the Village with a possible 7 for 2022. Waiting for purchase agreements to be drawn up for the sale of property in the Industrial Park.

#### PUBLIC ACKNOWLEDEMENT ON AGENDA ITEMS

Comment on wanting a marijuana store here in the Village. Comment against marijuana business in the Village. Comment for a marijuana business in the Village. Comment against a marijuana business in the Village. Comment against a marijuana business in the Village.

#### UNFINISHED BUSINESS

Trent Mulder gave the Audit Report. All the numbers look great for the Village – even with the USDA grant activities and monies coming in. All funds made money for the Village and depreciation is hard to tell with the upgrades from the USDA Grant.

Jason Sharpe and Sean Brabant gave a presentation about the workings of a marijuana store, the benefits to the community that they would like to see, a lot of the state laws and regulations and their goals of opening a marijuana store in the Village of Roscommon.

Motion by Medina, seconded by Fishel to approve an Opt IN for the sale of Recreational/Medical Marijuana in the Village of Roscommon with the attorney to draft the Ordinance, the planning commission and zoning board to give their recommendations. Ayes: Miller, Medina, Fishel Lederman, Cook. Nays: Roemer, Ruddy. Motion carried.

#### DPW Update-

The Grant that we received will be starting in July of this year and it will be completed by October 1, 2022 for the contractor to determine and services with led pipes.

USDA Water monies left so they will be doing water mains on Wyckoff Street.

All lift stations are still being worked on and should be done by August.

More equipment has been delivered for the snow plow such as a street sweeper.

Cherven encourages you not to push for the gas tax to be lifted due to the monies that we get from the state with those profits.

Motion to approve DDA Bylaws by Fishel, seconded by Lederman. Ayes: Miller, Fishel, Medina, Lederman, Ruddy, Cook, Roemer. Nays: none. Motion Carried.

#### **NEW BUSINESS**

Alden comments on the RRC Certification. Mark Wahling getting it started and a committee along with Dan Scow to finish. It has been in the works for the past 5 years and a lot of work has been done to earn it.

The DDA accepted applications for a \$25,000 grant for businesses that qualify as one of the benefits of RRC Certification. The two finalists are Gardiner's Jewelry and the new Bird in the Bear restaurant that will be opening.

Motion to amend Ordinance No. 14 Compost Site by Cook, seconded by Roemer. Ayes: Ruddy, Cook, Fishel, Roemer, Lederman, Medina, Miller. Nays: none. Motion carried.

Motion to approve Change Order #3 Wastewater RCL Construction (decrease) \$148,629.54 by Medina, seconded by Fishel. Ayes: Lederman, Ruddy, Roemer, Cook, Medina, Miller, Fishel. Nay: none. Motion carried.

Motion to approve Change Order #1 Water, Robert T. Cole Inc. in the amount of \$9,737.00 by Roemer, seconded by Cook. Ayes: Medina, Fishel, Miller, Roemer, Lederman, Cook, Ruddy. Nays: none. Motion carried.

Motion to approve Chage Order No. 4 Elmer's Crane & Dozer \$35,000.65 by Lederman, Medina. Ayes: Roemer, Ruddy, Fishel, Cook, Medina, Lederman, Miller. Nays: none. Motion carried.

Motion to approve payment to Fleis & Vendenbrink Water USDA \$41,498.90 by Fishel, seconded by Miller. Ayes: Miller, Fishel, Medina, Lederman, Ruddy, Cook, Roemer. Nays: none. Motion carried.

Motion to approve payment to Fleis & Vandenbrink Wastewater USDA \$ 17,772.09 by Roemer, seconded by Cook. Ayes: Miller, Roemer, Medina, Ruddy, Fishel, Lederman, Cook. Nays: none. Motion carried.

Motion to purchase up to four (4) tablets, not to exceed \$1,000.00 for Council from Classic Computer by Medina, seconded by Cook. Ayes: Ruddy, Cook, Fishel, Lederman, Medina. Nays: Roemer, Miller. Motion carried.

#### **DISCUSSION ITEMS**

#### PUBLIC ACKNOWLEDGEMENT

Scow commented on starting RRC Certification about 5 years ago and is very happy that it is finished and we are one of the few in the state and we are the only one to finish the new updated version.

#### COUNCIL COMMENTS

Medina – more activity on the Village Facebook page – train station had good plug for them. Ruddy – Impressed with the Five Buds presentation.

Fishel – Impressed with the Five Buds presentation.

Roemer - none

Cook – Was sorry that some people left without listening to her explanation on what a tough decision she had about her yes vote on the marijuana issue.

Lederman – Agreed with Cook on a tough decision and was impressed with the presentation.

#### **ITEMS FOR THE NEXT AGENDA**

Tablets,

Shirts

Manager Evaluation

ADJOURNMENT Moved by Fishel, seconded by Cook to adjourn the meeting at 9:22 PM. All in favor. Hearing objections, the motion carried.				
Michael Miller Village President	Frances Dawson Village Clerk			



#### ROSCOMMON DOWNTOWN DEVELOPMENT AUTHORITY Board Minutes Hall.

March 21, 2022 8:00 AM



Members Present: CEO Ron Alden, President Thomas O'Brien (2), Diane Suvada (3), Crystal Brabant (4), Jessie Sharpe (3), Mike Walker (1), Phil Weiler (4),

Virtual/Phone: None (Tech Issues)

Excused: Secretary Sue Jock (2), Andrea Weiss (1) Sue Mcfatridge (3), Vice President Jim Anderson (2), Tom Barber (4), Peggy Kish (Resident) (2) Isabella (Bella) Cortes (SM)

Others Present: Marcie Dankert (Farmers Market); Dan Scow (Economic Development)

No comment on agenda

- 1. Meeting Minutes February 28, 2022
  - a. Motion to approve: Weiler
  - b. Second: Alden
  - c. Passed (Voice)
- 2. Treasurers Report
  - a. Motion to accept: Suvada
  - b. Second: Alden
  - c. Passed 7-0 (Roll Call)
    - i. Ayes: Alden, O'Brien, Suvada, Brabant, Sharpe, Walker, Weiler
    - ii. Nays: None
- 3. Manager's Report
  - a. ZBA The Planning Commission approved the realignment of the ZBA. Currently we have a three-member board with no alternates. We should have 3 ZBA board members with two alternates. Jennie Walker, our Planning Commission Recorder will represent the Planning Commission and Tim Reilly will serve as their alternate. We have had two people show interest in our ZBA board. Interviews will be conducted next week.
  - b. State Representative, Ken Borton We scheduled a meeting to meet with the Appropriations Committee regarding seeking funds for our Hiawatha project and our infrastructure projects. The meeting is set for April 14, 2022, at 11:00.
  - c. Real estate Update Chris Gallagher has agreed to purchase Parcels # 055 107 014 -350 parcel # 3 & Parcel # 055 107 014 0450, parcel # 2. He plans on putting in a wood retail business. We are doing a Deed search and then our attorney is writing up the agreement.
  - d. Village Clean Up Has been scheduled for Saturday April 30<sup>th</sup>. Let's hope for warm weather.
  - e. 5 Family Meeting is scheduled for Thursday, April 21, 2022, starting at 6:00 P.M. here in the Village

- 4. Farmer Market Funding Request
  - i. \$100 Magazine Advertisements (\$100)
  - ii. Business Expo Registration (\$40)
  - iii. Rack Cards (\$300)
  - iv. Total: \$440
  - b. Motion to grant: Suvada
  - c. Second: Alden
  - d. Passed 6-0, 1 abstained (Roll Call)
    - i. Ayes: Alden, O'Brien, Suvada, Brabant, Walker, Weiler
    - ii. Nays: None
    - iii. Abstained: Sharpe
- 5. Economic Development Request for Marketing
  - i. Way finding Signs \$1000 (Two Rare)
  - ii. 6 18"x24" signs @ \$80 each \$320
  - iii. 6 4"x6" One Way Directional signs @ \$40 each \$240
  - iv. 2 18"x24" Wallace Park signs @ \$80 each \$160
  - v. Additional signs as needed (TBD) \$280
  - vi. Koozies for Business Expo \$ 300 (Two Rare)
  - vii. 2,500 Rack Cards \$ 300 (Mid-North Printing)
  - viii. Business Expo Gold Sponsorship \$ 150 (HLRCC)
  - ix. Banner for Business Expo \$ 150 (Two Rare)
  - x. Signage County 104/200 @ \$1200 (Two Rare)
  - xi. Current Request: \$ 3100
  - b. Motion to grant: O'Brien
  - c. Second: Suvada
  - d. Passed 6-0, 1 abstained (Roll Call)
    - i. Ayes: Alden, O'Brien, Suvada, Brabant, Walker, Weiler
    - ii. Nays: None
    - iii. Abstained: Sharpe
- 6. Façade Grant Payment Skye High Gymnastics (\$5000)
  - a. Motion to grant: O'Brien
  - b. Second: Alden
  - c. Passed 6-0, 1 abstained (Voice)
    - i. Ayes: Alden, O'Brien, Suvada, Brabant, Walker, Weiler
    - ii. Nays: None
    - iii. Abstained: Sharpe
- 7. Façade Grant Request Bird and the Bear (\$5000)
  - a. Motion to grant: Weiler
  - b. Second: Alden
  - c. Passed 6-0, 1 abstained (Roll Call)
    - i. Ayes: Alden, O'Brien, Suvada, Brabant, Walker, Weiler
    - ii. Nays: None
    - iii. Abstained: Sharpe
- 8. Adjournment
  - a. Motion: Walker
  - b. Second: Weiler
  - c. Passed 6-0 (Voice)

#### PLANNING COMMISSION MINUTES

3-21-2022

#### Call to Order

Chairperson Dixon called to order the regular meeting of the Planning Commission at 5:30 PM at the offices of the Village of Roscommon.

#### 2. Pledge of Allegiance

The Pledge of Allegiance was recited by those present.

#### Roll Call

Roll was taken by Walker. Members present: Don Dixon, Tim Reilly, Kris Suvada.

Members excused: Heather Roemer, Steven DeVault. Others present: Ron Alden, Dan Scow, Jennie Walker, Jessie Sharpe, Jason Sharpe, Kyle Stonehouse

#### 4. Approval of Minutes

Dixon asked for any discussion of the previous meeting minutes. Dixon noted the correction of Jenna Bauer's name. There was no further discussion. Dixon made a motion to approve the minutes and Suvada second the motion. The motion was carried with all members present voting aye.

#### 5. Public Comment

There was no public comment.

#### 6. Old Business

Zoning Board of Appeals (ZBA) Nominee Member – Two candidates applied, and Ed Toma was selected for the ZBA public position, per Alden.

#### 7. New Business

#### A. Mixed Use Property

Alden identified the specific location along the business corridor and shared that there were additional requests for the property. Scow further explained that two developers were interested in tiny house developments, one for tourism and the other for permanent housing accommodations. After discussion of the new property requests and lot sizes, infrastructure needs and costs, and an earlier housing development rendition, it was decided that Alden and Scow would further explore each request. They would assess the total usage needs and location options with the Bauers and the two new interested parties to best determine how to meet the needs as well as other community essentials along the corridor. They will report their findings and possible green space financial supports from the State to the commission at the next meeting.

#### B. Five Buds Presentation

Sharpe, Sharpe and Stonehouse of Five Buds presented general and specific information about the retail recreational marijuana industry, State regulations, standards of operation, social equity plans, and security systems and measures. The METRC system, municipality fees, location requirements, hours of operation, and taxes were further explained.

#### C. Marijuana Ordinance

Alden shared that the lawyer has started to draft an ordinance and will continue to edit it until they believe it ready for the commission to review. He pointed out that Zoning Ordinance 7.7 would need to be reviewed and revised and that the new ordinance for a retail recreational marijuana would need to be added. The ordinance would need to address distances from schools, hours of operation, signage and traffic. Each of these items and other ordinances were briefly discussed.

#### 8. Correspondence/Reports

- Alden will have Lot # 055-107-014-0086 and easements of the industrial park evaluated by a surveyor to ensure accuracy and readiness for sale. This lot will be separated into two parcels.
- Alden will establish addresses for each parcel in the industrial park after the survey is completed.
- Alden will have the marijuana ordinance emailed to the commission members when the draft is ready.

9.	Publi	CC	om	me	-nt
J	ubii	C C	0111		-116

There was no public comment.

10.	Adjournment A motion of adjournment w	as made by Dix	on and Suvada second the motion.	The motion was
	carried by members present	. Meeting was	adjourned at 7:15PM.	
	Chairnerson Don Dixon	Date	Secretary Jennie Walker	

### Roscommon Area Recreation Authority RARA

#### March 8, 2022

The meeting was called to order by Chair S. Jock at 7:00 p.m. at the AuSable River Center.

Board Members Present: E. Hart, C. Allen, C. Hutek, S. Hinds, K. Williams Absent: D. Smitz

Guests: Jory Klumpp, RARA Director and Tracy Bosworth, Gahagan Nature Preserve

Public Comment: None

**Minutes** of the November 17, 2021 meeting minutes were approved as presented, motion C. Hutek, 2<sup>nd</sup> S. Hines, motion carried.

**Treasurer Report** – Attached. Motion to approve the Treasurers report as presented C. Allen, 2<sup>nd</sup> S. Hines, motion carried.

Correspondence: None

#### **New Business:**

- "Event Package" Rotary Grant Grant deadline is April 1, 2022. RARA will submit a grant request to include trash cans, barricades, tobacco receptacles, 2 'Jockey Box' cooler tappers.
- 2023-2027 Recreation Plan update/survey Committee has met twice thus far, community input survey will be going out this week.
- Canoe Classic 40<sup>th</sup> Anniversary May 14, AuSable River Center We will be setting up a large tent, have outdoor heaters, corn hole, possibly a bounce house, and food trucks. Ryan Menghini will be performing from 1-3 PM; live band from 3-6 PM. ARC will be open to host children activities and displays.
- Gazebo Concert 2022 Did not receive grant funding, lineup is set.
- 2021 Audit is complete.
- CRAF Center Bounce House Discussed possible purchase of bounce house(s) for CRAF Center to
  encourage child(ren) activities/tot time. Parent supervision required, liability concerns were
  addressed. Jory will check with the Roscommon County Sheriff in regards to availability of bounce
  house before we purchase any.
- Whitetails CRAF Center rental was a great success. Hosted 200 guests at the event.
- Special License (Beer/Wine Permit) May 14 Canoe Classic and December 3 CIV. MOTION: K. Williams, 2<sup>nd</sup> C. Hutek to Certified Resolution of the Board of Directors authorizing the application for a special license for May 14 and December 3, 2022 for events to be held at the AuSable River Center. Motion approved.
- Roscommon Community Clean-up RARA/DDA/ Rotary to be held April 30.
- Rotary Spring Auction May 7 at the CRAF Center

#### Old Business:

- Banking Transfer complete, Chase accounts closed, all funds transferred to North Central Area Credit Union.
- Property adjacent to ARC Complete, deed registered.
- Old snowmobile Sold for \$800.
- ARC Tree Removed, funded by the DDA.
- CRAF Center Speaker Installation Complete, \$1,800 parts and labor, \$360 lift rental)
- Reindeer Run Successful event held in conjunction with Christmas in the Village. Expand the event in 2022 to include a 10K.

Gahagan Nature Preserve – T. Bosworth – Director position posted, applications coming in.

Adjourn: Meeting adjourned at 8:10 p.m., motion C. Allen,  $2^{nd}$  K. Williams, motion carried. Next meeting is scheduled for May 18, 2022

Respectfully submitted, Connie Allen, Secretary

> 1:39 PM 03/07/22 Accrual Basis

#### Roscommon Area Recreation Authority Balance Sheet As of March 7, 2022

	Mar 7, 22
ASSETS Current Assets Checking/Savings NCACU Checking NCACU Savings	128,738.66 25.00
Total Checking/Savings	128,763.66
Other Current Assets Undeposited Funds	1,390,93
Total Other Current Assets	1,390.93
Total Current Assets	130,154.59
Fixed Assets Furniture and Equipment	3,854.08
Total Fixed Assets	3,854.08
TOTAL ASSETS	134,008.67
LIABILITIES & EQUITY LIABIlities Current LIABIlities Other Current LIABilities Payroll LIABIlities Federal Tax Payable State Withholding Payable	-9,202.10 -777.25
Total Payroll Liabilities	-9,979.36
Total Other Current Liabilities	-9,979.36
Total Current Liabilities	-9,979.36
Total Liabilities	-9,979.36
Equity Opening Balance Equity Unrestricted Net Assets Net Income	55,869.86 65,499.77 22,618.40
Total Equity	143,988.03
TOTAL LIABILITIES & EQUITY	134,008.67

1:37 PM 03/07/22 **Accrual Basis** 

#### Roscommon Area Recreation Authority Profit & Loss January 1 through March 7, 2022

	Jan 1 - Mar 7, 22
Ordinary Income/Expense Income	
Direct Public Support	
DDA Direct Public Support - Other	300.00 21,750.00
Total Direct Public Support	22,050.00
Donations	100.00
Event Rental Large Gym	800.00
Room Rental -151/145	1,400.00
Event Rental - Other	300.00
Total Event Rental	2,500.00
Investments Interest-Savings, Short-term CD	2.25
Total Investments	2.25
Lease Payments	2.23
Art Sigmond	700.00
Blue Sky Counseling COOR ISD	300.00
Higgins Lake Property Owners	4,000.00 400.00
Northsport Physical Therapy	1,900.00
Lease Payments - Other	1,000.00
Total Lease Payments	8,300.00
Membership Income	
Group Memberships Gerrish Township Group	405.00
Munson Health Group	600.00
Roscommon County	1,275.00
Total Group Memberships	2,280.00
Insurance Income	1,101.75
Key Fobs	1,207.60
Membership Dues Walk-Ins	14,972.25
Membership Income - Other	1,331.31 408.60
Total Membership Income	21,301.51
Monthly Rental	
Clogging	120.00
Karate Stone Turtle Yoga	80.00
	325.00
Total Monthly Rental	525.00
Vending Machine Sales  Total Income	290.00
Total income	55,068.76
Gross Profit	55,068.76
Expense	
Building Expense Audio-Visual Equipment	2.464.22
General Maintenance	2,461.32 146.58
Janitorial Supplies	317.47
Misc Decor	231.78
Building Expense - Other	-25.18
Total Building Expense	3,131.97
Business Expenses Licensing	117.57
Uniforms	224.00
Total Business Expenses	341.57

1:37 PM 03/07/22 Accrual Basis

#### Roscommon Area Recreation Authority Profit & Loss

January 1 through March 7, 2022

	Jan 1 - Mar 7, 22
Cleaning Services Event Entertainment	764.50
Food and Beverage	90.81
Total Event Entertainment	90.81
Facilities and Equipment Fitness Equipment	45.49
Total Facilities and Equipment	45.49
Instructor Pay Cardio Drumming Kick Start Silver Sneakers Yoga	200.00 560.00 490.00 75.00
Total Instructor Pay	1,325.00
Instructor Pay-Yoga MindBody, INC Credit Card Charges Kellen Systems MB Monthly Fee	100.00 765.08 28.00 165.75
Total MindBody, INC	958.83
Operations Advertising Printing and Copying Supplies Web Services	1,073.73 32.50 80.53 134.92
Total Operations	1,321.68
Salaries & Wages Payroll Expenses Net Pay Expense Payroll Expenses - Other	9,951.98 140.62
Total Payroll Expenses	10,092.60
Salaries & Wages - Other	619.26
Total Salaries & Wages	10,711.86
Snow Plow CRAF Center	990.00
Total Snow Plow	990.00
Tisdale Utilities	225.02
CRAF Electric CRAF Gas CRAF Phone / Internet Service CRAF Refuge/Recycle CRAF Water Metro Park Electric Metro Park Water River Center Electric River Center Gas River Center Phone / Internet River Center Water	2,756.97 7,169.45 478.20 91.91 166.29 151.01 82.64 445.16 862.65 117.97
Total Utilities	12,432.05
Vending Machine Goods	11.58
Total Expense	32,450.36
Net Ordinary Income	22,618.40
Net Income	22,618.40



## Roscommon Metropolitan Recreational Authority Meeting Agenda March 8, 2022

Call to Order
Roll Call
Public Comment
Approval of minutes
Treasurer's Report
Payment of billsCorrespondence

#### New Business:

- "Event Package" Rotary Grant
- 2023-2027 5-year Recreation Plan update/Survey
- Canoe Classic 40th Anniversary
- Gazebo Concert Grant Submitted and Lineup Set
- 2021 Audit Complete
- Bounce House/Programming-specifically Basketball (Karrie)
- Whitetails
- Special License Beer-wine permit for May 14<sup>th</sup> Canoe Classic and Dec 3 CIV Event.
   Motion for: Certified Resolution of the Board of Directors Authorizing the Application for Special License
- Community Spring Clean Up: RARA/DDA/Rotary Saturday April 30th

#### Old Business:

- Bank transfer-complete Chase Account closed
- Property adjacent to ARC-Done, deed registered
- Old Snowmobile sold, RHTC did not want it back.
- Tree at ARC-Done
- \$2500 for speaker installation (1800 parts and labor, 360 lift rental)
- Reindeer Run

Next Meeting Monday March 8th, 2022

702 Bake Street • P.O. Box 236 • Roscommon, Michigan 48653 Jelephone (989) 275-5743 • Fax (989) 275-5998

March 30, 2022

#### BUILDING AND ZONING REPORT FOR THE MONTH OF March 2022.

3/9/2022: Inspection at 405 Division Meeting with Dan Scow for tiny homes.

3/16/2022: Inspection at 308 Lake St.

3/23/2022: Final inspection at 308 Lake St. Issue stop work order for sigh on M-18 3/30/2022: Issue sign permit for sign on m-18 Issue building permit for 407a Division St.

Respectfully Submitted,

James R. Letts

**Building Official and Zoning Administrator** 

#### **Edward Walter Thoma**

#### Education, Work, and Volunteer Activities

#### **Education:**

MSU – General Agriculture 1961-62 Monroe County Community College – Emergency Medical Technician; Arson Training Kirtland Community College – 3 Classes Criminal Justice/Corrections Program Michigan State Police Academy – Emergency Management Training/FEMA Curriculum National Fire Academy – Emmitsburg, MD

#### Work/Service:

Emergency Medical Technician – 1977-2003 (12 continuing education classes every three (3) years.) Volunteer Fire fighter – Frenchtown Township Fire Department – 1962-1972 Full time Fire Firefighter – Frenchtown Township Fire Department – 1972-1976 Fire Chief Frenchtown Township Fire Department – 1976-1994

#### As Chief:

Began with - 4 Fire stations; 70 Volunteers – 1976 Had 3 new fire stations built; Hired first State Certified (non - State Police) Fire Inspector (1978 or 79) for Frenchtown FD; 70 *Paid on Call* Firefighters; Hired 16 Full-time Firefighters – 1988. Fermi II Advisory for Alert System – Sirens Monroe County

Special Deputy – Monroe County Sheriffs Department – 1988-1994 Monroe County Fire Association – Served as Secretary and President for several terms. Committee to establish 911 service for Monroe County Established Fire Explorers for Teens – 1984-1987

#### Moved to Roscommon, MI - 1994

South Branch Fire Department (Roscommon County) – 1994-97 – Served as Lieutenant Medical Equipment Technician – Prescribed Oxygen/Lincare/Vital Care (1995-2000) Managed Good River Bed and Breakfast 2000 & 2001 Gustavus, Alaska Assisted Gustavus, AK Volunteer Fire Department in a Search and Rescue Operation -2001 Youth Specialist Roscommon County Juvenile Detention Center – 2001-2003 Certified Court Officer – Grand Traverse County 2005-Present.

Michigan Firemen's Memorial Festival Committee – 1994- Present Volunteer/Board Member

CERT – Community Emergency Response Team – Gerrish Township Police Department – 2012-Present

Hazardous Materials Training – 1972 - 1994

Roscommon county Sheriffs Department Auxiliary - 2014 to Present

Roscommon Sheriff's Victim Services - 2019 - Present

Grand Traverse Family Court Officer – 2003 – Present and Otsego Courts – 2001 to Present

#### Additional:

Operated/Owned Family Centennial Farm – 1962 – 2015 – Monroe County/Frenchtown Township Owned/Operated Thoma Egg Farm – 1962-1972 – Monroe County/Frenchtown Township Farm Related Haz Mat Application Certification
Owned/Operated – E & D AuSable Cleaners – October 1994 – April, 2000

#### Other Employment/Volunteer Activities:

Christler Funeral Homes – Houghton Lake, MI/Prudenville, MI - 2003-Present

St. Vincent DePaul – Employee/Volunteer 2012 – Present

4-H Safety Project Leader - Carleton Go-Getters - 1975-94

4-H Club Leader - Carleton Go-Getters (Mid 1980s - 1993)

4-H Exploration Days Chaperone 1980 – 1994; Roscommon County 1994 – 1996; Washtenau County - 2018

Monroe County Exploration Days Bike Trip Chaperone ...Monroe to Lansing – 1980 – 1994 St. Michael's Catholic Church Member – 1994 to Present – Eucharistic Minister, Greeter; Cursillo

Past Grand Knight - 1999 - 2000

Many other volunteer commitments...Neighborhood; Food for the needy distribution; previous Christmas in the Village; etc.

Edward Walter Thoma Birth date - August 19, 1943

Address: 11835 Lancewood Dr. Roscommon, MI 48653

Contact - 989-858-1488 Cell or Home - 989-275-6331

## VILLAGE OF ROSCOMMON ROSCOMMON, MICHIGAN AUTHORIZING RESOLUTION PUBLIC GATHERING SPACES FUNDING – HIAWATHA PARK

#### April 11, 2022

WHEREAS, the Michigan Strategic Fund has invited Units of General Local Government (Village of Roscommon) to apply for its Public Gathering Spaces (PGS) Competitive Funding Round; and

WHEREAS, the Village of Roscommon desires to request \$1,00,000 in Community Development Block Grant funds to develop the Hiawatha Park Property Phases I and III (Total: \$1,105,000); and

WHEREAS, the Village of Roscommon commits local funds from its general fund in the amount of \$105,000; and

WHEREAS, the proposed project is consistent with the local Village of Roscommon's Development Plan as described in the Application; and

WHEREAS, the proposed project will benefit all residents of the project area and 74.88 percent of the residents of the Village of Roscommon are low and moderate income persons as determined by (census data provided by the U.S. Department of Housing and Urban Development OR an income survey approved by the Michigan Economic Development Corporation); and

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

**NOW, THEREFORE, BE IT RESOLVED** that the Village of Roscommon hereby designates an MEDC Certified Grant Administer assigned by the Michigan Economic Development Corporation as the Environmental Review Certifying Officer, the person authorized to certify the Michigan CDBG Application, the person authorized to sign the Grant Agreement and payment requests, and the person authorized to execute any additional documents required to carry out and complete the grant.

Motion By				
Second by:			 	
Roll Call Vote:				
Councilman	Yes	No		
Miller				
Roemer				
Lederman	-			
Medina	-	Y <del></del> b		
Fishel		11		
Cook	-			
Ruddy	-			
Village Preside	nt		 	_
village l'i coluc	110			

April 11, 2022

Date

## VILLAGE OF ROSCOMMON STATEMENT OF ASSURANCES PUBLIC GATHERING SPACES FUNDING – HIAWATHA PARK April 11, 2022

The UGLG hereby assures and certifies that it has complied or shall comply with Title I of the Housing and Community Development Act of 1974, as amended (42 U.S.C. 5301), and related statutes and implementing rules, regulations, and guidelines applicable to projects financed under the Michigan CDBG program. Specific assurances and certifications include but are not limited to the following:

- 1. Compliance with grant and financial management guidelines in 2 CFR Part 200, et al.; Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule.
- Compliance with Civil Rights and Equal Opportunity statutes as set forth in Title I of the Civil Rights Act of 1964 (Public Law 88-352), Title VIII of the Civil Rights Act of 1968 (Public Law 90-284), the Michigan Civil Rights Act 453 of 1976, the Michigan Fair Employment Practices Act (MCL 423, 301-423, 311), related statues and implementing rules and regulations.
- 3. Compliance with Labor Standards statutes as set forth in the Davis-Bacon Fair Labor Standards Act (40 U.S.C. 276a-276a-5), related statutes and implementing rules and regulations.
- 4. Compliance with Lead Based Paint Poisoning Prevention Act (42 U.S.C. 4831).
- 5. Compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4630) and implementing regulations.
- 6. Compliance with OMB Circular No. A-133, Audits of States, Local Governments and Non-Profit Organizations and implementing rules and regulations.
- 7. Compliance with Section 504 of the Rehabilitation Act of 1973, as amended, and implementing rules and regulations 24 CFR Part 8.
- 8. Authorized state officials and representatives will have access to all books, accounts, records, reports, files, and other papers, things, or property pertaining to the project in order to make audits, examinations, excerpts and transcripts; each contract or subcontract also shall provide for such success to relevant data and records pertaining to the development and implementation of the project.

The UGLG agrees to assume all of the responsibilities for environmental review, decision making, and action as specified and required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321) and Section 104 (f) of Title I of the Housing and Community Development Act and implementing regulations 24 CFR Part 58.

Mike Miller, Village President	Official Date

## VILLAGE OF ROSCOMMON GRANT CERTIFICATION PUBLIC GATHERING SPACES FUNDING – HIAWATHA PARK April 11, 2022

The Village of Roscommon hereby certifies that it:

- 1. Possesses legal authority to submit a grant application.
- 2. Has in a timely manner:
  - a. furnished its citizens information concerning the amount of funds available and being applied for, and the proposed community development and housing activities to be undertaken, including the estimated amount proposed to be used for activities that will benefit persons of low and moderate income and the plans for minimizing displacement of persons as a result of proposed activities and for assisting persons actually displaced;
- published a public notice (Houghton Lake Resorter, March 31, 2022) in such manner to afford citizens an opportunity to examine and submit comments on the proposed application and community development and housing activities;
- 4. held one or more public hearings to obtain the views of citizens on the proposed application and community development and housing needs; and
- made the proposed application available to the public;
- will conduct and administer the grant in conformity with Public Law 88-352 and Public Law 90-284, and will affirmatively further fair housing;
- 7. has developed the proposed application so as to give maximum feasible priority to activities which will benefit low and moderate income families or aid to the prevention or elimination of slum or blight; or to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to health or welfare of the community where other financial resources are not available to meet such needs;
- has developed a community development plan that identifies community development and housing needs and specifies both short term and long term community development objectives that have been developed in accordance with the primary objective and requirements of the Title I Housing and Community Development Act of 1974, as amended;
- 9. will not attempt to recover any capital costs of public improvements assisted in whole or in part with Title I funds by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements, unless (A) Title I funds are used to pay the proportion of such fee or assessment that related to capital costs of such public improvement that are financed from revenue sources other than Title I funds; or (B) for purposes of assessing any amounts against properties owned and occupied by persons of low and moderate income who are not persons of very low income, and (name of local unit) certifies that it lacks sufficient Title I funds to comply with the requirements of clause (A);
- 10. will adopt a policy of prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in nonviolent civil rights demonstrations; and enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such nonviolent civil rights demonstrations within its jurisdictions;
- 11. No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement;
- 12. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions:
- 13. The undersigned shall require that the language of this certification be included in the award documents for all sub awards at all tiers (including subcontracts, sub grants, and contracts under grants, loans, and cooperative agreements) and that all sub recipients shall certify and disclose accordingly;
- 14. Will comply with other provisions of Title I of the Housing and Community Development Act of 1987, as amended, and with other applicable laws.

	April 11, 2022
Mike Miller, Village President	Official Date

## Legal Notices

according to the recorded plat thereof as recorded in Liber 2 of Plats, Page 2A described as: Lot 67, R.N. Robinson Park Roscommon County Records Roscommon County, Michigan,

Common street address (if any): 115 Elm

St, Houghton Lake, MI 48629-8801 The redemption period shall be 6 months

## Village of Roscommon **Public Hearing Notice**

would like to electronically attend, just 6:00 P.M. at the Village Hall. If you village.com and click on the link. go to our website at www.roscommon-Project. This Public Hearing will take place on Monday, April 11, 2022, at lage Manager questions or to share Public Hearing where citizens can atcomments regarding the Hiawatha tend to ask the Village Council and Vil-The Village of Roscommon shall hold a

### **Budget Work Session** February 11, 2022 Lyon Township Minutes

Start of meeting: 9:30am

Roll call: Tatro, Schnell, Grier, Tomak Carlson - present

and Road funds budgets Worked on Trash, Cemetery & Parks

Public Comments: none

# \_egal Notices

as defined by MCL 600.3240(16). property is used for agricultural purposes with MCL 600.3241a; or, if the subject real determined abandoned in accordance Trom the date of such sale, unless

MCL 600.3278 the borrower will be held If the property is sold at foreclosure responsible to the person who buys the sale under Chapter 32 of the Revised Judicature Act of 1961, pursuant to

## SPECIAL MEETING LAKE TOWNSHIP MARCH 23, 2022

the meeting to order at 6:00 p.m. The Lake Township Board met on Wednesday, March 23, 2022 for a special board meeting. Keith Stiles called

sent -Harry Trier-Treasurer. Russo Jr.-Trustee, Keith Stiles-Supervisor, Pam Surprenant-Clerk and Ab-Present: Tony Farhat-Trustee, David

Second: Farhat All in Favor, Motion township clerk with interested parties place ad in paper to fill the vacancy of tion Carries. Motion: Surprenant to in Favor. Surprenant abstained. Moin good standing. Second: Farhat. All responding by the May meeting accept resignation of Pam Surprenant vor. Motion Carries. Motion: Stiles to Road. Second: Surprenant. All in Fa-2022-8 Consenting to the transfer of the antenna located at 2807 Tower Hill Motion: Stiles to adopt Resolution

# egal Notices

ordered to active duty, please contac the attorney for the party foreclosing the than 90 days ago, or if you have beer service member on active duty, if you or to the mortgage holder for damaging in this notice. mortgage at the telephone number stated period of active duty has concluded less Attention homeowner: If you are a military property at the mortgage foreclosure sale the property during the redemption perior

Date of notice: March 17, 2022 I rott Law, P.C. This notice is from a debt collector.

31440 Northwestern Hwy, Suite 145 (03-17)(04-07) 248) 642-2515 armington Hills, MI 48334 457150

## Notice of Foreclosure by Advertisement

the mortgaged premises, or some part mortgage will be foreclosed by a sale of 236, MCL 600.3212, that the following revised judicature act of 1961, 1961 PA Notice is given under section 3212 of the

# Legal Notices

fee for this information: company, either of which may charge a register of deeds office or a title insurance of the property. A potential purchaser the day of sale. Placing the highest bic is encouraged to contact the county the purchaser to free and clear ownership at the sale does not automatically entitle due on the mortgage may be greater on Roscommon County, starting promptly at at the place of holding the circuit court in of them, at a public auction sale to the 11:00 AM, on April 22, 2022. The amoun highest bidder for cash or cashier's check

Name(s) of the mortgagor(s): Charles Peek, an unmarried man

Registration Systems, Inc., as mortgagee Original Mortgagee: Mortgage Electronic oreclosing Assignee (if any): AmeriFirst successors and/or assigns as nominee for lender and lender's

Date of Mortgage Recording: February 3, Date of Mortgage: January 31, 2020 Financial Corporation

\$46,132.45

Amount claimed due on date of notice

Description of the mortgaged premises:

NOTICE OF ELIGIBILITY TO INCORPORATE ROSCOMMON COUNTY, MICHIGAN AND RIGHT TO REFERENDUM AS A CHARTER TOWNSHIP RICHFIELD TOWNSHIP

## \_egal Notices

recorded in Liber 3 of Plats, Page Roscommon County, Michigan, described as: Lot 1, Whitney Parl Roscommon County Records. Situated in Township 으

sale under Chapter 32 of the Rev with MCL 600.3241a; or, if the subject property is used for agricultural purp as defined by MCL 600.3240(16). determined abandoned in accord Common street address (if any): 27 f the property is sold at foreclo The redemption period shall be 6 mc Doyle Trl, Houghton Lake, MI 48269 rom the date of such sale,

service member on active duty, if Attention homeowner: If you are a mi the property during the redemp property at the mortgage foreclosure MCL 600,3278 the borrower will be

or to the mortgage holder for dama responsible to the person who buys Judicature Act of 1961, pursuan

Work S Lyo

Pledge of Allegiance recited Start of meeting: 12:30pm

Roll call: Schnell, Grier, Carlson, To pervisor's absence Motion by Carlson Supported by Gri

#### VILLAGE OF ROSCOMMON NUISANCE ORDINANCE Ordinance No. 25 of 2021

AN ORDINANCE TO PROHIBIT NUISANCES WITHIN THE VILLAGE OF ROSCOMMON TO INSURE THE PUBLIC HEALTH, SAFETY AND WELFARE AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

#### THE VILLAGE OF ROSCOMMON ORDAINS:

#### Section 1. Purpose.

It is hereby found and declared that the purposes of this Ordinance are to eliminate public nuisances within all areas of the Village of Roscommon for the protection of the health, safety, morals and general welfare of its residents; to preserve existing values of other properties within or adjacent to such areas and all other areas of the Village; and to preserve the taxable value of the property within such areas and all other areas of the Village.

#### Section 2. Definitions. As used in this Ordinance,

"All terrain vehicle" or "ATV" means any motor vehicle designed for off-road use, including but not limited to mopeds; scooters; off-road motorcycles (dirt bikes); dune buggies; golf carts; side by side utility vehicles; and three, four, or six wheeled vehicles designed for off-road use that have low-pressure tires, have seats designed to be straddled by the rider, and are powered by a gasoline engine or an engine using other fuels.

"Boat" means every description of watercraft used or capable of being used as a means of transportation on water, including personal watercraft and nonmotorized boats such as a canoes, rowboats, and sailboats. Boat, however, does not include an air mattress, paddleboard, paddleboat, boogie board, or similar device used by one (1) or two (2) persons for floating or paddling.

"Building materials" mean lumber, bricks, concrete or cinder blocks, plumbing or heating materials, electrical wiring or equipment, shingles, mortar, concrete or cement, nails, screws, windows and window frames, molding, insulation, tyvec or any other materials used in construction of any structure.

"Dismantled" means the state of having a part or parts removed or missing that are integral to the operation of or required by any law or regulation to be present on a motor vehicle, boat, or other item to which it is normally attached.

"Dock" means a pier, platform, or other structure extending from the shore or a lake or river over the water to which a boat is moored.

"Garbage" means rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that relate to the preparation, use,

cooking, dealing in, or storing of meat, fish, fowl, fruit or vegetables. "Garbage" does not include one (1) compost pile consisting of decaying organic substances intended for fertilizing land; provided, however, that the compost pile is no larger than five feet (5') square and is located on the property so that it cannot be seen from any public highway or seen from any adjoining land owned by another person.

"Harbor or harboring" means providing food and/or shelter to any animal for any period of time in excess of twelve (12) hours or being in charge or control of any animal under any written or verbal agreement with the animal's owner.

"Hoist" means a mechanical device attached permanently or temporarily to the bottomland of a lake or river and used to raise or lift a boat out of the water for the purpose of preventing or restricting the motion of the boat.

"Inoperable" means incapable of being used for the purpose or purposes for which an item is designed or normally used, either physically or by operation of law, due to dismantling, disrepair, or the lack of a currently valid Michigan license or registration. In addition, the following items shall be deemed inoperable: any motor vehicle, all terrain vehicle, self-propelled recreational vehicle, or snowmobile which lacks functioning tires or treads that permit self-propelled motion and any boat with a hole or holes in its hull.

"Junk" means items or objects that are old, discarded, or not currently being used for the purpose or purposes for which they are designed or normally used, including but not limited to used or salvaged metals and their compounds or combination; used or salvaged rope; rubber; rotting wood; scrap iron; tires and snowmobile treads; parts for motor vehicles, boats, all terrain vehicles, recreational vehicles, snowmobiles, and/or trailers; inoperable or dismantled refrigerators, stoves, dishwashers, dryers, washing machines, and furniture; and inoperable or dismantled lawn mowers, weed trimmers, snow blowers, snow plows, tractors, and any other machinery used for excavation, maintenance, or snow removal.

"Liquid industrial wastes" means any liquid brine, by-product, industrial wastewater, leachate, off-specification commercial product, sludge, grease-trap clean-out residue, used oil, or other liquid waste produced by, incident to or resulting from industrial or commercial activity, except any liquid brine normally used in oil or gas extraction on a site permitted by the Michigan Supervisor of Wells.

"Marine equipment" means any item used or intended for use in conjunction with boats or water related activities, including but not limited to swimming rafts, docks, hoists, dock supports, buoys, outboard motors, ores, boat trailers, sails, rope, masts, anchors, and any other stationary or movable structure intended to support a boat.

"Motor vehicle" means any wheeled vehicle which is self-propelled or intended to be self-propelled.

"Owner of a cat or dog" means any person or persons owning or harboring a cat or dog. Any person who harbors a cat or dog on or about property owned or occupied by that person for a period of five (5) days shall be deemed the owner of such animal.

"Person" means an individual, firm, corporation, association, partnership, limited liability company, or other legal entity.

"Recreational Vehicle" means any motor vehicle or trailer capable of being selfpropelled or towed that is equipped with living space, sleeping quarters, and associated amenities, including but not limited to motor homes, fifth wheel trailers, pop-up campers, caravans, camper vans, travel trailers, and truck campers.

"Rubbish" means hazardous or non-hazardous, non-putrescible solid wastes, including but not limited to combustible waste such as paper, cardboard, brush, bags, rags, and litter of any kind and non-combustible waste such as metal containers, glass, bedding, crockery, and demolished items, objects, or materials of any kind.

"Sealed container" means a covered, closable container which is fly-proof and watertight such as garbage cans with properly fitting tops or plastic garbage bags which have been closed or twisted shut.

"Snowmobile" means any motor-driven vehicle designed for travel primarily on snow or ice of a type that utilizes sled-type runners or skis, an endless belt tread, or any combination of these or other similar means of contact with the surface upon which it is operated, but is not a vehicle that must be registered under the Michigan vehicle code, being Act No. 300 of the Public Acts of 1949.

"Totally enclosed structure" means a building capable of being sealed on all sides such as a house, garage or storage shed with a roof, floor and walls or closable doors around its perimeter.

"Trailer" means any wheeled vehicle designed and normally towed behind a motor vehicle which is required to have a currently valid Michigan registration to be lawfully operated on a public highway.

"Vermin" means a noxious or objectionable animal, including but not limited to a mouse, rat, chipmunk, squirrel, skunk, racoon, or porcupine.

#### **Section 3.** Nuisances. The following are hereby declared to be nuisances:

A. The keeping or storage of building materials outside on private property six (6) months after an occupancy permit is issued by the Roscommon County Building Department. This subsection, however, shall not apply to building materials kept or stored outside on private property if the building material is kept or stored in an orderly fashion. As used in this subsection, the phrase "building material kept or stored in an orderly fashion" shall mean that all building material of the same type, including but not limited to lumber (both stick and sheet wood), cement blocks, bricks, roofing material, and siding shall be kept or stored together and not kept or stored intermingled with building material of a different type and shall be stacked in an organized fashion customary for that type of building material. By way of example and not limitation, stick lumber shall be piled with all sticks substantially parallel to one another, sheet wood shall be piled one on top of

another with the area of one sheet covering as much as possible the area of the sheet beneath it, cement blocks and bricks shall be stacked in the shape of a cube in such a manner that they will not fall off the stack, and siding shall be piled with each piece substantially parallel to one another.

- B. The keeping or storage of ashes, junk, garbage or rubbish outside of a totally enclosed structure on private property except in a sealed container designed for the purpose of holding such ashes, junk, garbage, or rubbish.
- C. The placing of ashes, junk, garbage or rubbish on private property without the owner's permission or on public property. This provision applies regardless of whether the ashes, junk, garbage or rubbish is in a sealed container.
- D. The keeping or storage of ashes, junk, garbage or rubbish on private property, including inside a building, in such a manner that the items, regardless of the method of containment, have become a breeding ground, food source or habitation of insects or vermin.
- E. The intentional depositing of liquid petroleum crude oil, liquid petroleum crude oil by-products and derivatives or liquid industrial wastes on the ground.
- F. The existence of any structure or damaged partial structure which because of fire, wind or other natural disaster or physical deterioration is no longer habitable as a dwelling, nor currently useful for any other purposes for which it may have been intended.
- G. The existence of any vacant building, garage, house or outbuilding unless such structure is kept secure from entry by the public.
- H. Except as authorized or required by law, the distributing, placing, posting, or affixing of posters, notices, or handbills on private property without consent of the owner or occupant or in a public right-of-way.
- I. Being the owner of a cat or dog, to permit or to allow another person to permit his or her cat or dog to do any of the following:
  - To run at large within the Village.
  - 2. To trespass upon another person's real property or to in any manner injure or destroy any real or personal property belonging to another person, including but not limited to breaking or tearing open any garbage bag containing garbage or rubbish awaiting pickup or otherwise spreading garbage or rubbish on another person's property.
  - To create malodorous or offensive waste conditions on the owner's property outside of a totally enclosed structure or anywhere on the property of another person; or

- 4. To whine, yelp, bark, howl or make other sounds common to its species such that said noise can be heard by any person from an adjoining lot line or from the right-of-way of any adjoining public street between the hours of 12:00 a.m. (midnight) and 5:00 a.m. or at any time in a habitual manner. For purposes of this subsection, "habitual" means whining, yelping, barking, howling, or making other sounds common to its species on three (3) or more occasions separated by at least one (1) hour within a one (1) week period.
- J. Any use of public streets or public sidewalks, or both, which causes a crowd to gather and obstructs the free, lawful movement of people and vehicles along said streets and sidewalks.
- K. The keeping of any inoperable or dismantled icebox, refrigerator or similar airtight container having a door or access with a magnetic seal, snap latch or other locking device, in a place accessible by children without first removing the magnetic seal, snap latch or locking device or doors, or securely locking same.
- L. Except as provided in subsections 1 2 below, the keeping or storage of inoperable or dismantled motor vehicles, boats, all terrain vehicles, recreational vehicles, snowmobiles, and/or trailers outside of a totally enclosed structure on private property.
  - 1. An inoperable or dismantled motor vehicle, boat, all terrain vehicle, recreational vehicle, snowmobile, and/or trailer may be kept outside of a totally enclosed structure on private property for no more than fifteen (15) days for the purpose of being repaired or awaiting repairs. This subsection shall apply to individuals making the repairs and to gas and service stations engaged in the business of making repairs.
  - 2. An inoperable or dismantled motor vehicle, boat, all terrain vehicle, recreational vehicle, snowmobile, and/or trailer may be kept outside of a totally enclosed structure on private property for no more than fifteen (15) days for the purpose of being marketed for sale.
- M. The keeping or storage of inoperable or dismantled marine equipment outside of a totally enclosed structure on private property.

#### Section 4. Inspections.

Village representatives shall have the duty and the right to inspect property or buildings to determine violations of or compliance with this Ordinance. Village representatives may exercise this right of inspection by consent of the person having the possession of the property or building or by an administrative search warrant issued by a court of competent jurisdiction.

#### Section 5. Prohibition.

No person shall commit, create, or maintain any nuisance. No person shall knowingly permit the existence of a nuisance on the property owned or possessed by such person.

#### Section 6. Industrial Usage.

The storage or keeping of salvageable metal or wood shall not be prohibited on property on which is located a factory engaged in manufacturing, assembling or machining as long as the salvageable metal or wood is for resale or reuse by the occupant of the property.

#### Section 7. Penalty.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than Five Hundred and 00/100 (\$500.00) Dollars. Each day this Ordinance is violated shall be considered as a separate violation.

#### Section 8. Enforcement Officers.

The Village Manager, and other individuals appointed by the Village Council are hereby designated as the authorized village officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

#### Section 9. Separate Court Action, Nuisance Per Se.

Nothing in this Ordinance shall prohibit the Village or any interested party from seeking such other relief as may be permitted in law or in equity regarding the existence of a nuisance. A violation of this Ordinance is deemed to be a nuisance per se.

#### Section 10. Abatement by Village.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may abate the nuisance conditions on the property through the procedures specified in this section.

A. When the Village desires to abate a nuisance on property that exists in violation of this Ordinance, the Village shall send a written notice to the owner and/or possessor of the property. The notice shall describe the location of the property, describe the nature of the nuisance and the provision(s) of this Ordinance being violated, give the owner and/or possessor of the property no less than thirty (30) days to eliminate the nuisance on the property without intervention by the Village, and inform the owner and/or possessor of the property of his or her right to request that a municipal civil infraction citation be issued by the Village as provided in Subsection B below. The written notice shall be served on the owner

and/or possessor of the property personally or sent to the owner and/or possessor of the property by certified mail, restricted delivery and return receipt requested. The thirty (30) day time period shall commence on the date of the personal service or in the case of service by certified mail shall commence on the date the owner and/or possessor of the property signs for the certified mail.

- B. Within thirty (30) days after service of the written notice from the Village of the existence of a nuisance on his or her property, the owner and/or possessor of the property may request in writing that the Village issue a municipal civil infraction citation and that a formal hearing be held in the District Court concerning whether a nuisance exists on the property. If the owner and/or possessor makes this written request, then the Village shall issue a municipal civil infraction citation, shall request that a formal hearing be held in the District Court, and shall not enter the property to abate the nuisance as authorized under subsection C below, unless authorized to do so by the District Court Judge.
- C. If the owner and/or possessor of any property on which a nuisance exists fails to eliminate the nuisance within thirty (30) days after service of the written notice from the Village and has failed to request within this same thirty (30) day time period that a municipal civil infraction citation be issued as provided in subsection B above, the Village Manager and other individuals designated by the Village Council, after receiving authorization from the Village Council, are hereby empowered to enter upon the property for the purpose of removing from the property and disposing of any building materials, junk, trash, rubbish, garbage, refuse, and other nuisance conditions that exist on the property in violation of this Ordinance.
- D. The reasonable costs of abating the nuisance incurred by the Village, including reasonable attorney fees, may be collected in a lawsuit against the owner and/or possessor of the property on which the nuisance existed and/or against the person who committed, created, or maintained the nuisance.

#### Section 11. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not effect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

#### Section 12. Repeal.

Ordinance #69 enacted on April 10, 1997 is hereby repealed in its entirety.

#### Section 13. Effective Date.

This Ordinance shall become twenty (20) after its enactment.

Ordinance No. 2 2021, by the Rose	was adopted on t	the <u>//</u> day o incil as follows:	of JUNE	
Motion by:	Cook			
Seconded by:	KUDDY	/	0	
Yeas:	KUDDY,	FISHEL	COOK, MILLER	<u>,                                     </u>
Nays:	MEDIN	VA	·	
Absent:	RUEM	ER, US	MOND	
Trancos la Frances Dawson,	aulon Clerk	Micha	ael Miller, President	
meeting of the Ro	s a true copy of Ordinoscommon Village Co the <u>AOUGA FOR</u> 4, 2021.	ouncil on	that was adopted at a reg	ular _, 2021 on
Dated: 6-2	4,2031	Franc	MUSAUUSI.	2