

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

Regular Meeting Agenda April 8, 2019 - 7:00 P.M.

1. Call to order, Roll Call of Council, Pledge of Allegiance and Invocation

| 2. Approval | of Consent Agenda: | Miller |
|--------------|---|---------|
| | Approval of minutes of the March 11, 2019 Regular Council Meeting | |
| | Approval of minutes of the March 18, 2019 DDA Board Meeting | |
| | Approval of minutes of the March 13, 2019 Planning Commission Meeting | ng |
| (90) | Approval of minutes of the April 1, 2019 Planning Commission Meeting | 333.7 |
| | Approval of DPW Director's Report | |
| | Approve the Bills to be paid | |
| | Accept the Sheriff's Report for March 2019 | |
| | Accept the Building & Zoning Report for March 2019 | |
| | Approval of Roscommon Classic Canoe Festival Permit, May 11th & 12th | |
| | Approval of Back To The Brick Car Show, June 8th, 2019 | |
| 3. Approval | of Regular Agenda | Miller |
| 4. Manager | 's Report | Alden |
| 5. ICE Proje | ct Update | Cherven |
| 6. Public Ac | knowledgement on Agenda Items (Two minutes per speaker) | |
| 7. Unfinishe | d Business | |
| | Recreational Marijuana | |
| | Water & Sewer Project Update-USDA | Cherven |
| | Master Plan | Alden |
| 8. New Busi | ness | |
| | Consumer Fireworks Regulations Ordinance | Alden |
| | Ex officio Position | Alden |
| | Hiawatha – Conceptual Plan & Topographical Survey | Alden |
| | Permission to request for sideway & repair maintenance bids | Alden |
| 9. Discussio | n Items | |
| | Manager's Evaluation | Scow |
| 10. Public A | cknowledgement (Two minutes per speaker) | |
| 11. Council | 5/7/1888/07-32078 | |
| 12. Items fo | r the Next Agenda | |
| 13. Adjourn | ment | |

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VILLAGE OF ROSCOMMON

Minutes of the March 11, 2019 Regular Council Meeting

President Miller called the meeting to order at 7:00PM. Members of the Council present: Jan Deloge, Brian Ludwig, Mike Miller, Maureen Ruddy, Dan Fishel, Heather Roemer and Dan Scow. Others present: Manager Ron Alden, Clerk Frances Dawson, Lance Cherven, Krista Tacey-Cater, Edward Stern, Mary Beebe, Trent Mulder, Tony Medina, Bill Curnalia, and Joanne Lederman. The Pledge of Allegiance was recited by President Miller and an Invocation was given by Trustee Dan Fishel with special mention of the passing of Jesse Carlson.

CONSENT AGENDA

Moved by Ludwig, seconded by Roemer to approve the consent agenda including bills to be paid in the amount of \$65,314.36. Ayes: Ruddy, Deloge, Ludwig, Miller, Fishel, Scow, Roemer. Nays: None. The motion carried.

REGULAR AGENDA

Moved by Fishel, seconded by Ludwig, to approve the regular agenda with moving Lance Cherven's report to later in the meeting. All in favor. Hearing no objections, the motion carried.

MANAGER'S REPORT

Manager Ron Alden introduced Trent Mulder, our Auditor, to give his Audit report. All is good in the Village with no issues to be concerned with.

Manager Alden gave the Manager's report. Melody Wireless update given by Ron Alden.

PUBLIC COMMENT ON REGULAR AGENDA ITEMS

None.

UNFINISHED BUSINESS

Edward Stern and Mary Beebe gave a talk on the Recreational Marijuana issue. If you don't want to have a business related to this issue in your town/village you have to make the decision by December 2019 to opt out. They based their recommendations on LARA.

ISO building codes are complete. Our codes are in line with the size of our Village. All good.

Lance gave an update on ICE Project. USDA project is on track and the Village qualifies for all their programs.

Update on water freeze ups. Keep your water running till further notice.

Motion to accept server bid from Kodiak for Budget Plus plan. Moved by Ludwig, seconded by Fishel. Ayes: Ruddy, Deloge, Scow, Fishel, Ludwig, Miller, Roemer. Nays: None. Motion carried.

NEW BUSINESS

Moved by Fishel, seconded by Roemer, to accept resolution that the Village Treasurer be allowed to collect village taxes until February 15, 2020. All in favor – motion carried.

Moved by Ludwig, seconded by Roemer to roll over CD's for March and April for one (1) year with Chemical Bank. Ayes: Ruddy, Fishel, Deloge, Scow, Ludwig, Miller, Roemer. Nays: None. Motion carried.

Moved by Scow, seconded by Deloge to allow Lance Cherven to sign and handle all the paperwork with the Roscommon County Road Commission Street project for Ballanger Rd. repair. Ayes: Ruddy, Roemer, Miller, Deloge, Ludwig, Scow, Fishel. Nays: None. Motion Carried.

Moved by Roemer, seconded by Deloge to accept both bids that were received for a bucket that attaches to the tractor with Ron Alden and/or Lance Cherven to make the final decision based on time of completion and bid price. Ayes: Miller, Fishel, Deloge, Ludwig, Ruddy, Roemer. Nays: Scow. Motion carried.

Discussion Items

Ron Alden explained about new law requiring all municipalities have to pay taxes on any property that they own.

Village Manager evaluation. Dan Scow to lead this evaluation process with all of the Council to input. Will continue thru next meeting.

Public Acknowledgement

Joanne Lederman - Happy with Village Manager Alden and would like to see more people at meetings.

Council Comments

Council complementing Lance and his crew for a great job plowing.

Fishel gave dates for Jesse Carlsons funeral, Complimented Dan Scow on his business moving, and Jan Deloge on how well she is doing, also pleased with Recreational Marijuana discussion. Council discussion on the many great things about Jesse Carlson. Send flowers and possibility to put a plaque at Cemetery for him.

Roemer - discussion with council about possibly doing an amendment to ordinance to prohibit plowing snow over fire hydrants. Research and evaluate later. Village shirts put on hold until branding is complete with logo.

ITEMS FOR THE NEXT AGENDA

Opt in or out for Recreational Marijuana, Amendment about burying fire hydrants in snow plowing, Manager evaluation.

ADJOURNMENT

Moved by Fishel, seconded by Deloge to adjourn the meeting at 9:06 PM. All in favor. Hearing no objections, the motion carried.

Michael Miller Village President Frances Dawson Village Clerk

ROSCOMMON DOWNTOWN DEVELOPMENT AUTHORITY

BOARD MINUTES March 18, 2019

Members Present: Tammy Schwalm, Tom O'Brien, Ron Alden, Jessie Sharpe, Cecilia Scow, Andrea Weiss, Phil

Weiler, Mike Walker and attending via Skype Jim Anderson

Excused: Roy Spangler, Paige Haines

Absent: Doug Hodges

Others Present: Diane Love-Suvada, Mike Miller, Dan Scow, Brenda Bachelder

Motion by Cecilia Scow with support from Andrea Weiss to accept the Secretary's report. All in favor, motion carried. Motion by Phil Weiler with support from Tammy Schwalm to approve the Treasurer's report. All in favor motion carried.

<u>CORRESPONDENCE & PUBLIC COMMENT</u> – MSU is hosting a place making workshop in West Branch April 13th.

COMMITTEE REPORTS

Managers Report—Ron shared a copy of the audit summary. Everything looks good with the Village and the DDA. Park and recreation, Sue and Ron are hosting meetings to get input in what the recreational needs are. Planning commission met last week and put some additional suggestions in for the master plan. The plan is going to council for temporary approval. The Roxie group will be looking for some DDA members to serve on sub-committees when they start working on the goals. A medical marijuana presentation was given to the council. There are many unknowns but if the council does nothing at all it opens the gate, if they opt out at this time they can opt in at a later date. Working on the USDA grant for water and sewer up-grades in the Village. This grant would bring the water and sewer infostructure up to date. Tom asked if there were any electric poles that could be eliminated and put the power underground at the same time things are being dug up for the sewer can we coordinate power improvements at the same time.

<u>Façade Grant</u> – Andrea Weiss is verifying if Chemical bank will still offer loans for façade grants at 5%. NCACU has opted out. Façade grant presented from Michigan Warm Hugs Quilts for \$425 for new signage. Total cost of \$850 for the new signage. Motion to approve the grant for \$450 by Tom O'Brien support by Andrea Weiss. Cecilia Scow and Jessie Sharpe abstained. Motion approved.

<u>Sidewalks and Streetscapes</u> – Flowers are being grown and have been ordered.

Website - Nothing to report.

<u>Sawmill</u> – Diane presented her monthly report.

Farm market- Nothing to report.

<u>Economic Development Coordinator</u> There will be a meeting March 20th finishing up the master plan and looking to set up some sub-committees.

OLD BUSINESS

<u>Lighthouse walkway/bridge</u> - Nothing new to report.

<u>Iron Bell Trail</u> Brenda Bachelder shared that an application was submitted for a marketing grant to advertise the trail. There are two sections along the North part of Higgins Lake they are making recommendations on. The DNR and State will make the final decision on that area. It will be a long process to get it built. Hoping to get the feasibility study back soon.

Consumers Energy - Nothing new to report.

NEW BUSINESS

AuSable Drug Store — Dan Scow presented an idea for the AuSable Drug Store as a possible Artisan Guild and Gallery to see if this is something that we may be interested in recruiting people that could help develop a strategic plan for the idea. Dan would appreciate hearing our thoughts. Mike Walker made a motion to make an offer of \$85,000 on the purchase of the AuSable Drug store and authorize the DDA president to sign a potential agreement. Support from Cecilia Scow. Mike amended the motion to include the seller's obligation to take care of any contaminants. Mike withdrew his motion. Mike will get some additional information on the Brownfield grants to remediate the property and the past studies that have been done. A special meeting will be posted and scheduled to discuss the information that is gathered. Special meeting is scheduled for April 1, 2019. No action taken.

<u>Proposed Bylaw additions</u> - Motion by Cecilia Scow second by Ron Alden to adopt the proposed by-law amendment to allow a board member to participate in any DDA board or committee meeting by teleconferencing or video conferencing when the member is unable to attend in person. All in favor. Motion is approved.

Bike Racks - We currently have 6 bike racks throughout the Village.

TIF adopted development plan - Jim Anderson is wrapping up the report this week.

Group Picture - Next meeting

Future projects - Nothing to report.

<u>LIAISON REPORTS</u> – Egg scramble on April 16th, the MSU extension is working with the Chamber. Back to the Bricks is 11:00 to 1:00 on June 8, with a Roscommon county car show 1:00 to 4:00 after the exit of the Back to the Bricks cars leave. Business Expo is May 15th.

Proposed By-Laws Village of Roscommon Ordinance No 62 Roscommon Downtown Development Authority 3-18-19

A board member may participate in any Downtown Development Authority board or committee meeting by teleconferencing or video conferencing when the member is unable to attend in person. The following shall be included:

Two way communications shall be required at all times.

Board members are present for the purpose of a quorum.

Board members are able to vote.

All votes shall be by roll call unless it is a routine item.

There is no limit on the number of board members who may participate.

Section 7. Include the following in bold.

An appointment to fill a vacancy shall be made by the Chief Executive Officer for the unexpired term only.

The vacant position shall be advertised in the local paper for a minimum of two weeks.

Meeting Adjourned at 9:43. Motion by Mike Walker with support by Ron Alden to adjourn.

VILLAGE OF ROSCOMMON PLANNING COMMISSION MEETING MARCH 13, 2019

Meeting called to order by Curnalia at 1:45pm

Pledge

Roll Call: Present/ Curnalia, Roemer, Quall

Absent/Legg & Wagner

Others Present: Alden & Walling

Public Comment-NONE

M/Roemer S/ Quall to approve the minute from 2-6-19 meeting

Yeas 3 Nays 0

APPROVED

Old Business:

1/Training, Denise will be here on 5-8-19 at 2:00pm for Planning Training

2/ Review of Master Plan to be sent to Denise with updates then to ROXIE for their input. If changes back to Planning, if not then to Council for final approval, meeting for Planning pending ROXIE set for 3-27-19 at 1:30pm

M/ Roemer S/ Curnalia to approve Master Plan as Amended

Yeas 3 Nays 0

APPROVED

New Business:

1/Mike Grover request/first view. Mike to work out details on land request, then submit plan to Commission for review.

Public Comment-NONE

M/Roemer S/Quall to adjourn meeting at 2:30PM

Yeas 3 Nays 0

APPROVED

Submitted by,

William E. Curnalia

Board Chair

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PLANNING COMMISSION MEETING - APRIL 1, 2019

Called to order at 2:02 P.M.

Pledge recited. Roll Call – Tim Legg, Robert Quall, Bill Curnalia, Kevin Wagner, Heather Roemer. Others present at the meeting were Ron Alden.

PUBLIC COMMENT - NONE

Motion by Roemer, seconded by Legg, to approve minutes from the 3/13/19 meeting. Ayes: All Nays: None. Motion approved.

OLD BUSINESS -

Master Plan review draft changes -

Motion by Legg, seconded by Wagner, to accept Master Plan as amended to go to Council. Ayes: All. Nays: None. Motion approved

NEW BUSINESS -

Board Packet

PUBLIC COMMENT - NONE

MOTION TO ADJOURN -

Motion to Adjourn by Roemer, seconded by Legg. Ayes: All Nays: None. Motion approved. Closed 2:35 P.M.

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DPW Report for April 2019 Council Meeting

Here are some of the key points I would like to take time to acknowledge.

- ➤ All water testing results have come back perfect. This is always something we take great pride in. We are continuing to devise a plan to create better water quality as well.
- ➤ We all attended the MRWA Conference. We learned several new ideas and gathered lots of new tips and tricks of the trade. Thank you for allowing us to attend these important meetings. At the Conference all Cities and Villages in the State are given the chance to enter in a water taste test. We decided to bring some of our water for the taste test, there were nearly 30 samples to compete against. We ended up making it to the final 5 where we ended up taking 5th in the State. As you all know we've had our share of water complaints for the last few years so as a Team we are very proud of the fact we scored so well. We still have some work to do to continue to improve the water and that is our goal.
- ➤ The tractor is back and the front loader bucket has already proven to be a great addition to our equipment. Thank you for this.
- Frost levels continue to decrease, with that we are hoping to be off the let run with in the next week or two. I will update when this happens.
- ➤ I have been working with the RCRC to keep our summer paving projects on schedule. We should have the final numbers and agreements ready for the May meeting if not before.
- ➤ The banners have been changed from the winter banners, let's hope that will help force winter out of here.
- ➤ RCRC will be sweeping the downtown area beginning the week of 4/8 this should take 4 days or so. The sidewalks will be swept prior to this beginning.

- ➤ I have rented a power broom to begin sweeping our streets the week of 5/1.
- ➤ I would like to that the guy's for doing an excellent job with things while I was gone on vacation. It is very nice to know things are taken care of when I am out.
- ➤ ICE grant: I will give an update during the meeting.

This is a few of the most important items I just wanted to touch base on. As always feel free to contact me with question or concerns.

Focus on The GOOD

Thank You Kindly,

Lance Cherven

DPW Director

Activity Report to Village of Roscommon March 2019

| Village Patrol | |
|--------------------|-----|
| Mileage | 505 |
| Hours | 68 |
| Stops | 36 |
| VW | 36 |
| Citations | 5 |
| Criminal | 6 |
| Non Criminal | 0 |
| Report Writing | 4 |
| Accidents | 1 |
| Arrests | 4 |
| Contacts | 142 |
| Prop. Check | 98 |
| Liquor Inspections | 20 |

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No Insurance x2

OWI

DWLR

| Additional Village Activity | |
|-----------------------------|----|
| Hours | 12 |
| Criminal Complaints | 1 |
| Non Criminal Complaints | 4 |
| Traffic Stops | 8 |
| Verbal Warnings | 9 |
| Citations | 1 |
| OWI Arrests | 0 |
| Other Arrests | 0 |
| Accidents | 1 |
| Assist EMS | 0 |

Type of Complaints Handled

- **D- AMINAL COMPLAINT**
- D- DRIVE OFF- ROSCO MINI-MART
- D- ARGUMENT- SEVNETH ST
- P- SUSPICIOUS SITUATION- RITE AID
- D- ATL- ROSCOMMON MOTEL

Complaints

- P- NO INSURANCE
- P- MDOP to Jail Property
- P- OPERATE WHILE INTOXICATED (OWI)
- P- DROVE WHILE LICENSE REVOKED (DWLR)
- D- Non Traffic Property Damagre Accident LEAR

D= Dispatched

P= Patrol Initiated

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April 2, 2019

Building and Zoning Report for the month of March 2019.

3/6/2019: Research and work on special use permit.

3/13/2019: Investigate possible new antennas on water tower.

3/20/2019: Roxie meeting

3/27/2019: Visit Lion's Den to review location of accessory building. Review sign permit for 704 Lake St. Review sign

requirements for church at intersection of old 76 and Fredrick St.

Respectfully Submitted,

James Letts

Building Inspector and Zoning Administrator



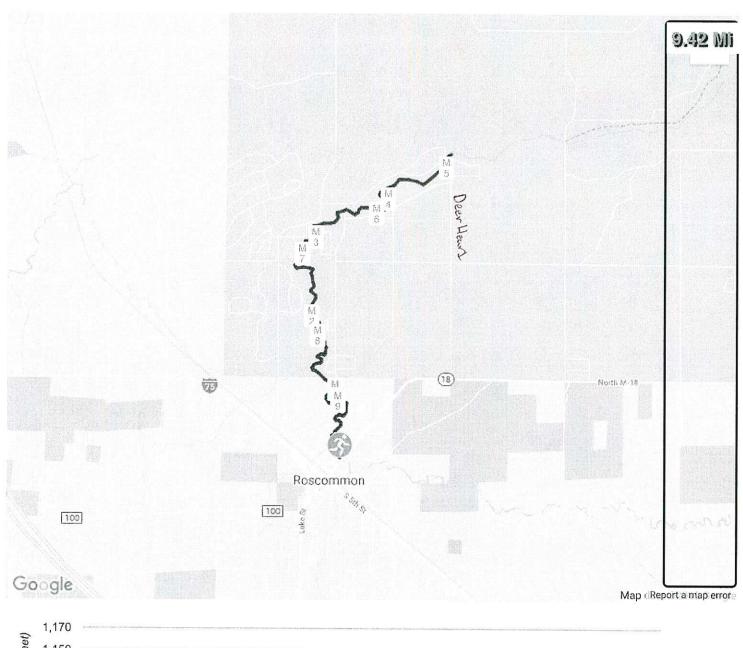
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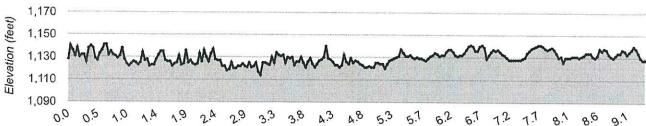
FESTIVAL PERMIT

This permit must be completed and approved by the Village Council before any event that uses Village property can take place. The Council meets the second Monday of each month. The information below must be returned to Village Hall by the Wednesday prior to ensure it will be on the agenda.

| Name of Organization Roscommen Canoe Racing Association |
|---|
| Contact Person Sean Brabaut |
| Address 11879 Stecker+ Bridge Rd Roscommon MI 48653 |
| Phone 989 205 1369 |
| Name of Festival 37th Annual Roscommon Canoe Classic |
| Purpose Canoe Rases |
| Dates May 1/th i 12th |
| Times 10:00 am both days |
| What Village assets do you want to use? |
| Parks Wallace Park |
| Streets |
| Equipment (barricades, trash receptacles, etc.) |
| (barricades, trash receptacles, etc.) |
| The applicant agrees to assume all liability for any and all injuries, damages to real or personal property, or any other liability from the event. The applicant agrees to indemnify the Village of Roscommon from any and all liability except for gross negligence on the part of the Village, its agents, employees or representatives. |
| Signature of Applicant Date |
| Please attach the following: |
| Map of area to be used with proposed uses |
| Copy of Committee's liability insurance policy |
| |
| Approved |

Roscommon Classic





Wallace Por K Start;
Down to Deerhourt
Back to Wallace Park.

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FESTIVAL PERMIT

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| Name of Organization Higgins Lake Roscommon Chamber |
|---|
| Contact Person Paralle Smith |
| 700 11 les 1+ PD BD 116/2 K2/12 10/1 |
| Address 109 Carre 50, 10 ex 930 NOS minor 46 |
| Phone |
| Name of Festival Back to The Bricks |
| Purpose |
| Dates June 8, 2019 |
| Times 9:30 a.m. to 1:30 pm |
| |
| What Village assets do you want to use? |
| Parks |
| Streets Lake St from 1st street to 5th St. |
| Equipment Darricades, trash recentacles, oto) |
| (barricades, trash receptacles, etc.) |
| The applicant agrees to assume all liability for any and all injuries, damages to real or personal property, or any other liability from the event. The applicant agrees to indemnify the Village of Roscommon from any and all liability except for gross negligence on the part of the Village, its agents, employees or representatives. |
| Gracy P. Smith 4-3-19 |
| Signature of Applicant Date |
| Please attach the following: |
| Map of area to be used with proposed uses |
| Copy of Committee's liability insurance policy |
| |
| Approved |
| |



STATE FARM FIRE AND CASUALTY COMPANY A STOCK COMPANY WITH HOME OFFICES IN BLOOMINGTON, ILLINOIS DECLARATIONS

2702 Ireland Grove Road Bloomington, IL 61709-0001

M-04-7020-FABA F N

000388 3123

Named Insured

HIGGINS LK/ROSCOMMON CHAMBER OF COMMERCE PO BOX 486 ROSCOMMON MI 48653-0486

Policy Number 92-PF-2381-8 Expiration Date MAR 3 2020 **Policy Period Effective Date** 12 Months MAR 3 2019 The policy period begins and ends at 12:01 am standard time at the premises location.

Agent and Mailing Address ELIZABETH FORTING INS AGCY INC PO BOX 1600 HOUGHTON LAKE MI 48629-1600

PHONE: (989) 366-5356 (989) 366-5357

Businessowners Policy

Automatic Renewal - If the policy period is shown as 12 months, this policy will be renewed automatically subject to the premiums, rules and forms in effect for each succeeding policy period. If this policy is terminated, we will give you and the Mortgagee/Lienholder written notice in compliance with the policy provisions or as required by law.

Entity: NON-PROFIT

NOTICE: Information concerning changes in your policy language is included. Please call your agent if you have any questions.

POLICY PREMIUM Minimum Premium

475.00

Discounts Applied: Renewal Year Years in Business Claim Record

This policy is exempt from the filing requirements of section 2236 of the insurance code of 1956, 1956 PA 218, MCL 500.2236.

Prepared JAN 18 2019 CMP-4000

E90 COC .. 9 NE 91 9011 /..(19991..)

VILLAGE OF ROSCOMMON ORDINANCE PROHIBITING MARIHUANA ESTABLISHMENTS WITHIN THE VILLAGE

| Or | dinar | ice | No. | of 201 |
|----|-------|-----|-----|--------|
| | | | | |

AN ORDINANCE PURSUANT TO THE MICHIGAN REGULATION AND TAXATION OF MARIHUANA ACT, 2018 INITIATED LAW 1, § 6.1, MCL 333.27956, SUBSECTION 1, TO PROHIBIT MARIHUANA ESTABLISHMENTS WITHIN THE BOUNDARIES OF THE VILLAGE OF ROSCOMMON AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

THE VILLAGE OF ROSCOMMON HEREBY ORDAINS:

Section 1. Marihuana Establishments Prohibited.

Pursuant to the authority granted under Section 6.1 of the Michigan Regulation and Taxation of Marihuana Act, 2018 Initiated Law 1, § 6.1, MCL 333.27956, Subsection 1, the Village of Roscommon hereby completely prohibits any marihuana establishment, as that term is defined in Section 3(h) of the Michigan Regulation and Taxation of Marihuana Act, 2018 Initiated Law 1, § 3(h), MCL 333.27953(h), within its boundaries.

Section 2. Violation; 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 3. Enforcement Officials.

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

Section 4. Nuisance Per Se.

A violation of this Ordinance is hereby declared to be a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 5. Separate Court Action.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 6. 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 7. Effective Date.

| This Ordinance shall become effective twenty (20) days after it | (| IS ' | Ordinance | snall | pecome | errective | twenty | (20) | davs | atter | ITS 6 | enactmer | nt. |
|---|---|------|-----------|-------|--------|-----------|--------|------|------|-------|-------|----------|-----|
|---|---|------|-----------|-------|--------|-----------|--------|------|------|-------|-------|----------|-----|

| Ordinance No Village Council as fo | | on the 8 th da | ay of April, 201 | 19, by the Rosc | common |
|--|---------------------------------|------------------------------|------------------|-------------------------------|--------|
| Motion by: | | | | | |
| Seconded by: | | | | | |
| Yeas: | V | | | | × × |
| Nays: | | | | | |
| Absent: | | | | | |
| Dawn M. Dodge , Cl | erk | | Michael Mille | er, President | |
| I certify that this is a meeting of the Rosc | true copy of 0 common Villag | Ordinance No e Council or | April 8, 2019 | as adopted at a and published | in the |
| Dated: | | | | , Clerk | |

Resolution ____ of 2019 VILLAGE OF ROSCOMMON MASTER PLAN

RESOLUTION FOR FINAL APPROVAL ROSCOMMON VILLAGE COUNCIL

| WHEREAS, | The Village of Roscommon has undertaken development of a Master Plan to guide development; promote the public health, safety, and welfare of the Village; to encourage the proper use of resources; to facilitate public improvements; and to consider the character of the Village and suitability of particular land uses, and |
|--------------|--|
| WHEREAS, | Section 43(3) of Public Act 33 of 2008, commonly known as the Michigan Planning Enabling Act, gives the Village Council the authority to assert the right to make final approval or rejection of said Master Plan, and |
| WHEREAS, | The Roscommon Village Council has a responsibility to the citizens of the Village of Roscommon to provide for and promote the public health, safety and general welfare of the Village, and |
| NOW, THERE | ORE BE IT RESOLVED, that the Roscommon Village Council hereby asserts the authority to make the final approval or rejection of the Village of Roscommon Master Plan as a guideline for improving the overall quality of life for the residents of the Village of Roscommon. |
| Yeas: | Nays: Absent: |
| I HEREBY CER | TIFY, that the forgoing Resolution was adopted at a regular meeting of the Roscommon Village Council, held on |
| Date | Roscommon Village Clerk |

VILLAGE OF ROSCOMMON CONSUMER FIREWORKS ORDINANCE Ordinance No. ____ of 2019

AN ORDINANCE PURSUANT TO ACT 256 OF THE PUBLIC ACTS OF 2011, AS AMENDED, AND PURSUANT TO ACT 3 OF THE PUBLIC ACTS OF 1895, AS AMENDED, TO PROHIBIT THE IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS WITHIN THE VILLAGE, EXCEPT AS PERMITTED BY STATE LAW, AND TO PROVIDE PENALTIES FOR VIOLATIONS THEREOF

THE VILLAGE OF ROSCOMMON ORDAINS:

Section 1. Findings.

The Roscommon Village Council makes the following findings: Public Act 3 of 1895 authorizes the Village of Roscommon to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, et seq.) authorizes the Village of Roscommon to enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. The Roscommon Village Council hereby finds that an ordinance prohibiting the ignition, discharge, and use of consumer fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare of persons and property within the Village of Roscommon.

Section 2. Title.

This Ordinance shall be known as the Village of Roscommon Consumer Fireworks Ordinance.

Section 3. Definitions. As used in this Ordinance,

"Consumer fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States Consumer Product Safety Commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include lowimpact fireworks.

"Low-impact fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

"Person" means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

Section 4. Ignition, Discharge, and Use of Consumer Fireworks.

No person shall ignite, discharge, or use consumer fireworks within the Village of Roscommon at any time, except during any of the following days and times:

- (a). After 11 a.m. on December 31 and until 1 a.m. on January 1.
- (b). After 11 a.m. and until 11:45 p.m. on the Saturday and Sunday immediately preceding Memorial Day.
- (c). After 11 a.m. and until 11:45 p.m. on June 29 through July 4.
- (d). If July 5 falls on a Friday or Saturday, then after 11:00 a.m. and until 11:45 p.m. on July 5.
- (e). After 11 a.m. and until 11:45 p.m. on the Saturday and Sunday immediately preceding Labor Day.

Section 5. Penalty/Civil Infraction.

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 civil fine of One Thousand and 00/100 (\$1,000.00) Dollars for each violation of the Ordinance and no other fine or sanction. Five Hundred and 00/100 Dollars of the fine collected under this Ordinance shall be remitted to the Roscommon County Sheriff's Office, which is responsible for the enforcement of this Ordinance. Each day this Ordinance is violated shall be considered as a separate violation.

Section 6. Enforcement.

The Village Manager, other persons designated by the Village Council, and deputies of the Roscommon County Sheriff are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

Section 7. Nuisance.

A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.

Section 8. Injunctive Relief.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 9. Repeal.

The Village of Roscommon Fireworks Ordinance, being Ordinance No. 86, is hereby repealed in its entirety.

Section 10. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances 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 11. Effective Date.

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

| Ordinance No was adopted Village Council as follows: | d on the 8 th day of April, 2019, by the Roscommon |
|--|---|
| Motion by: | |
| Seconded by: | |
| Yeas: | |
| Nays: | |
| Absent: | |
| | |
| | |
| Dawn M. Dodge . Clerk | Michael Miller, President |

| I certify that this is a true copy of omeeting of the Roscommon Village | | opted at a regular bublished in the |
|---|-----|-------------------------------------|
| | on | <u>,</u> 2019 |
| Dated: | | |
| · | . (| Clerk |

VILLAGE OF ROSCOMMON ORDINANCE 50

PLANNING COMMISSION

The Village of Roscommon does hereby ordain:

- 1. There is hereby established a Planning Commission to be known as the Roscommon Village Planning and Zoning Commission pursuant to M.C.L.A. 125.31 to 125.45, Public Act 285 of 1931, as amended.
- 2. The Roscommon Village Planning and Zoning Commission shall have all powers and duties which can be conferred upon said Commission by the Roscommon Village Council pursuant to M.C.L.A. 125.31 to M.C.L.A. 125.45, as amended, or by other provisions of the law and each and all of the powers are hereby conferred and incorporated as fully as though set out verbatim herein.
- 3. (a) The Commission shall consist of five (5) members appointed by the Roscommon Village President, subject to approval by majority vote of the Roscommon Village Council. The terms shall be for three (3) years or until a successor takes office except that the respective terms of two (2) of the members first appointed shall be for one (1) year and two (2) for two years.
 - (b) In addition to the five (5) appointed members, there shall be one ex-officio member and serve during their term of office:
 - 1. The Village President OR
 - 2. An administrative official of the Village of Roscommon OR
 - 3. One member of the Village Council selected by its members
 - (c) The basis for representative membership of the Commission shall be representatives of the entire geography of the local unit of government to the extent possible.
 - (d) Vacancies shall be filled by the Village President subject to approval of the Village Council.

Ex officio member

Excerpts from Michigan Planning Enabling Act, Act 33 of 2008

- (d) "Ex officio member", in reference to a planning commission, means a member, with full voting rights unless otherwise provided by charter, who serves on the planning commission by virtue of holding another office, for the term of that other office.
- (2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. A county planning commission shall consist of 5, 7, 9, or 11 members. Members of a planning commission other than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or Rendered Thursday, June 7, 2018 Page 3 Michigan Compiled Laws Complete Through PA 170 of 2018 Legislative Council, State of Michigan Courtesy of www.legislature.mi.gov 2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

125.3817 Chairperson, secretary, and other offices; election; terms; appointment of advisory committees. Sec. 17. (1) A planning commission shall elect a chairperson and secretary from its members and create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each officer shall be 1 year, with opportunity for reelection as specified in bylaws adopted under section 19. (2) A planning commission may appoint advisory committees whose members are not members of the planning commission. History: 2008, Act 33, Eff. Sept. 1, 2008.



March 27, 2019

Mr. Ron Alden Village of Roscommon Manager 702 Lake Street P.O. Box 236 Roscommon, MI 48653

RE: Hiawatha Park Concept Development

Dear Ron,

Thank you for allowing Fleis & VandenBrink (F&V) the opportunity to assist the Village with the planning of the new Hiawatha Park project. A well thought out and successful project begins with a plan which, in many cases is conceptual by nature. This concept plan is a valuable tool that allows you to convey your vision to the public, share ideas with your community, and best utilize the resources available to you. This plan may evolve over time through various iterations but is a critical step in the planning process and before detailed engineering can begin.

As we understand, the scope of the project involves conceptual planning of the recently purchased property on the north side of Lake Street and north side of the AuSable River. Wallace Park is directly opposite on the south side of the river and has pedestrian access points off Lake and Seventh Streets. The property was once a residence and canoe rental business with several out buildings some of which need repair and renovations. A cove, centrally located on the site, links to the river and serves as a "quiet" launch site for canoes and kayaks. Some of the key elements of the project vision include:

- Increase/improve parking for both Hiawatha and Wallace Park which currently doesn't have adequate parking other than the church across seventh street.
- Add a new universal access canoe/kayak launch in the cove. No rental use is planned at this time, but the Village would like to provide a Universally Accessible (UA) public launch area.
- A pedestrian bridge with architectural character that connects both Hiawatha and Wallace parks this
 could be located near Lake Street in order to fall within MDOT funding eligibility.
- A multi-use pathway is planned along Lake Street that connects downtown with the nursing home to the north.
- Incorporate a picnic shelter/gazebo and river overlook / observation area.
- Renovations of the existing house and rental building We understand that the house may become tenant space, possibly used by the Village Chamber of Commerce.
- The pole barn is in good shape and would be used for storage.
- There is no use currently planned for the shed, however it can be saved and moved if needed.
- The parking lot layout needs to accommodate food trucks and provide electrical service.

603 Bay Street, First Floor Traverse City, MI 49684 Since the Village owns the property, having a topographic survey will prove to be a beneficial tool regardless of how the Village moves forward. Therefore, we suggest investing in a survey first and using that information to develop the concept plan. The other, less accurate, option is to create the concept plan using available records with no field measured data. We can develop a concept under either option, so we are presenting both scenarios for you to choose.

OPTION 1 - CONCEPTUAL PLAN & TOPOGRAPHICAL SURVEY

- Provide a field measured topographic survey of the project focus area and portions of Hiawatha Park (approximately 3± acres). The survey will include the following: o Establish horizontal ground control and bench marks, as needed. o Locate existing site features such as existing buildings, parking areas, sidewalks, driveway curb cuts, visible utility structures, top and bottom of banks, high water elevation, signage, etc.
 - Research existing utility data through miss dig and village records.
 - Process survey data and mapping, plot 100-year floodplain contour based on FEMA records and contoured spot elevations.
 - o Provide site photos and measure key structure inverts, as needed.
 - Create a 3D model of the property including elevations using AutoDesk Civil3D CAD software.
 - Locate property corners and monuments if they are present.
 Provide a pdf and printed
 24x36 copy of the field topographic survey to the Village.
 - o Provide electronic data in GIS shape file format to be included in the Village's GIS.
- Develop a conceptual plan of the project area (3± acres) based on the topo survey, information gathered from our meeting, and a site visit.
 - Based on input from the Village, F&V will provide conceptual design showing site features
 and improvements including the pedestrian bridge, parking improvements, gazebos, trails
 and pathways, and landscaping. o F&V will develop two versions of the plan and meet with
 the Village to present the concepts and seek input from Village staff. Based on Village
 comments, F&V provide a revised plan to the Village.
 - A black and white draft of the concept will be provided for review and comment prior to creating a colored 2D rendering.
 - Provide preliminary opinion of probable construction costs for the selected plan that can be used for budgeting and grant applications.
 - Provide 2 color copies of the concept plan printed on presentation boards, copies of the plan as a pdf, and copies of the cost estimates to the Village.

Our fee for the above conceptual planning and topographical survey is \$9,200

OPTION 2 - CONCEPTUAL PLAN USING AVAILABLE RECORDS

- Provide concept development and renderings including the scope detailed in Option 1 above. However, the concept will be based on existing available records instead of a field topographical survey.
 - F&V will research existing available records and prepare a working base map and conceptual plan of the project area (3± acres) based on aerial imagery, GIS information, and tax descriptions of the existing property.
 - The concept plan will be developed based on assumptions as exact locations of existing features, water elevations, floodplains, and elevations will not be known.
 - Deliverables and estimates of probable construction costs will be provided similar to Option
 1.

Our fee for the above conceptual planning task is \$ 6,000



F&V's professional services will be invoiced monthly on a lump sum basis for the percentage of work completed. Additional copies and/or board mounted versions are available at our standard reimbursable rates. If the Village would like assistance with public meetings, we can attend for an additional service charge of \$300 per meeting.

Again, thank you Ron for allowing F&V the opportunity to be a part of this exciting new park project. We look forward to assisting the Village in any way we can as this project evolves. Please select which services above you would like to us to proceed with; authorization to proceed can be made by signing below.

Sincerely,

FLEIS & VANDENBRINK

John DeVol, PE

Principal/Traverse City Manager

Lisa Easterwood Project Manager

AUTHORIZATION TO PROCEED:

Fleis & VandenBrink is authorized to proceed with the Hiawatha Conceptual Development services outlined above, by amending the scope of work with these specifically authorized additional services and pursuant to the terms of our existing Professional Services Agreement (PSA) dated March 17, 2017.

By Date