



**PROPOSED REVISED AGENDA
REGULAR MEETING OF THE LAKE ODESSA VILLAGE COUNCIL
PAGE MEMORIAL BUILDING
839 FOURTH AVENUE, LAKE ODESSA, MI 48849
Monday, October 19, 2020 - 7:00 P.M.**

I. Call to Order

II. Pledge of Allegiance

III. Roll Call

IV. Approval of Agenda

V. Citizen Comment on Agenda Items:

Under the Open Meetings Act, any citizen may come forward at this time and make comment on items that appear on the agenda. Comments will be limited to five minutes per person. Anyone who would like to speak shall state his/her name and address for the record. Remarks should be confined to the question at hand and addressed to the chair in a courteous tone. No person shall have the right to speak more than once on any particular subject until all other persons wishing to be heard on that subject have had the opportunity to speak.

VI. Minutes: To approve the following Village Council meeting minutes:

- (a) Minutes from the Regular meeting on September 21, 2020
- (b) Minutes from the Special meeting on September 30, 2020
- (c) Minutes from the Special meeting on October 5, 2020

VII. Bills:

- a) Approve bills equal to or less than \$3,000.00 each from 8/1//2020 to 8/31/2020
- b) Approve bills in excess of \$3,000.00 each, including:
 - 1. Tri County/ Homeworks – \$4,329.94 – Electricity at Water Plant (Paid)

VIII. Consent Agenda

The following consent agenda will normally be adopted without discussion; however, at the request of any council member, any item may be removed from the consent agenda for discussion.

Reports and Minutes: To accept and file the following:

- a) Lake Odessa Zoning Administrator Monthly Report

- b) Lake Odessa Area Arts Commission Meeting Minutes
- c) Village of Lake Odessa Planning Commission Minutes – September 28, 2020

IX. Departmental Reports:

- a) Village Manager’s Report
- b) Police Department
- c) Department of Public Works
- d) Finance Report

X. Committee Reports

- a) Personnel / Finance Committee
- b) Recreation / Special Projects Committee

XI. Presentations

- a) None

XII. Discussion Items

- a) Request from Patti Cook to have the Village vacate a portion of alleyway between her properties located at 757 Third Avenue and 760 Fourth Avenue
- b) Forming of an Interview Committee for the Village Clerk/ Treasurer position

XIII. Public Hearing

- a) None

XIV. Unfinished Business

- a) None

XV. New Business:

- a) Introduction and First Reading of Bill #20-02: An Ordinance to amend Chapter 6 of the Code of Ordinances of the Village of Lake Odessa
- b) Introduction and First Reading of Bill #20-03: An Ordinance to amend Chapter 10 of the Code of Ordinances of the Village of Lake Odessa
- c) Bill #20-04: An Ordinance to amend Subsection 36-35(H) of the Zoning Ordinance to add “Single Family Dwellings” as a “Use Permitted by Right”
- d) Proposed Resolution 2020-41: Approving the Interim Treasurer Brent Haag as a Plan Trustee for the Employee Deferred Compensation Plan for the Village of Lake Odessa
- e) Proposed Resolution 2020-42: Approving the Removal of Former Employees from Village Accounts and Approving the Naming of Trustees to the Village Accounts at Portland Federal Credit Union
- f) Proposed Resolution 2020-43: Approval to accept the Resignation of Daryl Hartzler from the Village of Lake Odessa Downtown Development Authority
- g) Proposed Resolution 2020-44: Approval to accept the Resignation of Judy Rodriguez from the Lake Odessa Area Arts Commission
- h) Proposed Resolution 2020-45: Approving the closure of Village Streets for a Holiday Parade by the Lakewood Area Chamber of Commerce
- i) Approval for the Village Council to Move into Closed Session after agenda item XVIII “Public Comment” for the Purpose of Discussing the Village Manager’s Evaluation (*Requires a 2/3 Roll Call Vote*)

- j) Proposed Resolution 2020-46: Approving the Temporary Rules of Procedure for Virtual/ Electronic Meetings for all Council, Board, and Commission Meetings for the Village of Lake Odessa
- k) Proposed Resolution 2020-47: Approving, Authorizing, and Directing the Village Manager to sign a Grant Agreement between the Village of Lake Odessa and the Michigan Council for Arts and Cultural Affairs

XVI. Miscellaneous Correspondence:

- a) Ken Bowen, ICHD – COVID-19 Update

XVII. Trustee Comments

XVIII. Public Comment

XIX. Adjournment

VILLAGE OF LAKE ODESSA

MINUTES

REGULAR COUNCIL MEETING

DUE TO THE COVID-19 PANDEMIC AND GOVERNOR WHITMER'S EXECUTIVE ORDERS NO. 2020-129, THIS MEETING WAS HELD ELECTRONICALLY

September 21, 2020

PAGE MEMORIAL BUILDING

Meeting called to order at 7:02 pm by President Banks.

Council present: Karen Banks, Brandy Walkington, Charles Jaquays, Mike Rudisill, Mike Brighton, Kay Hartzler, Mel McCloud

Absent: None

Staff present: Patrick Reagan, Pearl Ward, Jesse Trout, Kendra Backing

Visitors present: Shelby Byrnes, Dave DeHaan with Walker, Fluke and Sheldon

Motion by Rudisill, support by McCloud to approve the agenda as presented. Motion carried.

PUBLIC COMMENT

There was no public comment.

MINUTES

Motion by McCloud, support by Rudisill to approve minutes of August 17, 2020. Motion carried.

BILLS

Motion by Hartzler, support by Brighton to approve expenditures equal to or less than \$3,000.00 for the period 8/1/2020 thru 8/31/2020. Motion carried.

Motion by McCloud, support by Brighton to approve payment of invoices in excess of \$3,000.00 items as follows:

1. Tri County/ Homeworks – \$5,041.99 – Electricity at Water Plant (Paid)
2. Asphalt Restoration, Inc -- \$14,773.84 – Crack Sealing Services (Paid)
3. Peerless Midwest, Inc -- \$37,588.72 – Well #6 Repairs

Jaquays inquired about crack sealing locations on the Asphalt Restoration invoice. Motion carried.

CONSENT AGENDA

Motion by Walkington, support by Jaquays to approve the consent agenda, as follows:

- a) Lake Odessa Zoning Administrator Monthly Report
- b) Village Monthly Fuel Purchases

Motion carried.

DEPARTMENTAL REPORTS

President Banks asked Dave DeHaan with Walker, Fluke and Sheldon to present the audit prior to departmental reports. DeHaan discussed the audit findings with council and discussed the anticipated decline in state shared revenue and act 51 money due to COVID-19.

Manager's Report: Reagan discussed New Business items on the agenda.

DPW: There was no update.

Police: There was no update.

Finance: There was no update. Council wished Ward the best of luck in her career move.

COMMITTEE REPORTS:

Personnel/Finance Committee: President Banks asked council for availability for a special meeting for the Manager's Review. Council agreed upon September 30 at 4pm for the special meeting to be held.

Recreation/Special Projects Committee: McCloud thanked Trout for the work on the pavilion.

PRESENTATIONS

There were no presentations.

DISCUSSION ITEMS

A request from Patti Cook to have the Village vacate a portion of alleyway between her properties located at 757 Third Avenue and 760 Fourth Avenue was received. Council discussed the alley width and utility easements. Banks inquired about the accessory building and zoning restrictions for a non-conforming structure. Motion by McCloud, support by Walkington to table the request until further guidance could from the zoning administrator could be obtained.

An offer from Midwest V, LLC to Purchase Village-Owned Property was received. Council discussed. Motion by McCloud, support by Jaquays to reject the offer from Midwest V, LLC. Motion carried.

UNFINISHED BUSINESS

There was no unfinished business.

NEW BUSINESS

Motion made by Brighton, supported by Hartzler to adopt the budget as presented. Motion carried.

Motion made by Brighton, supported by Rudisill to adopt Resolution 2020-38: Approving the Date and Time for Trick-or-Treating in the Village of Lake Odessa. Motion carried with the following roll call vote: Yes: Walkington, Jaquays, Banks, Rudisill, Brighton, Hartzler, McCloud; No: None; Absent: None.

Motion made by Rudisill, supported by Jaquays to adopt Resolution 2020-39: Approving the Two-Year Extension of a Lease Agreement for the Use of Village-Owned Property with Tim Stuart. Motion carried with the following roll call vote: Yes: Walkington, Jaquays, Banks, Rudisill, Brighton, Hartzler, McCloud; No: None; Absent: None.

Motion made by Brighton, supported by Walkington to adopt Resolution 2020-35: Approving a Request from the Planning Commission to Set a Public Hearing on the Proposed Addition of "Single Family Dwellings" as a Use by Right in the Lakeside Commercial District. Motion carried with the following roll call vote: Yes: Walkington, Jaquays, Banks, Rudisill, Brighton, Hartzler; No: None; Absent: McCloud.

Motion made by Walkington, supported by Brighton to adopt Resolution 2020-40: Approval to Name the Village Manager as the Interim Village Clerk/ FOIA Coordinator Beginning October 1, 2020. Motion carried with the following roll call vote: Yes: Walkington, Jaquays, Banks, Rudisill, Brighton, Hartzler, McCloud; No: None; Absent: None.

MISCELLANEOUS CORRESPONDENCE

There was no miscellaneous correspondence.

TRUSTEE COMMENTS

Banks thanked Ward for her service.

Jaquays announced the arrival of his grandson and thanked Ward.

Brighton thanked Ward for her service.

Walkington thanked Ward.

Hartzler thanked Ward.

McCloud thanked Ward.

Rudisill thanked Ward.

PUBLIC COMMENT

There was no public comment.

Meeting adjourned at 8:37pm.

Respectfully submitted,

Pearl Ward
Village Clerk / Treasurer

VILLAGE OF LAKE ODESSA
VILLAGE COUNCIL

MINUTES

SPECIAL COUNCIL MEETING

DUE TO THE COVID-19 PANDEMIC AND GOVERNOR WHITMER'S EXECUTIVE
ORDERS NO. 2020-129, THIS MEETING WAS HELD ELECTRONICALLY

September 30, 2020

PAGE MEMORIAL BUILDING

Meeting called to order at 5:09 PM by President Banks.

Council present: Brandy Walkington, Karen Banks, Mike Brighton, Charles Jaquays, Kay Hartzler, Mel McCloud, Mike Rudisill

Staff Present: Village Manager/ Interim Clerk Reagan

Visitors Present: None

Approval of Agenda: Motion by Jaquays, support by Rudisill to approve the proposed agenda for the Special Meeting. Yes: Jaquays, Rudisill, Brighton, Hartzler, McCloud, Walkington, Banks. No: None. Absent: None. Motion carried.

CITIZEN COMMENT: There was no citizen comment.

DISCUSSION: Discussion was had by Council about the proposed Clerk/ Treasurer Job Description presented. No issue was found with the proposed job description. Discussion was then had by Council concerning the proposed Job Posting for the Clerk/ Treasurer position. Council noted changes to be made to the document. Reagan made the changes as proposed.

Reagan informed Council that he is currently seeking candidates to perform the duties of interim Treasurer while the Village performs a proper search for a new Village Clerk/ Treasurer. Reagan outlined how he has spoken with many various municipalities, search firms, and the Michigan Municipal Treasurer's Association.

NEW BUSINESS: Approval of the proposed Village Clerk/ Treasurer Job Description: Motion by Brighton, supported by Hartzler, to approve the Village Clerk/ Treasurer Job Description as submitted. Yes: Brighton, Hartzler, Jaquays, Rudisill, Walkington, McCloud, Banks. No: None. Absent: None.

Approval of the Village Clerk/ Treasurer Job Posting with Proposed Changes: Motion by McCloud, supported by Walkington, to approve the Village Clerk/ Treasurer Job Posting as earlier amended. Yes: McCloud, Walkington, Brighton, Hartzler, Jaquays, Rudisill, Banks. No: None. Absent: None.

TRUSTEE COMMENTS:

Brighton: thanked Reagan for his work on this matter.

Rudisill: thanked Reagan for working on the job descriptions and posting.

McCloud: thanked Reagan for his work on this matter.

Jaquays: thanked Reagan for his work on this matter.

Hartzler: had no comment.

Banks: thanked Reagan for his hard work on the preparation of the documents and for “beating the bushes” to find an interim Treasurer.

Motion by Rudisill, support by Jaquays to adjourn the meeting. All ayes; motion carried. Meeting concluded at 5:28 PM.

Respectfully submitted,

Patrick Reagan
Village Manager/ Interim Village Clerk

VILLAGE OF LAKE ODESSA
VILLAGE COUNCIL

MINUTES

SPECIAL COUNCIL MEETING

DUE TO THE COVID-19 PANDEMIC AND GOVERNOR WHITMER'S EXECUTIVE
ORDERS NO. 2020-129, THIS MEETING WAS HELD ELECTRONICALLY

October 5, 2020 at 5:00 pm

PAGE MEMORIAL BUILDING

Meeting called to order at 5:00 PM by President Banks.

Council present: Brandy Walkington, Karen Banks, Mike Brighton, Charles Jaquays, Mel McCloud,
Mike Rudisill. Absent: Kay Hartzler

Staff Present: Village Manager/ Interim Clerk Reagan

Visitors Present: None

Approval of Agenda: Motion by McCloud, support by Rudisill to approve the proposed agenda for the
Special Meeting. Yes: Jaquays, Rudisill, Brighton, McCloud, Walkington, Banks. No: None. Absent:
Hartzler. Motion carried.

CITIZEN COMMENT: There was no citizen comment.

NEW BUSINESS: Approval of the Engagement Letter from Robert Half/ Accountemps to a fill a
temporary bookkeeper position for the Village of Lake Odessa by Brent Haag of Robert Half. Motion by
Brighton, supported by Rudisill to approve this item. Yes: Jaquays, Rudisill, Brighton, McCloud,
Walkington, Banks. No: None. Absent: Hartzler. Motion carried.

TRUSTEE COMMENTS:

Walkington: thanked the Village Manager for his work on this matter.

Banks: thanked Reagan for his hard work on this matter.

Rudisill: no comment.

McCloud: no comment.

Jaquays: No comment.

Brighton: no comment.

Motion by Rudisill, support by Jaquays to adjourn the meeting. All ayes; motion carried. Meeting
concluded at 5:09 PM.

Respectfully submitted,

Patrick Reagan
Village Manager/ Interim Village Clerk

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Bank ARTS					
09/24/2020	ARTS	3120	VERIZON	VERIZON WIRELESS	49.02
ARTS TOTALS:					
Total of 1 Checks:					49.02
Less 0 Void Checks:					0.00
Total of 1 Disbursements:					49.02
Bank DDA 6015 DOWNTOWN DEVELOPMENT AUTHORITY					
09/11/2020	DDA	1159	SID'S FLOW	SID'S FLOWER SHOP	1,460.00
09/17/2020	DDA	1160	KAREN	KAREN BANKS	19.98
DDA TOTALS:					
Total of 2 Checks:					1,479.98
Less 0 Void Checks:					0.00
Total of 2 Disbursements:					1,479.98
Bank GEN 1447 GENERAL FUND					
09/01/2020	GEN	41152	CHROUCH	CHROUCH COMMUNICATIONS, INC.	331.85
09/01/2020	GEN	41153	JACOB	JACOB HANSON	35.00
09/01/2020	GEN	41154	JIM'S	JIM'S SERVICE	222.52
09/01/2020	GEN	41155	NYE	NYE UNIFORM	181.50
09/01/2020	GEN	41156	STATE CHEM	STATE CHEMICAL SOLUTIONS	249.24
09/01/2020	GEN	41157	TRUE	VILLAGE TRUE VALUE LUMBER	45.75
09/01/2020	GEN	41158	VERIZON	VERIZON WIRELESS	146.63
09/11/2020	GEN	41159	AMAZON	AMAZON CAPITAL SERVICES, INC.	271.59
09/11/2020	GEN	41160	CONSUMERS	CONSUMERS ENERGY	2,221.08
09/11/2020	GEN	41161	FAMILY	FAMILY FARM & HOME - CHARLOTTE	333.62
09/11/2020	GEN	41162	HSV	HSV REDI-MIX	210.00
09/11/2020	GEN	41163	MENARDS	MENARDS - LANSING WEST	100.95
09/11/2020	GEN	41164	MILLER	MILLER, JOHNSON, SNELL & CUMMISKEY	181.50
09/11/2020	GEN	41165	MUNETRIX	MUNETRIX	2,601.00
09/11/2020	GEN	41166	SBAM PLAN	THE SBAM PLAN	795.67
09/11/2020	GEN	41167	VERNS	VERNS REPAIR & SPORT	83.97
09/17/2020	GEN	41168	AMAZON	AMAZON CAPITAL SERVICES, INC.	204.51
09/17/2020	GEN	41169	CONSUMERS	CONSUMERS ENERGY	676.27
09/17/2020	GEN	41170	HSV	HSV REDI-MIX	35.23
09/17/2020	GEN	41171	JERRY'S	JERRY'S TIRE	25.00
09/17/2020	GEN	41172	LWWA	LAKWOOD WASTEWATER AUTHORITY	74.59
09/17/2020	GEN	41173	PATRICK	PATRICK REAGAN	135.15
09/18/2020	GEN	41174	WEX	WEX BANK	831.55
09/24/2020	GEN	41175	AMAZON	AMAZON CAPITAL SERVICES, INC.	167.28
09/24/2020	GEN	41176	CALEDONIA	CALEDONIA FARMERS ELEVATOR	159.98
09/24/2020	GEN	41177	CARDMEMBER	CARDMEMBER SERVICE	397.01
09/24/2020	GEN	41178	IONIA COU	IONIA COUNTY CENTRAL DISPATCH	148.80
09/24/2020	GEN	41179	MENARD	MENARDS-IONIA	402.68
09/24/2020	GEN	41180	MMTA	MICHIGAN MUNICIPAL TREASURERS ASSOC	75.00
09/24/2020	GEN	41181	S & K	S & K PRINTING	130.00
09/24/2020	GEN	41182	SENT	SENTINEL-STANDARD, INC.	79.00
09/24/2020	GEN	41183	SMITHWELD	SMITH WELDING & REPAIR	36.00
09/24/2020	GEN	41184	TRUE	VILLAGE TRUE VALUE LUMBER	36.03
09/24/2020	GEN	41185	VERIZON	VERIZON WIRELESS	268.12
09/24/2020	GEN	41186	WOW	WOW! BUSINESS	71.65
09/24/2020	GEN	41187	WOW	WOW! BUSINESS	91.25
09/28/2020	GEN	41188	DICKINSON	DICKINSON WRIGHT PLLC	519.63
09/28/2020	GEN	41189	JERRY'S	JERRY'S TIRE	873.76
09/28/2020	GEN	41190	KATHY	KATHY'S CLEANING	240.00
09/28/2020	GEN	41191	MSP	MICHIGAN STATE POLICE	66.00
09/28/2020	GEN	41192	POLLY	POLLY PRODUCTS	357.00
09/28/2020	GEN	41193	STATE CHEM	STATE CHEMICAL SOLUTIONS	818.62
09/28/2020	GEN	41194	WOW	WOW! BUSINESS	127.94
09/29/2020	GEN	41195	MISC	LAKE MI CREDIT UNION	439.23
09/30/2020	GEN	41196	AMAZON	AMAZON CAPITAL SERVICES, INC.	66.98
09/30/2020	GEN	41197	BLUE CROSS	BLUE CROSS BLUE SHIELD OF MICHIGAN	2,253.94
09/30/2020	GEN	41198	CINTAS	CINTAS FIRST AID & SAFETY	62.63
09/30/2020	GEN	41199	DORNBROS	DORNBROS SIGN, INC.	200.10
09/30/2020	GEN	41200	JERRY'S	JERRY'S TIRE	795.00
09/30/2020	GEN	41201	PRO COMM	PRO COMM INC	150.00
09/30/2020	GEN	41202	TRUE	VILLAGE TRUE VALUE LUMBER	28.74

GEN TOTALS:

Total of 51 Checks: 19,056.54
 Less 1 Void Checks: 75.00

Check Date	Bank	Check	Vendor	Vendor Name	Amount
Total of 50 Disbursements:					18,981.54
Bank HWY 6659 GENERAL HWY					
09/11/2020	HWY	1989	HSV	HSV REDI-MIX	550.00
09/11/2020	HWY	1990	SBAM PLAN	THE SBAM PLAN	68.79
09/24/2020	HWY	1991	GEI	GEI CONSULTANTS	289.50
09/30/2020	HWY	1992	BLUE CROSS	BLUE CROSS BLUE SHIELD OF MICHIGAN	93.37
HWY TOTALS:					
Total of 4 Checks:					1,001.66
Less 0 Void Checks:					0.00
Total of 4 Disbursements:					1,001.66
Bank LOC 6646 LOCAL STREETS					
09/01/2020	LOC	2249	SUPERIOR	SUPERIOR ASPHALT, INC.	453.60
09/11/2020	LOC	2250	SBAM PLAN	THE SBAM PLAN	10.05
09/17/2020	LOC	2251	HSV	HSV REDI-MIX	101.50
09/24/2020	LOC	2252	CALEDONIA	CALEDONIA FARMERS ELEVATOR	123.50
09/24/2020	LOC	2253	GEI	GEI CONSULTANTS	289.50
09/24/2020	LOC	2254	SUNBELT	SUNBELT RENTALS	697.98
09/30/2020	LOC	2255	BLUE CROSS	BLUE CROSS BLUE SHIELD OF MICHIGAN	27.76
LOC TOTALS:					
Total of 7 Checks:					1,703.89
Less 0 Void Checks:					0.00
Total of 7 Disbursements:					1,703.89
Bank MAJ 6633 MAJOR STREETS					
09/01/2020	MAJ	2314	SUPERIOR	SUPERIOR ASPHALT, INC.	453.60
09/11/2020	MAJ	2315	SBAM PLAN	THE SBAM PLAN	10.20
09/24/2020	MAJ	2316	GEI	GEI CONSULTANTS	386.00
09/24/2020	MAJ	2317	SUNBELT	SUNBELT RENTALS	465.32
09/30/2020	MAJ	2318	BLUE CROSS	BLUE CROSS BLUE SHIELD OF MICHIGAN	47.80
09/30/2020	MAJ	2319	DORNBROS	DORNBOS SIGN, INC.	175.00
MAJ TOTALS:					
Total of 6 Checks:					1,537.92
Less 0 Void Checks:					0.00
Total of 6 Disbursements:					1,537.92
Bank WATER 6620 WATER					
09/01/2020	WATER	4983	BADGER	BADGER METER	779.64
09/01/2020	WATER	4984	H2O	H2O COMPLIANCE SERVICES INC.	150.00
09/01/2020	WATER	4985	VERIZON	VERIZON WIRELESS	34.29
09/11/2020	WATER	4986	AT&T	AT&T	86.28
09/11/2020	WATER	4987	JOHN	JOHN DEERE FINANCIAL	1,086.21
09/11/2020	WATER	4988	PEERLESS	PEERLESS MIDWEST, INC.	37,588.72
09/11/2020	WATER	4989	SBAM PLAN	THE SBAM PLAN	292.37
09/17/2020	WATER	4990	CARL'S	CARL'S SUPERMARKET	4.76
09/17/2020	WATER	4991	CONSUMERS	CONSUMERS ENERGY	779.39
09/17/2020	WATER	4992	HSV	HSV REDI-MIX	51.75
09/17/2020	WATER	4993	IONIA CITY	CITY OF IONIA	44.00
09/18/2020	WATER	4994	WEX	WEX BANK	297.27
09/24/2020	WATER	4995	CARDMEMBER	CARDMEMBER SERVICE	382.02
09/24/2020	WATER	4996	GEI	GEI CONSULTANTS	965.00
09/24/2020	WATER	4997	VERIZON	VERIZON WIRELESS	147.06
09/24/2020	WATER	4998	WSOS CAC	WSOS CAC INC	1,553.00
09/28/2020	WATER	4999	TRICOU	HOMEWORKS	4,329.94
09/28/2020	WATER	5000	WOW	WOW! BUSINESS	63.97
09/30/2020	WATER	5001	BLUE CROSS	BLUE CROSS BLUE SHIELD OF MICHIGAN	3,921.88
09/30/2020	WATER	5002	FAMILY	FAMILY FARM & HOME - CHARLOTTE	521.91
09/30/2020	WATER	5003	JERRY'S	JERRY'S TIRE	795.00
WATER TOTALS:					
Total of 21 Checks:					53,874.46
Less 0 Void Checks:					0.00
Total of 21 Disbursements:					53,874.46

10/15/2020 11:53 AM
User: PATRICK
DB: Lake Odessa Vill

CHECK REGISTER FOR VILLAGE OF LAKE ODESSA
CHECK DATE FROM 09/01/2020 - 09/30/2020

Page: 3/3

Check Date	Bank	Check	Vendor	Vendor Name	Amount
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REPORT TOTALS:

Total of 92 Checks:					78,703.47
Less 1 Void Checks:					75.00
Total of 91 Disbursements:					<u>78,628.47</u>



Tri-County Electric Cooperative
 7973 E. Grand River Ave.
 Portland, MI 48875-9717

Emergency: 1-800-848-9333
 Billing: 1-800-562-8232
 Payments: 1-877-999-3395

Blanchard Office
 3681 Costabella Ave.
 Blanchard MI 49310
 www.homeworks.org

Portland Office
 7973 E. Grand River Ave.
 Portland MI 48875

635 1 AV 0.389
 VILLAGE OF LAKE ODESSA
 839 4TH AVE
 LAKE ODESSA MI 48849-1001

5 635
 C-2



Account Number	2043600
Rate	CMLP5
Current Due Date	10/16/2020
Bill Date	09/23/2020
Days Billed	31
Meter Number	56587
kWh per Day Last Year	1308
kWh per Day This Year	1398

Account Status	
Previous Balance 08/24/20	\$5,041.99
Payment Received 09/08/20	-\$5,041.99
Balance Forward	\$0.00
Current Charges	\$4,329.94
Total Amount Due 10/16/20	\$4,329.94

SERVICE ADDRESS:	2367 BONANZA RD #5				POLE #:	OD392X7M	BOARD DIST:	D02	
Billing Period	METER READINGS				MULTIPLIER	ENERGY USED	ENERGY UNIT	RATE PER UNIT	CHARGE
08/14/2020 TO 09/14/2020	BEGIN	TYPE	END	TYPE					
PEAK	453871	REG	459560	REG	1	5689	KWH	0.07400	\$420.99
INTERMEDIATE	983976	REG	996866	REG	1	12890	KWH	0.07400	\$953.86
OFF PEAK	413640	REG	438412	REG	1	24772	KWH	0.07400	\$1,833.13
POWER SUPPLY COST RECOVERY						43351		0.00564-	-\$244.50
PEAK KW						88.530	KW	14.00000	\$1,239.42
AVAILABILITY CHARGE									\$78.50
MICHIGAN LOW INCOME ENERGY FUND									\$0.91
MICHIGAN ENERGY OPTIMIZATION SURCHARGE									\$47.63
TOTAL CURRENT CHARGES WITHOUT OPERATION ROUND UP									\$4,329.94
TOTAL AMOUNT									\$4,329.94

RECEIVED

SEP 28 2020

S91-536-920

ACCOUNT NAME
 VILLAGE OF LAKE ODESSA

Home Phone: (616) 374-8698
 Business Phone: (269) 804-7013
 Mobile Phone: (616) 374-7110

Account Number	2043600
Current Month Due 10/16/2020	\$4,329.94
Pay this amount after 10/21/2020	\$4,546.44
Payment Enclosed or call 1-877-999-3395	

See back of bill for usage graph.
 Payment Options on back of bill.

HOMWORKS TRI-COUNTY ELECTRIC
 7973 E GRAND RIVER AVE
 PORTLAND MI 48875-9717



Lake Odessa Village
Zoning Administrator Report
September 2020

Permits:

On 9-10-20 I approved a zoning permit to John and Monnesha Courtney for a 6' tall vinyl fence in the side and back yard at 1408 Jordan Lake Ave.

On 9-14-20 I approved a zoning permit to Aimee Mortensen of City Sign Erectors for a replacement electronic sign on the pole sign at McDonalds of 1435 E Jordan Lake St.

Supplemental:

On 8-27-20 I sent a letter to the owners of 1102 Lakeview Dr regarding a fence they erected on their deck that a neighbor complained blocked her view of the lake. The fence is within the 30 foot lake setback and is higher than permitted. The owner called me and has contracted to have it cut down to the height allowed. Phone calls took place in September.

Miscellaneous

Phone calls involved various appraisers checking on the zoning classification of assorted parcels. Other questions involved various questions regarding setbacks, fences, pools and permits.

I had a call or two about land for sale at the corner of Clark and Church (3 lots combined). This part of Church St is not improved but a driveway could be built off Clark for access. I suggested that they check with the street personnel about water, sewer, or putting a driveway in the Church St right of way.

Lake Odessa Area Arts Commission

Regular Meeting

Monday, 9/14/2020

APPROVED 10/12/2020

Meeting called to order 7:06.

Role call: Banks, Mattson, Hermes, Hickey

Absent: Stafford, Rodriguez, Reagan

Public: None

Agenda not available.

Approval of the 8/10/2020 minutes made by Hermes, support from Mattson. Motion carried.

Accounts payable: not available.

No Financial report to approve. No activity.

New artist emailed application. Marcia Satteta from Caledonia, Approved and will be sent an invoice. Motion by Banks, second by Mattson. Motion carried.

Suggestion to have a committee to streamline artist approval/denial, and if payment isn't sent in an invoice will be generated.

Karen asked Patrick to come up with new payment ideas to make the artisan have easier access.

Fallsburg went virtual. Going to discuss this as an option if the pandemic is still wreaking havoc next year.

Adjourn 7:27 pm.

Next meeting 10/12/2020, 7:00pm. Location to be determined closer to the meeting (most likely masked up and at the page building like last month).

MINUTES

REGULAR MEETING - MONDAY, SEPTEMBER 28, 2020

Page Memorial Building
Lake Odessa, Michigan

Present: Karen Banks, Al Hamp, Patrick Reagan, Meg Wheeler, Lisa Williams
Absent: Beth Barrone
Visitors: Stan Dykstra of 826 Lakeview Drive, Boni Federic of 923 Emerald Circle

1. **Call To Order:** Meeting called to order by Chair Williams at 6:30 p.m.
2. **Public Comment:** Boni Federic inquired about the Fourth Avenue road end and if it will be abandoned if the proposed text amendment to add single-family dwellings as a use by right is added to Lakeside Commercial. Stan Dykstra asked why the zoning map he received from sources outside the Village of Lake Odessa was different than the Village's zoning map, and questioned the wording on the public hearing notice. Reagan and Banks explained the meaning of the term "use by right" and clarified the zoning map.
3. **Minutes:**
 - a) **8/5/2020 Special Meeting:** Motion by Reagan, support by Wheeler to approve minutes of 8/5/2020 special meeting. All ayes; motion carried.
4. **Action and Discussion Items:**
 - a) **Public Hearing:** Motion by Banks, support by Reagan to go into public hearing regarding proposed text amendment to zoning ordinance to add single-family dwellings as a use by right in the Lakeside Commercial District. All ayes; motion carried. Public hearing opened at 6:42 p.m. Williams questioned zoning classification of Gillette property in Lakeside Commercial district, stating she believes that parcel was rezoned to residential. Reagan stated that matter will be reviewed. Motion by Williams, support by Reagan to close public hearing. All ayes; motion carried. Back into regular session at 6:44 p.m.
 - b) **Referral of Proposed Text Amendment to Village Council:** Motion by Reagan, support by Williams to refer to the Village Council and recommend adoption the proposed text amendment to add single-family dwellings as a use by right in the Lakeside Commercial District. All ayes; motion carried.
5. **Board Member Comments:** None.
6. **Adjournment:** Motion by Williams, support by Reagan to adjourn. All ayes; motion carried. Meeting adjourned at 6:45 p.m.

Respectfully submitted,

Karen Banks, Recording Secretary

REPORT TO THE VILLAGE OF LAKE ODESSA COUNCIL

DATE Monday, October 19, 2020

TO: President Karen Banks; Vice-President Mel McCloud; Trustee Brighton; Trustee Rudisill; Trustee Jaquays; Trustee Walkington; Trustee Hartzler

FROM: Patrick Reagan, Village Manager

RE: Manager's Report to Village Council

President Banks and Village Council Members,

Please find below my report on the Council agenda before you tonight.

Discussion Items

Patti Cook, the property owner of 757 Third Avenue and 760 Fourth Avenue, has -- per Village Ordinance 28-4 “Vacation of Streets and Alleys” – submitted an application to the Clerk for a request that the Village vacate the alleyway between these two properties, so that she may join them together. While I understand that the Village Council has expressed that they are not in favor of vacating alleyways/ right-of-ways in the Village (I – as well as the Zoning Administrator Jeanne Vandersloot – have expressed this prevailing sentiment to Ms. Cook during conversations), as this is a codified ordinance of the Village, I am obligated to bring this to your attention and to place it before you. Village Ordinance 28-4 reads:

Sec. 28-4. - Vacation of streets and alleys.

Applications for the vacation of any street or alley in the village shall be filed in writing with the village clerk, who shall present such applications to the council at its next regular meeting following the date of filing the application. The application shall be on a form provided by the office of the village clerk, which shall set forth in detail the legal description of the alley or street to be vacated and the location of such alley or street and shall indicate the number of feet of frontage adjoining or abutting such alley or street and the names of the owners of the property adjoining or abutting each side of the alley or street to be vacated, who are in favor of vacating such street or alley.

(Code 1962, § 10-4.12; Code 1993, § 14-4)

I spoke with Doug Suntkin, the Lakewood Wastewater Authority Superintendent, and he has informed me that this alleyway/ right-of-way, does contain a sewer main running down the middle, from Village Park to Fourth Street. This means that, even if the alleyway is abandoned, a utility easement will need to be maintained over the sewer main (30') to allow for access in the event of maintenance and repair.

I have also had another conversation, based on the discussion from the September 2020 Village Council meeting. I asked Doug Suntkin for clarification on where the sewer main ends – Doug informed me that the main ends in the park. I further asked Doug if his Board would consider discussing the vacation of this right-of-way – he expressed to me that his Board has historically not been in favor of this action.

Village President Karen Banks and I had a meeting/ discussion with the Zoning Administrator, Jeanne Vandersloot, and we discussed this matter. She expressed that it was her opinion that, even if this right-of-way were to be abandoned, it would not revert back to the property owners on either side, that this happens only with an abandonment of a platted lot, not an alleyway. Jeanne will be writing a written opinion on this matter and it will be presented to the Council upon my receiving it from Jeanne.

The second discussion item is the need to form an interviewing committee for the Village Clerk/ Treasurer position. Per the Council-approved position opportunity announcement, the Village will be accepting applications until November 3, 2020. Interviews should be started soon after the closing of the announcement.

New Business

Introduction and First Reading of Bill #20-02: An Ordinance to amend Chapter 6 of the Code of Ordinances of the Village of Lake Odessa

This proposed ordinance would amend Chapter 6 of the Village Code of Ordinance by adopting the International Property Maintenance Code and by defining and given greater flexibility to the Village in dealing with dangerous buildings and structures.

Currently, the Village is limited in what can be done to abate dangerous structures as well as what enforcement can be had to stop the deterioration of buildings. A good example of this is when fire destroys a house. Currently, the

Village must wait on the Ionia County Building Department to take action in condemning a structure, which can take weeks or months. This proposed ordinance empowers the Village to take action rather than to wait for another body to proceed.

Adoption of the International Property Maintenance Code is a rather standard part of abating blight in a community. Adopting this Code is used by many other communities around the State of Michigan. Please find below a link to a copy of this code:

https://locklandoh.org/download/public_information/2018_International_Building_Code.pdf

As this is only an introduction and a first reading, no action must be taken on this matter at tonight's meeting.

Introduction and First Reading of Bill #20-03: An Ordinance to amend Chapter 10 of the Code of Ordinances of the Village of Lake Odessa

This proposed ordinance amendment goes along with the previous one above. This further defines nuisances in the Village and the abatement process.

As this is only an introduction and a first reading, no action must be taken on this matter at tonight's meeting.

Bill #20-04: An Ordinance to amend Subsection 36-35(H) of the Zoning Ordinance to add "Single Family Dwellings" as a "Use Permitted by Right"

The Planning Commission held a public hearing on this proposed text amendment on September 28, 2020. This proposed amendment allows for the addition of "single family dwellings" to be included in the "Use Permitted by Right" section of the zoning ordinance pertaining to the "Lakeside Commercial District." 300' letters were sent out to properties around this area and the meeting was posted and published per state requirements.

While two residents did come for the public hearing, there were only questions about the zoning map, the zoning district, and terms used in the zoning ordinance. No opposition was heard. The Planning Commission voted unanimously to recommend that the proposed text amendment be adopted by the Village Council.

Proposed Resolution 2020-41: Approving the Interim Treasurer Brent Haag as a Plan Trustee for the Employee Deferred Compensation Plan for the Village of Lake Odessa

To allow the interim Treasurer to properly prepare the Village payroll, I have been informed that he will need to be formally allowed (through resolution) by the Village Council. This resolution will allow Mr. Haag to place the proper funds into employees 401k deferred compensation package each payroll period.

Proposed Resolution 2020-42: Approving the Removal of Former Employees from Village Accounts and Approving the Naming of Trustees to the Village Accounts at Portland Federal Credit Union

In the process of removing the former Village Clerk/ Treasurer from Village bank accounts, Village staff found that a former Village Manager (Bender) was still listed on an account at Portland Federal Credit Union, which appears to be an oversight that needs to be corrected immediately. This resolution will remove former employees from these accounts and will list the Village Manager and the interim Village Treasurer as trustees to this account.

Proposed Resolution 2020-43: Approval to accept the Resignation of Daryl Hartzler from the Village of Lake Odessa Downtown Development Authority

Proposed Resolution 2020-44: Approval to accept the Resignation of Judy Rodriguez from the Lake Odessa Area Arts Commission

Proposed Resolution 2020-45: Approving the closure of Village Streets for a Holiday Parade by the Lakewood Area Chamber of Commerce

Marnie Thomas, the Director for the Chamber of Commerce, contacted me last week and inquired about a holiday parade on December 11, 2020. I responded that I would speak with the Ionia County Health Department with regard to this proposed event and the COVID-19 pandemic. Ken Bowen responded that so long as all MDHHS orders were being followed (masks, social distancing, group sizes, etc) the Health Department did not have an issue with the holding of this event at this time. The Chamber of Commerce will be responsible for meeting all guidelines set forth by the State of Michigan and the Ionia County

Health Department at the time of this event.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'P. Reagan', with a large circular flourish at the beginning and a long horizontal stroke at the end.

Patrick Reagan, Village Manager
Village of Lake Odessa



The Lake Odessa Police Department handled **53** calls for service for the month of September, Conducted **96** Traffic Stops, Issued **16** Citations and **91** Warnings, Effectuated **1** Felony Arrest and **2** Misdemeanor Arrests, Issued **0** Parking Tickets, **3** Ordinance Violations, Handled **1** Property Damage Accidents, **61300** Miles 2016 Chevy Tahoe Mileage, **858** Miles Ford Interceptor.

Public Service Announcement:

The Lake Odessa Police Department is warning community members about the police departments main phone number 616-374-8845 being spoofed. Several residents have alerted us to receiving unusual phone calls about having a warrant for their arrest. Spoofing legitimate phone numbers is a tool scammer's use to get personal information or money from people.





September Calls For Service:

9/1/2020: Assist Citizen with Vehicle Lock out at local business. The Officer was able to successfully retrieve the owner's keys from the vehicle using lock out equipment.

9/2/2020: Welfare check on suicidal subject. Subject was determined to be secure and connected with mental health resources for support.

9/3/2020: Civil property dispute at local business. Subjects were advised to remedy their differences through small claims court if they were unable to reach a mutual civil agreement.

9/4/2020: Disorderly conduct in public involving juveniles who were turned over to their parents.

9/4/2020: Subject reported a suspicious vehicle in the business district area reported to have been following the Complainant. The vehicle left prior to the Officers arrival.

9/5/2020: Medical Assist complaint requested involving intoxicated subject at residence.

9/5/2020: Business Alarm; Occupant error.

9/5/2020: Golf Cart Registration

9/6/2020: Traffic Offense; Driver was stopped for a speeding violation and cited for Operating on a Suspended License.

9/7/2020: Assist Outside; Roll Over Personal Injury Accident. One patient transported to the hospital.

9/7/2020: Civil Matter involving family financial dispute.

9/8/2020: Business Alarm; Occupant Error.

9/8/2020: Found Property Complaint; Citizen notified the LOPD a Jet Ski was floating near their dock. The Jet Ski was secured for safe keeping until claimed by owner.

9/9/2020: Criminal Sexual Conduct. Complaint is currently open at this time pending follow up.

9/10/2020: Counterfeit money complaint at local business involving three female subjects.

9/10/2020: Assist medical with subject who fell at a local business. The subject was transported to the hospital for medical treatment.

9/10/2020: Officer was dispatched to a missing child complaint who was located safely.

9/10/2020: Criminal Sexual Conduct Complaint. Complaint is closed due to outside agency handling the original complaint.

9//11/2020: Area check for suspicious vehicle in the area of Jordan Lake Avenue and Jordan Lake Street.

9/13/2020: Officer was dispatched to assist a dog owner with a heavy chain stuck around the dog's neck

9-15-2020: Pistol Permit Issued.

9-15-2020: Assist Barry County Sheriff's Office with a welfare check on subject. Subject was located and declined assistance from law enforcement.

9-15-2020: Neighbor Dispute.

9-16-2020: Larceny; A wallet was stolen from a local business and later recovered by LOPD.

9-16-2020: Runaway; Juvenile ran away from home and was located at a local business.

Juvenile was reunited with their parent.

9-17-2020: Civil dispute over property resulting in one of the subjects having outstanding warrants. Subject was arrested and lodged at Eaton County Sheriff's Office.

9-17-2020: Assist citizen with vehicle lock out.

9-17-2020: Ordinance Violation; Illegal Burn

9-18-2020: Found Property. Please contact us if you are missing your keys.

9-18-2020: A BOL (Be on the Look Out) was broadcasted for a vehicle reported to be all over the roadway. The vehicle was located and the driver was arrested for driving under the influence of alcohol.

9-19-2020: Misdemeanor Traffic Offense; Driver was cited and given an appearance date.

9-19-2020: Assistance requested from MSP and Ionia County Sheriff's Office with area check at business for a report of a large crowd gathering.

9-19-2020: Retail Fraud at local business.

9-21-2020: Assist Barry County Sheriff's Office with reported Breaking and Entering in progress complaint.

9-22-2020: Ordinance Violation

9-23-2020: Fraud complaint involving unemployment claim.

9-24-2020: Be On the Look Out (BOL) broadcasted for green sports car driving recklessly in the area of Jordan Lake Avenue.

9-24-2020: Medical Assist

9-24-2020: Loud Noise Complaint

9-25-2020: Dog at Large

9-25-2020: Pistol Permit Issued

9-25-2020: Area check for suspicious vehicle reported to be a dark colored pick-up truck driving slowly past callers' residence.

9-25-2020: Area check for suspicious vehicle parked near callers' home. Vehicle was unoccupied and follow up information was provided to the caller.

9-26-2020: Ordinance Violation; Off Road Vehicle operating on roadway. Driver was contacted and notified of the Village Ordinance.

9-26-2020: Area check for suspicious persons complaint.

9-26-2020: Dog at Large

9-27-2020: Assist Road Commission; Report of a missing sign at Bippley and Tasker.

9-27-2020: Area check in the 1300 block of 4th Avenue for missing man hole cover.
9-27-2020: Complaint of a missing and suicidal subject reported to be in possession of a firearm. The subject was located and the firearm was confiscated for safe keeping.
9-28-2020: Fraud Complaint; Unauthorized Use of a Financial Transaction Device.
9-28-2020: Two Vehicle Property Damage Accident. No injuries.
9-28-2020: Assist Citizen; Vehicle Lock Out.
9-29-2020: Medical Assist; Non-Suspicious Death Investigation. Ionia County Victims Advocates were contacted to assist the family.

Department News:

Our department, along with Ionia County Central Dispatch and Ionia County Sheriff's Department, have been meeting virtually weekly for discussions and build team workshops concerning transitioning to our new software, Central Square/Zuercher. Our Go Live date is scheduled for the first week in November which will allow our three agencies to be interconnected with real-time data sharing and interoperability.



MAJOR CASES:

Officer Boot was alerted by Central Dispatch to a vehicle reported to be all over the roadway who almost hit another driver head on while traveling in the area of Jordan Lake Avenue and Bonanza. Officer Boot was able to locate the vehicle and determine the driver was highly intoxicated. The driver was taken into custody and lodged at the Ionia County Sheriff's Department on felony charges. Officer Boots quick response time in locating the driver avoided any potential tragedy that could have occurred with this driver on the roadway.

Department of Public Works

September 16th 2020 to October 12th 2020

Council Report

Parks & Beach

The grounds were fertilized again. We reroofed the park restroom building. The dock was removed and fencing placed around it on the beach area. We boarded the windows on the beach pavilion. The irrigation and beach restrooms were winterized. We planted 3 new maple trees by the ambulance garage to replace the trees we had to remove back in the spring. We have begun mulching leaves in the parks.

Streets

We took delivery of the first 50 tons of road salt. Leaves will absorb much of our time in the coming weeks. We made an initial collection with the vac truck and will continue collecting as the weather allows. The last day for leaf collection by vac will be November 25th. Loosely raked leaves must be curbside no later than 7:00 a.m. on the 25th of November. Any leaves needing picked up after this time and date will need to be bagged in order for us to collect them.

Water

We performed the annual fall water main flushing. Each fire hydrant was inspected and winterized. We have begun exercising water main valves as time allows. Meter reads went without issue.

DPW

We made the seventh scheduled collection of brush and will be collecting again, beginning the 19th of October. The October brush collection is the last scheduled collection of the year. If the brush is not curbside by 7:00 a.m. on the 19th, I cannot guarantee it will be collected this year. We are continuing to collect compost bags each Monday as our schedule allows. We restored the areas we had disturbed while doing sidewalk replacement this summer. The Village was awarded a grant from Consumers Energy for tree planting. We picked up 21 maple trees and will be replacing trees that were removed this past year. We rented a stump grinder and ground 27 stumps from tree removals. The grindings were cleaned up and the areas restored. The guys built a flower bed at the Village limit sign across from the Veterans Chapel.

Purchase Recommendation

None at this time.

Additional Comments

The new Freightliner dump truck was delivered to Truck & Trailer for the equipment install and should be in our possession before Halloween.

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED	
		RMAL (ABNORMAL)	09/30/2020 ONTH 09/30/2020 (DECREASE) RMAL	BALANCE (ABNORMAL)		
Fund 101 - GENERAL FUND						
Revenues						
Dept 000 - BALANCE SHEET / GENERAL						
402.000	CURRENT REAL PROPERTY TAXES	439,751.00	425,564.66	219,058.99	14,186.34	96.77
410.000	CURRENT PERSONAL PROPERTY TAX	45,600.00	30,903.73	7,846.10	14,696.27	67.77
412.000	DELINQUENT REAL PROPERTY TAX	25,000.00	0.00	0.00	25,000.00	0.00
428.000	MANUFACTURED HOUSING FEES	600.00	346.50	43.00	253.50	57.75
441.000	LOCAL COMMUNITY STABILIZATION SHARE TAX	27,830.00	27,831.42	0.00	(1.42)	100.01
445.000	PENALTIES & INTEREST ON TAXES	900.00	13.81	0.00	886.19	1.53
447.000	PROPERTY TAX ADMINISTRATION FEE	7,500.00	6,611.93	3,283.53	888.07	88.16
452.000	LIQUOR LICENSE FEES	2,100.00	1,794.10	0.00	305.90	85.43
454.000	CABLE TV FRANCHISE	5,000.00	2,339.38	0.00	2,660.62	46.79
476.000	SPECIAL USE/ZBA PERMIT	200.00	200.00	0.00	0.00	100.00
477.000	ZONING PERMIT FEES	200.00	275.00	25.00	(75.00)	137.50
528.000	OTHER FEDERAL GRANTS	0.00	12,115.00	0.00	(12,115.00)	100.00
543.000	METRO ACT	8,240.00	8,749.03	0.00	(509.03)	106.18
574.000	STATE REVENUE SHARING	176,000.00	79,986.00	0.00	96,014.00	45.45
576.000	EVIP PMTS	44,070.00	15,584.00	0.00	28,486.00	35.36
579.000	TREE GRANT	2,500.00	0.00	0.00	2,500.00	0.00
600.000	VEHICLE RENTAL INCOME	15,450.00	0.00	0.00	15,450.00	0.00
632.000	MOWING	200.00	285.00	0.00	(85.00)	142.50
635.000	MAY CLEAN UP (NON-RESIDENTS)	500.00	100.00	0.00	400.00	20.00
657.000	PARKING TICKET FEES	200.00	65.00	0.00	135.00	32.50
660.000	ORDINANCE FINES	1,800.00	1,377.78	215.79	422.22	76.54
665.000	INTEREST	1,300.00	793.45	117.60	506.55	61.03
670.000	RENTS-BUILDINGS-LAND	3,000.00	3,200.00	1,525.00	(200.00)	106.67
673.000	SALE OF FIXED ASSET	15,000.00	15,460.00	10,460.00	(460.00)	103.07
675.000	DONATIONS-PRIVATE SOURCES	500.00	500.00	500.00	0.00	100.00
676.000	REIMBURSEMENTS	1,500.00	0.00	0.00	1,500.00	0.00
695.000	MISC REVENUE	0.00	7,551.23	0.00	(7,551.23)	100.00
695.001	MISC REVENUE-MISC REVENUE GENERAL	15,450.00	4,025.64	0.00	11,424.36	26.06
695.010	MISC REVENUE-POLICE	12,060.00	10,574.08	258.60	1,485.92	87.68
695.011	MISC REVENUE-POLICE 302 FUNDS	0.00	250.00	0.00	(250.00)	100.00
Total Dept 000 - BALANCE SHEET / GENERAL		852,451.00	656,496.74	243,333.61	195,954.26	77.01
TOTAL REVENUES		852,451.00	656,496.74	243,333.61	195,954.26	77.01
Expenditures						
Dept 101 - GOVERNING BODY						
702.708	TRUSTEE MEETING FEES	8,500.00	4,200.00	600.00	4,300.00	49.41
702.709	TREASURER - CLERK WAGES	7,000.00	2,916.32	530.24	4,083.68	41.66
710.000	EMPLOYER FICA	1,500.00	541.37	85.88	958.63	36.09
723.000	WORKMEN'S COMPENSATION	300.00	34.86	0.00	265.14	11.62
725.000	MEALS & MILEAGE	100.00	0.00	0.00	100.00	0.00
727.000	OFFICE SUPPLIES	2,500.00	676.88	0.00	1,823.12	27.08
740.000	POSTAGE	1,500.00	0.00	0.00	1,500.00	0.00
801.000	CONTRACTED SERVICES	38,000.00	12,872.71	3,363.70	25,127.29	33.88
815.000	DUES & MEMBERSHIPS	3,090.00	1,956.98	79.00	1,133.02	63.33
816.000	EDUCATION & TRAINING	1,500.00	0.00	0.00	1,500.00	0.00
825.000	NOTARY & FIDUCIARY BONDS	40.00	40.00	0.00	0.00	100.00
826.000	SAFE DEPOSIT BOX RENTAL	15.00	0.00	0.00	15.00	0.00
828.000	DOWNTOWN DEVELOPMENT	13,000.00	0.00	0.00	13,000.00	0.00
850.000	COMMUNICATION EXPENSE	670.00	348.11	49.02	321.89	51.96
880.000	COMMUNITY PROMOTION	150.00	0.00	0.00	150.00	0.00
900.000	PRINTING & PUBLISHING	1,300.00	262.08	0.00	1,037.92	20.16
957.000	COUNTER DRAIN	6,700.00	0.00	0.00	6,700.00	0.00
963.000	MISC EXPENSE	500.00	77.66	5.00	422.34	15.53
Total Dept 101 - GOVERNING BODY		86,365.00	23,926.97	4,712.84	62,438.03	27.70
Dept 172 - MANAGERS						
702.001	DEPT HEAD WAGES	28,500.00	16,355.70	2,180.77	12,144.30	57.39
710.000	EMPLOYER FICA	2,600.00	1,221.67	162.62	1,378.33	46.99
711.000	EMPLOYERS SHARE OF PENSION	2,900.00	0.00	0.00	2,900.00	0.00
712.000	HEALTH INSURANCE EXPENSE	3,600.00	1,080.84	(587.86)	2,519.16	30.02
713.000	DENTAL INSURANCE EXPENSE	360.00	190.30	28.79	169.70	52.86
714.000	OPTICAL PLAN EXPENSE	36.00	17.19	2.60	18.81	47.75
716.000	WELLNESS PROGRAM	90.00	0.00	0.00	90.00	0.00
720.000	DISABILITY INSURANCE	420.00	238.25	34.04	181.75	56.73
721.000	LIFE INSURANCE EXPENSE	120.00	57.05	8.15	62.95	47.54
723.000	WORKMEN'S COMPENSATION	300.00	0.00	0.00	300.00	0.00
725.000	MEALS & MILEAGE	200.00	0.00	0.00	200.00	0.00
727.000	OFFICE SUPPLIES	2,000.00	259.88	229.89	1,740.12	12.99
744.000	CLOTHING EXPENSE	100.00	0.00	0.00	100.00	0.00
751.000	GASOLINE PURCHASES	500.00	0.00	0.00	500.00	0.00

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
	AMENDED BUDGET	RMAL (ABNORMAL)	09/30/2020 ONTH 09/30/2020 EASE (DECREASE) RMAL	BALANCE (ABNORMAL)	
Fund 101 - GENERAL FUND					
Expenditures					
815.000 DUES & MEMBERSHIPS	1,100.00	881.73	89.99	218.27	80.16
816.000 EDUCATION & TRAINING	1,500.00	0.00	0.00	1,500.00	0.00
850.000 COMMUNICATION EXPENSE	1,200.00	551.82	83.31	648.18	45.99
Total Dept 172 - MANAGERS	45,526.00	20,854.43	2,232.30	24,671.57	45.81
Dept 265 - PAGE MEMORIAL BUILDING					
702.706 PART TIME WAGES	11,000.00	0.00	0.00	11,000.00	0.00
710.000 EMPLOYER FICA	1,000.00	0.00	0.00	1,000.00	0.00
711.000 EMPLOYERS SHARE OF PENSION	1,100.00	0.00	0.00	1,100.00	0.00
723.000 WORKMEN'S COMPENSATION	200.00	0.00	0.00	200.00	0.00
727.000 OFFICE SUPPLIES	0.00	36.88	0.00	(36.88)	100.00
728.000 SUPPLIES	1,000.00	1,420.48	793.80	(420.48)	142.05
740.000 POSTAGE	400.00	400.00	0.00	0.00	100.00
850.000 COMMUNICATION EXPENSE	1,200.00	567.56	85.68	632.44	47.30
920.000 GAS AND ELECTRIC	5,000.00	0.00	0.00	5,000.00	0.00
931.001 MAINTENANCE/REPAIR-BUILDING	5,000.00	1,584.42	223.47	3,415.58	31.69
931.002 MAINTENANCE/REPAIR-EQUIPMENT	1,500.00	0.00	0.00	1,500.00	0.00
931.003 MAINTENANCE-LANDSCAPING & GROUNDS	1,000.00	236.96	0.00	763.04	23.70
970.000 CAPITAL OUTLAY	3,000.00	0.00	0.00	3,000.00	0.00
980.001 HARDWARE	1,030.00	0.00	0.00	1,030.00	0.00
980.002 SOFTWARE	500.00	0.00	0.00	500.00	0.00
Total Dept 265 - PAGE MEMORIAL BUILDING	32,930.00	4,246.30	1,102.95	28,683.70	12.89
Dept 301 - POLICE					
702.001 DEPARTMENT HEAD WAGES	61,700.00	36,573.25	5,743.10	25,126.75	59.28
702.704 FULL TIME WAGES	135,300.00	79,536.00	13,204.80	55,764.00	58.78
702.705 OVER TIME WAGES	5,000.00	3,188.13	268.29	1,811.87	63.76
702.706 PART TIME WAGES	11,000.00	0.00	0.00	11,000.00	0.00
710.000 EMPLOYER FICA	19,200.00	8,955.74	1,445.76	10,244.26	46.64
711.000 EMPLOYERS SHARE OF PENSION	22,000.00	10,821.46	1,521.63	11,178.54	49.19
712.000 HEALTH INSURANCE EXPENSE	15,600.00	9,283.00	1,684.45	6,317.00	59.51
713.000 DENTAL INSURANCE EXPENSE	1,800.00	936.63	141.70	863.37	52.04
714.000 OPTICAL PLAN EXPENSE	300.00	149.39	22.60	150.61	49.80
716.000 WELLNESS PROGRAM	270.00	0.00	0.00	270.00	0.00
720.000 DISABILITY INSURANCE	2,760.00	1,588.58	227.29	1,171.42	57.56
721.000 LIFE INSURANCE EXPENSE	960.00	552.02	78.86	407.98	57.50
723.000 WORKMEN'S COMPENSATION	5,253.00	2,043.14	0.00	3,209.86	38.89
725.000 MEALS & MILEAGE	500.00	105.17	105.17	394.83	21.03
726.000 VESTS	2,500.00	1,223.00	0.00	1,277.00	48.92
727.000 OFFICE SUPPLIES	1,500.00	1,119.57	29.99	380.43	74.64
728.000 SUPPLIES	3,500.00	2,809.88	167.28	690.12	80.28
729.000 RESERVE SUPPLIES	250.00	0.00	0.00	250.00	0.00
741.000 MEDICAL & PHYSICALS	1,500.00	0.00	0.00	1,500.00	0.00
744.000 CLOTHING EXPENSE	2,000.00	396.95	181.50	1,603.05	19.85
751.000 GASOLINE PURCHASES	4,500.00	2,587.64	382.87	1,912.36	57.50
801.000 CONTRACTED SERVICES	5,150.00	4,136.80	497.80	1,013.20	80.33
815.000 DUES & MEMBERSHIPS	525.00	0.00	0.00	525.00	0.00
816.000 EDUCATION & TRAINING	4,000.00	1,191.50	0.00	2,808.50	29.79
817.000 RANGE QUALIFICATION	1,500.00	405.95	0.00	1,094.05	27.06
820.001 MEADOWBROOK INSURANCE	8,240.00	8,240.00	0.00	0.00	100.00
850.000 COMMUNICATION EXPENSE	5,150.00	2,738.70	381.64	2,411.30	53.18
880.000 COMMUNITY PROMOTION	350.00	0.00	0.00	350.00	0.00
931.002 MAINTENANCE/REPAIR-EQUIPMENT	2,000.00	212.96	0.00	1,787.04	10.65
931.004 MAINTENANCE/REPAIR-VEHICLE	3,000.00	2,559.97	704.37	440.03	85.33
942.000 RENTALS	960.00	960.00	0.00	0.00	100.00
970.001 CAPITAL OUTLAY-EQUIPMENT	18,000.00	2,000.00	0.00	16,000.00	11.11
980.000 OFFICE EQUIP-COMPUTERS	2,000.00	0.00	0.00	2,000.00	0.00
980.001 HARDWARE	1,000.00	0.00	0.00	1,000.00	0.00
980.002 SOFTWARE	2,000.00	0.00	0.00	2,000.00	0.00
Total Dept 301 - POLICE	351,268.00	184,315.43	26,789.10	166,952.57	52.47
Dept 441 - PUBLIC WORKS					
702.001 DEPT HEAD WAGES	18,500.00	10,620.35	1,416.05	7,879.65	57.41
702.704 FULL TIME WAGES	42,000.00	28,361.35	3,200.00	13,638.65	67.53
702.705 OVER TIME WAGES	1,000.00	990.00	180.00	10.00	99.00
702.706 PART TIME WAGES	20,000.00	5,195.80	571.50	14,804.20	25.98
702.717 NO FRINGE BENEFIT INCENTIVE	3,000.00	0.00	0.00	3,000.00	0.00
710.000 EMPLOYER FICA	7,500.00	3,455.35	410.62	4,044.65	46.07
711.000 EMPLOYERS SHARE OF PENSION	8,500.00	4,589.40	559.83	3,910.60	53.99
712.000 HEALTH INSURANCE EXPENSE	4,200.00	0.00	0.00	4,200.00	0.00
713.000 DENTAL INSURANCE EXPENSE	1,920.00	390.88	39.79	1,529.12	20.36

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21 AMENDED BUDGET	YTD BALANCE 09/30/2020 (ABNORMAL) RMAL	ACTIVITY FOR ONTH 09/30/2020 (DECREASE) RMAL	AVAILABLE BALANCE (ABNORMAL)	% BDGT USED
Fund 101 - GENERAL FUND					
Expenditures					
714.000 OPTICAL PLAN EXPENSE	240.00	39.29	3.42	200.71	16.37
716.000 WELLNESS PROGRAM	180.00	0.00	0.00	180.00	0.00
720.000 DISABILITY INSURANCE	1,020.00	588.49	320.57	431.51	57.70
721.000 LIFE INSURANCE EXPENSE	320.00	203.24	126.76	116.76	63.51
723.000 WORKMEN'S COMPENSATION	5,500.00	3,103.56	0.00	2,396.44	56.43
725.000 MEALS & MILEAGE	100.00	0.00	0.00	100.00	0.00
727.000 OFFICE SUPPLIES	500.00	20.71	0.00	479.29	4.14
728.000 SUPPLIES	6,000.00	1,966.46	120.94	4,033.54	32.77
741.000 MEDICAL & PHYSICALS	200.00	128.00	0.00	72.00	64.00
744.000 CLOTHING EXPENSE	1,000.00	456.36	134.96	543.64	45.64
751.000 GASOLINE PURCHASES	6,800.00	2,172.16	448.68	4,627.84	31.94
815.000 DUES & MEMBERSHIPS	500.00	20.00	0.00	480.00	4.00
816.000 EDUCATION & TRAINING	600.00	210.00	0.00	390.00	35.00
820.001 MEADOWBROOK INSURANCE	7,300.00	6,942.00	0.00	358.00	95.10
823.000 LICENSE FEES	150.00	35.00	35.00	115.00	23.33
850.000 COMMUNICATION EXPENSE	1,400.00	682.37	105.94	717.63	48.74
890.000 MAY CLEAN UP	4,000.00	2,266.12	130.00	1,733.88	56.65
920.000 GAS AND ELECTRIC	2,800.00	923.66	115.04	1,876.34	32.99
931.001 MAINTENANCE/REPAIR-BUILDING	5,000.00	2,155.77	115.18	2,844.23	43.12
931.002 MAINTENANCE/REPAIR-EQUIPMENT	8,300.00	3,396.53	1,313.07	4,903.47	40.92
931.003 MAINTENANCE-LANDSCAPING & GROUNDS	1,000.00	261.60	0.00	738.40	26.16
931.004 MAINTENANCE/REPAIR-VEHICLE	4,500.00	1,104.79	973.81	3,395.21	24.55
931.005 MAINTENANCE/REPAIR-TREES	500.00	179.76	0.00	320.24	35.95
934.000 REFUSE REMOVAL	800.00	360.00	0.00	440.00	45.00
941.000 LEASED ASSETS	7,500.00	4,344.84	0.00	3,155.16	57.93
955.000 SAFETY	2,060.00	1,485.11	62.63	574.89	72.09
967.000 PROJECT COSTS	6,000.00	1,040.00	0.00	4,960.00	17.33
970.001 CAPITAL OUTLAY-EQUIPMENT	21,000.00	0.00	0.00	21,000.00	0.00
Total Dept 441 - PUBLIC WORKS	201,890.00	87,688.95	10,383.79	114,201.05	43.43
Dept 448 - PUBLIC UTILITIES-STREET LIGHTING					
924.000 STREET LIGHT EXPENSE	32,000.00	15,217.35	2,484.84	16,782.65	47.55
Total Dept 448 - PUBLIC UTILITIES-STREET LIGHTING	32,000.00	15,217.35	2,484.84	16,782.65	47.55
Dept 536 - WATER/SEWER					
938.000 SEWER EXPENSE	3,000.00	1,382.04	0.00	1,617.96	46.07
939.000 WATER EXPENSE	1,400.00	442.07	0.00	957.93	31.58
Total Dept 536 - WATER/SEWER	4,400.00	1,824.11	0.00	2,575.89	41.46
Dept 722 - ZONING					
702.706 PART TIME WAGES	6,695.00	3,769.80	502.64	2,925.20	56.31
710.000 EMPLOYER FICA	620.00	288.39	38.44	331.61	46.51
725.000 MEALS & MILEAGE	310.00	0.00	0.00	310.00	0.00
Total Dept 722 - ZONING	7,625.00	4,058.19	541.08	3,566.81	53.22
Dept 728 - ECONOMIC DEVELOPMENT					
801.000 CONTRACTED SERVICES	2,000.00	1,924.00	0.00	76.00	96.20
Total Dept 728 - ECONOMIC DEVELOPMENT	2,000.00	1,924.00	0.00	76.00	96.20
Dept 751 - PARKS AND RECREATION					
723.000 WORKMEN'S COMPENSATION	250.00	155.40	0.00	94.60	62.16
728.000 SUPPLIES	3,000.00	1,773.34	673.22	1,226.66	59.11
882.000 SWIFTY'S PLACE	2,500.00	489.12	0.00	2,010.88	19.56
920.000 GAS AND ELECTRIC	4,300.00	2,083.46	297.47	2,216.54	48.45
931.001 MAINTENANCE/REPAIR-BUILDING	7,000.00	4,168.30	467.16	2,831.70	59.55
931.002 MAINTENANCE/REPAIR-EQUIPMENT	1,500.00	1,070.42	0.00	429.58	71.36
931.003 MAINTENANCE-LANDSCAPING & GROUNDS	5,000.00	2,698.51	557.31	2,301.49	53.97
Total Dept 751 - PARKS AND RECREATION	23,550.00	12,438.55	1,995.16	11,111.45	52.82
TOTAL EXPENDITURES	787,554.00	356,494.28	50,242.06	431,059.72	45.27

Fund 101 - GENERAL FUND:

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
	AMENDED BUDGET	09/30/2020 RMAL (ABNORMAL)	09/30/2020 ONTH 09/30/2020 EASE (DECREASE) RMAL	BALANCE (ABNORMAL)	
Fund 101 - GENERAL FUND					
TOTAL REVENUES	852,451.00	656,496.74	243,333.61	195,954.26	77.01
TOTAL EXPENDITURES	<u>787,554.00</u>	<u>356,494.28</u>	<u>50,242.06</u>	<u>431,059.72</u>	<u>45.27</u>
NET OF REVENUES & EXPENDITURES	64,897.00	300,002.46	193,091.55	(235,105.46)	462.27

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21 AMENDED BUDGET	YTD BALANCE 09/30/2020 (ABNORMAL) RMAL	ACTIVITY FOR ONTH 09/30/2020 (DECREASE) RMAL	AVAILABLE BALANCE (ABNORMAL)	% BDGT USED
Fund 202 - MAJOR STREET FUND					
Revenues					
Dept 000 - BALANCE SHEET / GENERAL					
575.000 ACT 51 / STREETS	207,431.00	53,187.61	0.00	154,243.39	25.64
665.000 INTEREST	3,500.00	2,139.16	42.64	1,360.84	61.12
695.000 MISC REVENUE	10,000.00	0.00	0.00	10,000.00	0.00
Total Dept 000 - BALANCE SHEET / GENERAL	220,931.00	55,326.77	42.64	165,604.23	25.04
TOTAL REVENUES	220,931.00	55,326.77	42.64	165,604.23	25.04
Expenditures					
Dept 449 - STREET DEPT (ACT 51)					
702.001 DEPT HEAD WAGES	3,500.00	2,019.29	269.25	1,480.71	57.69
710.000 EMPLOYER FICA	350.00	150.83	20.08	199.17	43.09
711.000 EMPLOYERS SHARE OF PENSION	350.00	0.00	0.00	350.00	0.00
712.002 ADMIN BENEFITS	1,400.00	304.84	45.81	1,095.16	21.77
731.000 COLD/HOT PATCH	1,300.00	453.60	453.60	846.40	34.89
734.000 SALT/SAND ROADS	5,000.00	0.00	0.00	5,000.00	0.00
801.000 CONTRACTED SERVICES	5,000.00	1,950.00	0.00	3,050.00	39.00
863.000 STREET STRIPING	4,000.00	0.00	0.00	4,000.00	0.00
865.000 STREET SIGNS	1,500.00	175.00	175.00	1,325.00	11.67
867.000 STREET REPAIRS	22,000.00	17,241.30	386.00	4,758.70	78.37
944.867 VEHICLE RENTAL - STREET REPAIRS	5,000.00	0.00	0.00	5,000.00	0.00
944.869 VEHICLE RENTAL - SNOW REMOVAL	5,000.00	0.00	0.00	5,000.00	0.00
963.000 MISC EXPENSE	3,000.00	465.32	465.32	2,534.68	15.51
999.000 TRANSFERS OUT	40,000.00	20,000.00	0.00	20,000.00	50.00
Total Dept 449 - STREET DEPT (ACT 51)	97,400.00	42,760.18	1,815.06	54,639.82	43.90
Dept 450 - MAINTENANCE / CONSTRUCTION					
702.001 MAINTENANCE WAGES	3,410.00	1,966.77	262.22	1,443.23	57.68
710.000 MAINTENANCE EMPLOYER FICA	350.00	150.46	20.06	199.54	42.99
711.000 MAINTENANCE ER SHARE OF PENSION	350.00	228.54	30.50	121.46	65.30
712.002 MAINTENANCE BENEFITS	150.00	82.53	12.19	67.47	55.02
Total Dept 450 - MAINTENANCE / CONSTRUCTION	4,260.00	2,428.30	324.97	1,831.70	57.00
Dept 869 - SNOW REMOVAL					
702.001 SNOW REMOVAL WAGES	3,060.00	0.00	0.00	3,060.00	0.00
710.000 SNOW REMOVAL EMPLOYER FICA	300.00	0.00	0.00	300.00	0.00
711.000 SNOW REMOVAL SHARE OF PENSION	350.00	0.00	0.00	350.00	0.00
Total Dept 869 - SNOW REMOVAL	3,710.00	0.00	0.00	3,710.00	0.00
TOTAL EXPENDITURES	105,370.00	45,188.48	2,140.03	60,181.52	42.89
Fund 202 - MAJOR STREET FUND:					
TOTAL REVENUES	220,931.00	55,326.77	42.64	165,604.23	25.04
TOTAL EXPENDITURES	105,370.00	45,188.48	2,140.03	60,181.52	42.89
NET OF REVENUES & EXPENDITURES	115,561.00	10,138.29	(2,097.39)	105,422.71	8.77

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
	AMENDED BUDGET	09/30/2020 RMAL (ABNORMAL)	09/30/2020 ONTH (DECREASE) RMAL	BALANCE (ABNORMAL)	
Fund 203 - LOCAL STREET FUND					
Revenues					
Dept 000 - BALANCE SHEET / GENERAL					
575.000 ACT 51 / STREETS	69,876.00	17,918.48	0.00	51,957.52	25.64
665.000 INTEREST	1,000.00	758.42	104.98	241.58	75.84
695.000 MISC REVENUE	0.00	35,315.34	0.00	(35,315.34)	100.00
699.000 TRANSFERS IN	40,000.00	20,000.00	0.00	20,000.00	50.00
Total Dept 000 - BALANCE SHEET / GENERAL	110,876.00	73,992.24	104.98	36,883.76	66.73
TOTAL REVENUES	110,876.00	73,992.24	104.98	36,883.76	66.73
Expenditures					
Dept 449 - STREET DEPT (ACT 51)					
702.001 DEPT HEAD WAGES	1,500.00	807.71	107.67	692.29	53.85
710.000 EMPLOYER FICA	150.00	60.29	8.01	89.71	40.19
711.000 EMPLOYERS SHARE OF PENSION	150.00	0.00	0.00	150.00	0.00
712.002 ADMIN BENEFITS	650.00	121.91	18.32	528.09	18.76
731.000 COLD/HOT PATCH	1,000.00	453.60	453.60	546.40	45.36
734.000 SALT/SAND ROADS	5,000.00	0.00	0.00	5,000.00	0.00
801.000 CONTRACTED SERVICES	5,000.00	4,250.00	0.00	750.00	85.00
863.000 STREET STRIPING	1,200.00	1,090.13	0.00	109.87	90.84
865.000 STREET SIGNS	700.00	0.00	0.00	700.00	0.00
867.000 STREET REPAIRS	22,000.00	17,448.49	289.50	4,551.51	79.31
944.867 VEHICLE RENTAL - STREET REPAIRS	5,000.00	0.00	0.00	5,000.00	0.00
944.869 VEHICLE RENTAL - SNOW REMOVAL	5,000.00	0.00	0.00	5,000.00	0.00
956.000 STORM SEWER	500.00	0.00	0.00	500.00	0.00
963.000 MISC EXPENSE	3,000.00	922.98	922.98	2,077.02	30.77
Total Dept 449 - STREET DEPT (ACT 51)	50,850.00	25,155.11	1,800.08	25,694.89	49.47
Dept 450 - MAINTENANCE / CONSTRUCTION					
702.001 MAINTENANCE WAGES	5,500.00	3,146.76	419.57	2,353.24	57.21
710.000 MAINTENANCE EMPLOYER FICA	500.00	240.74	32.10	259.26	48.15
711.000 MAINTENANCE ER SHARE OF PENSION	600.00	365.66	48.80	234.34	60.94
712.002 MAINTENANCE BENEFITS	200.00	131.94	19.49	68.06	65.97
Total Dept 450 - MAINTENANCE / CONSTRUCTION	6,800.00	3,885.10	519.96	2,914.90	57.13
Dept 869 - SNOW REMOVAL					
702.001 SNOW REMOVAL WAGES	3,060.00	0.00	0.00	3,060.00	0.00
710.000 SNOW REMOVAL FICA	300.00	0.00	0.00	300.00	0.00
711.000 SNOW REMOVAL SHARE OF PENSION	350.00	0.00	0.00	350.00	0.00
Total Dept 869 - SNOW REMOVAL	3,710.00	0.00	0.00	3,710.00	0.00
TOTAL EXPENDITURES	61,360.00	29,040.21	2,320.04	32,319.79	47.33
Fund 203 - LOCAL STREET FUND:					
TOTAL REVENUES	110,876.00	73,992.24	104.98	36,883.76	66.73
TOTAL EXPENDITURES	61,360.00	29,040.21	2,320.04	32,319.79	47.33
NET OF REVENUES & EXPENDITURES	49,516.00	44,952.03	(2,215.06)	4,563.97	90.78

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21 AMENDED BUDGET	YTD BALANCE 09/30/2020 (ABNORMAL) RMAL	ACTIVITY FOR ONTH 09/30/2020 (DECREASE) RMAL	AVAILABLE BALANCE (ABNORMAL)	% BGD USED
Fund 204 - GENERAL HWY					
Revenues					
Dept 000 - BALANCE SHEET / GENERAL					
402.000 CURRENT REAL PROPERTY TAXES	191,000.00	190,719.48	98,172.63	280.52	99.85
410.000 CURRENT PERSONAL PROPERTY TAX	14,000.00	13,849.80	3,516.28	150.20	98.93
412.000 DELINQUENT REAL PROPERTY TAX	11,000.00	0.00	0.00	11,000.00	0.00
441.000 LOCAL COMMUNITY STABILIZATION SHARE TAX	18,634.00	18,634.43	0.00	(0.43)	100.00
445.000 PENALTIES & INTEREST ON TAXES	5.00	3.15	0.00	1.85	63.00
665.000 INTEREST	2,400.00	2,329.10	40.57	70.90	97.05
Total Dept 000 - BALANCE SHEET / GENERAL	237,039.00	225,535.96	101,729.48	11,503.04	95.15
TOTAL REVENUES	237,039.00	225,535.96	101,729.48	11,503.04	95.15
Expenditures					
Dept 446 - HIGHWAYS, STREETS (NOT ACT 51)					
702.001 ADMINISTRATION WAGES	9,100.00	4,644.24	619.22	4,455.76	51.04
710.000 ADMINISTRATION FICA	850.00	346.87	46.18	503.13	40.81
711.000 ADMIN EMPLOYERS SHARE OF PENSION	1,000.00	0.00	0.00	1,000.00	0.00
712.002 ADMIN BENEFITS	1,300.00	700.97	105.34	599.03	53.92
867.000 STREET REPAIRS	20,000.00	8,478.57	289.50	11,521.43	42.39
891.000 SIDEWALK REPLACEMENT PROGRAM	5,000.00	4,998.77	550.00	1.23	99.98
990.986 MTF BOND PAYMENT - PRINCIPAL	60,000.00	60,000.00	0.00	0.00	100.00
990.987 CAPITAL IMPROVEMENT BOND - PRIN	8,400.00	8,400.00	0.00	0.00	100.00
990.988 CAPITAL IMPROV BOND II - PRIN	36,400.00	36,400.00	0.00	0.00	100.00
995.986 MTF BOND INTEREST	7,650.00	4,095.00	0.00	3,555.00	53.53
995.987 CAP IMPROVE BOND I INTEREST	1,264.00	594.00	0.00	670.00	46.99
995.988 CAP IMPROV BOND II INTEREST	10,400.00	4,959.57	0.00	5,440.43	47.69
Total Dept 446 - HIGHWAYS, STREETS (NOT ACT 51)	161,364.00	133,617.99	1,610.24	27,746.01	82.81
Dept 450 - MAINTENANCE / CONSTRUCTION					
702.001 STREET ADMIN SALARY	20,460.00	11,800.51	1,573.40	8,659.49	57.68
710.000 STREET ADMIN FICA	2,000.00	902.75	120.36	1,097.25	45.14
711.000 EMPLOYERS SHARE OF PENSION	2,200.00	1,371.09	182.98	828.91	62.32
712.002 STREET ADMIN BENEFITS	700.00	397.74	56.82	302.26	56.82
Total Dept 450 - MAINTENANCE / CONSTRUCTION	25,360.00	14,472.09	1,933.56	10,887.91	57.07
TOTAL EXPENDITURES	186,724.00	148,090.08	3,543.80	38,633.92	79.31
Fund 204 - GENERAL HWY:					
TOTAL REVENUES	237,039.00	225,535.96	101,729.48	11,503.04	95.15
TOTAL EXPENDITURES	186,724.00	148,090.08	3,543.80	38,633.92	79.31
NET OF REVENUES & EXPENDITURES	50,315.00	77,445.88	98,185.68	(27,130.88)	153.92

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
	AMENDED BUDGET	RMAL (ABNORMAL) 09/30/2020	ONTH 09/30/2020 EASE (DECREASE) RMAL	BALANCE (ABNORMAL)	
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY					
Revenues					
Dept 000 - BALANCE SHEET / GENERAL					
402.000 CURRENT REAL PROPERTY TAXES	30,000.00	0.00	0.00	30,000.00	0.00
539.000 STATE GRANTS	50,000.00	50,000.00	0.00	0.00	100.00
665.000 INTEREST	50.00	39.44	5.44	10.56	78.88
675.000 DONATIONS-PRIVATE SOURCES	900.00	0.00	0.00	900.00	0.00
Total Dept 000 - BALANCE SHEET / GENERAL	80,950.00	50,039.44	5.44	30,910.56	61.82
TOTAL REVENUES	80,950.00	50,039.44	5.44	30,910.56	61.82
Expenditures					
Dept 275 - DDA					
801.000 CONTRACTED SERVICES	5,000.00	790.50	0.00	4,209.50	15.81
815.000 DUES & MEMBERSHIPS	0.00	25.00	0.00	(25.00)	100.00
816.000 EDUCATION & TRAINING	1,000.00	0.00	0.00	1,000.00	0.00
881.000 ADVERTISING	2,000.00	0.00	0.00	2,000.00	0.00
955.000 MISCELLANEOUS EXPENSE	50,000.00	50,000.00	0.00	0.00	100.00
967.000 BEAUTIFICATION	29,700.00	1,254.73	19.98	28,445.27	4.22
967.002 CHRISTMAS DECORATIONS	0.00	1,460.00	1,460.00	(1,460.00)	100.00
Total Dept 275 - DDA	87,700.00	53,530.23	1,479.98	34,169.77	61.04
TOTAL EXPENDITURES	87,700.00	53,530.23	1,479.98	34,169.77	61.04
Fund 248 - DOWNTOWN DEVELOPMENT AUTHORITY:					
TOTAL REVENUES	80,950.00	50,039.44	5.44	30,910.56	61.82
TOTAL EXPENDITURES	87,700.00	53,530.23	1,479.98	34,169.77	61.04
NET OF REVENUES & EXPENDITURES	(6,750.00)	(3,490.79)	(1,474.54)	(3,259.21)	51.72

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BGD USED
	AMENDED BUDGET	09/30/2020 RMAL (ABNORMAL)	09/30/2020 ONTH (DECREASE) RMAL	BALANCE (ABNORMAL)	
Fund 290 - ARTS					
Revenues					
Dept 000 - BALANCE SHEET / GENERAL					
401.001 ART IN THE PARK REVENUE-NEXT FY	1,500.00	20.00	0.00	1,480.00	1.33
401.290 ART IN THE PARK REVENUE	2,250.00	180.00	0.00	2,070.00	8.00
539.000 STATE GRANTS	2,222.00	0.00	0.00	2,222.00	0.00
610.000 FOOD BOOTH FEES	350.00	0.00	0.00	350.00	0.00
675.000 DONATIONS-PRIVATE SOURCES	3,000.00	0.00	0.00	3,000.00	0.00
695.000 MISC REVENUE	150.00	0.00	0.00	150.00	0.00
Total Dept 000 - BALANCE SHEET / GENERAL	9,472.00	200.00	0.00	9,272.00	2.11
TOTAL REVENUES	9,472.00	200.00	0.00	9,272.00	2.11
Expenditures					
Dept 752 - ARTS					
701.000 OPER EXPENSE-GRANT DISBURSEMENT	5,829.00	5,879.00	0.00	(50.00)	100.86
724.000 REFUND/REIMBURSEMENTS	60.00	125.00	0.00	(65.00)	208.33
728.000 SUPPLIES	400.00	0.00	0.00	400.00	0.00
740.000 POSTAGE	100.00	29.15	0.00	70.85	29.15
793.000 OPERATING EXPENSE	100.00	0.00	0.00	100.00	0.00
794.000 T-SHIRTS	500.00	0.00	0.00	500.00	0.00
795.000 SOUND	1,500.00	0.00	0.00	1,500.00	0.00
796.000 ROLLS	200.00	0.00	0.00	200.00	0.00
798.000 CONCESSIONS SUPPLIES	100.00	0.00	0.00	100.00	0.00
851.000 RADIOS	75.00	0.00	0.00	75.00	0.00
852.000 TELEPHONE	612.00	348.11	49.02	263.89	56.88
881.000 ADVERTISING	2,537.00	449.95	0.00	2,087.05	17.74
895.000 KIDS AREA	300.00	0.00	0.00	300.00	0.00
898.000 ENTERTAINMENT	850.00	0.00	0.00	850.00	0.00
953.000 PORT A POTTY	200.00	0.00	0.00	200.00	0.00
967.000 PROJECT COSTS	2,500.00	0.00	0.00	2,500.00	0.00
Total Dept 752 - ARTS	15,863.00	6,831.21	49.02	9,031.79	43.06
TOTAL EXPENDITURES	15,863.00	6,831.21	49.02	9,031.79	43.06
Fund 290 - ARTS:					
TOTAL REVENUES	9,472.00	200.00	0.00	9,272.00	2.11
TOTAL EXPENDITURES	15,863.00	6,831.21	49.02	9,031.79	43.06
NET OF REVENUES & EXPENDITURES	(6,391.00)	(6,631.21)	(49.02)	240.21	103.76

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
	AMENDED BUDGET	09/30/2020 RMAL (ABNORMAL)	09/30/2020 ONTH (DECREASE) RMAL	BALANCE (ABNORMAL)	
Fund 291 - CAR SHOW					
Revenues					
Dept 000 - BALANCE SHEET / GENERAL					
610.000 FOOD BOOTH FEES	25.00	0.00	0.00	25.00	0.00
625.000 REGISTRATIONS	900.00	0.00	0.00	900.00	0.00
665.000 INTEREST	5.00	4.06	0.52	0.94	81.20
675.000 DONATIONS-PRIVATE SOURCES	2,000.00	0.00	0.00	2,000.00	0.00
678.000 T-SHIRT REVENUE	100.00	0.00	0.00	100.00	0.00
Total Dept 000 - BALANCE SHEET / GENERAL	3,030.00	4.06	0.52	3,025.94	0.13
TOTAL REVENUES	3,030.00	4.06	0.52	3,025.94	0.13
Expenditures					
Dept 753 - CAR SHOW					
728.000 SUPPLIES	800.00	0.00	0.00	800.00	0.00
794.000 T-SHIRTS EXPENSE	200.00	0.00	0.00	200.00	0.00
881.000 ADVERTISING	650.00	0.00	0.00	650.00	0.00
887.000 TROPHIES	800.00	0.00	0.00	800.00	0.00
888.000 FLYERS	170.00	0.00	0.00	170.00	0.00
892.000 DOOR PRIZES	150.00	0.00	0.00	150.00	0.00
893.000 DJ	350.00	0.00	0.00	350.00	0.00
953.000 PORT A POTTY	150.00	0.00	0.00	150.00	0.00
Total Dept 753 - CAR SHOW	3,270.00	0.00	0.00	3,270.00	0.00
TOTAL EXPENDITURES	3,270.00	0.00	0.00	3,270.00	0.00
Fund 291 - CAR SHOW:					
TOTAL REVENUES	3,030.00	4.06	0.52	3,025.94	0.13
TOTAL EXPENDITURES	3,270.00	0.00	0.00	3,270.00	0.00
NET OF REVENUES & EXPENDITURES	(240.00)	4.06	0.52	(244.06)	1.69

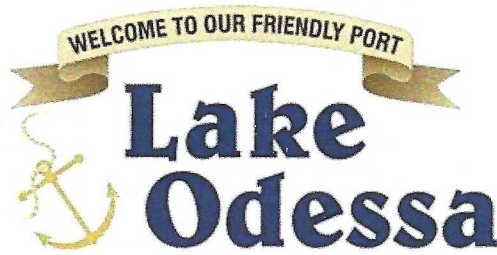
PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21 AMENDED BUDGET	YTD BALANCE	ACTIVITY FOR	AVAILABLE	% BDGT USED
		RMAL (ABNORMAL)	ONTH 09/30/2020 EASE (DECREASE) RMAL	BALANCE (ABNORMAL)	
Fund 591 - WATER FUND					
Revenues					
Dept 000 - BALANCE SHEET / GENERAL					
402.591 WATER REVENUE	954,810.00	573,777.71	87,544.52	381,032.29	60.09
445.000 PENALTIES & INTEREST	5,500.00	1,785.03	0.00	3,714.97	32.46
539.002 WELLHEAD PROTECTION	2,750.00	0.00	0.00	2,750.00	0.00
607.000 WATER HOOK UP FEES	1,500.00	0.00	0.00	1,500.00	0.00
608.000 WATER TURN ON/OFF FEES	1,200.00	670.00	150.00	530.00	55.83
609.000 FINAL READ INCOME	350.00	210.87	30.00	139.13	60.25
665.000 INTEREST	5,000.00	2,592.35	108.51	2,407.65	51.85
674.000 INCENTIVE PROGRAM	3,000.00	0.00	0.00	3,000.00	0.00
695.000 MISC REVENUE	5,000.00	5,438.23	1,151.38	(438.23)	108.76
Total Dept 000 - BALANCE SHEET / GENERAL	979,110.00	584,474.19	88,984.41	394,635.81	59.69
TOTAL REVENUES	979,110.00	584,474.19	88,984.41	394,635.81	59.69
Expenditures					
Dept 536 - WATER/SEWER					
702.001 DEPT HEAD WAGES	48,500.00	28,357.97	3,781.09	20,142.03	58.47
702.704 FULL TIME WAGES	156,100.00	90,808.00	11,972.16	65,292.00	58.17
702.705 OVER TIME WAGES	2,000.00	2,088.66	262.32	(88.66)	104.43
702.706 PART TIME WAGES	5,000.00	1,415.60	103.50	3,584.40	28.31
702.707 SICK TIME PAYOUT	500.00	0.00	0.00	500.00	0.00
702.717 NO FRINGE BENEFIT INCENTIVE	3,000.00	0.00	0.00	3,000.00	0.00
710.000 EMPLOYER FICA	19,500.00	8,992.31	1,179.26	10,507.69	46.11
711.000 EMPLOYERS SHARE OF PENSION	21,400.00	11,114.35	1,481.02	10,285.65	51.94
712.000 HEALTH INSURANCE EXPENSE	33,000.00	17,271.74	2,017.97	15,728.26	52.34
712.002 ADMIN BENEFITS	4,600.00	2,499.39	375.60	2,100.61	54.33
713.000 DENTAL INSURANCE EXPENSE	4,700.00	2,077.53	314.30	2,622.47	44.20
714.000 OPTICAL PLAN EXPENSE	600.00	319.20	48.29	280.80	53.20
716.000 WELLNESS PROGRAM	270.00	0.00	0.00	270.00	0.00
720.000 DISABILITY INSURANCE	2,200.00	1,325.10	189.30	874.90	60.23
721.000 LIFE INSURANCE EXPENSE	650.00	422.52	60.36	227.48	65.00
723.000 WORKMEN'S COMPENSATION	2,200.00	1,514.04	0.00	685.96	68.82
725.000 MEALS & MILEAGE	500.00	0.00	0.00	500.00	0.00
727.000 OFFICE SUPPLIES	2,000.00	103.99	0.00	1,896.01	5.20
728.000 SUPPLIES	2,500.00	396.24	0.00	2,103.76	15.85
732.000 CHEMICAL SUPPLIES	5,000.00	1,941.40	0.00	3,058.60	38.83
740.000 POSTAGE	1,100.00	984.29	0.00	115.71	89.48
741.000 MEDICAL & PHYSICALS	200.00	0.00	0.00	200.00	0.00
744.000 CLOTHING EXPENSE	1,200.00	501.92	501.92	698.08	41.83
751.000 GASOLINE PURCHASES	5,500.00	1,435.67	297.27	4,064.33	26.10
780.000 METER REPLACEMENT	5,000.00	1,627.17	0.00	3,372.83	32.54
801.000 CONTRACTED SERVICES	20,000.00	9,995.47	1,703.00	10,004.53	49.98
815.000 DUES & MEMBERSHIPS	3,700.00	485.00	0.00	3,215.00	13.11
816.000 EDUCATION & TRAINING	1,500.00	0.00	0.00	1,500.00	0.00
818.000 WELLHEAD PROTECTION	5,550.00	0.00	0.00	5,550.00	0.00
821.000 BANK FEES	100.00	10.00	0.00	90.00	10.00
822.000 FLEET INSURANCE	15,000.00	15,000.00	0.00	0.00	100.00
827.000 WATER TESTING FEES	2,100.00	1,298.78	48.76	801.22	61.85
850.000 COMMUNICATION EXPENSE	3,800.00	2,324.11	331.60	1,475.89	61.16
900.000 PRINTING & PUBLISHING	500.00	0.00	0.00	500.00	0.00
920.000 GAS AND ELECTRIC	63,000.00	32,208.36	5,109.33	30,791.64	51.12
931.001 MAINTENANCE/REPAIR-BUILDING	1,500.00	142.53	0.00	1,357.47	9.50
931.002 MAINTENANCE/REPAIR-EQUIPMENT	32,205.00	29,300.26	1,197.01	2,904.74	90.98
931.004 MAINTENANCE/REPAIR-VEHICLE	2,500.00	0.00	0.00	2,500.00	0.00
931.009 MAINTENANCE/REPAIR-WATER LINES	5,000.00	296.97	51.75	4,703.03	5.94
931.010 MAINTENANCE/REPAIRS-TANKS	74,235.00	74,235.00	0.00	0.00	100.00
933.000 WELL REPAIRS	39,000.00	37,588.72	37,588.72	1,411.28	96.38
937.000 IRON REMOVAL	49,795.00	49,795.15	0.00	(0.15)	100.00
945.000 EQUIPMENT LEASE PAYMENT	15,600.00	3,258.63	1,086.21	12,341.37	20.89
946.000 SCADA CONTROL SYSTEM	2,500.00	175.00	0.00	2,325.00	7.00
963.000 MISC EXPENSE	1,000.00	0.00	0.00	1,000.00	0.00
980.001 HARDWARE	9,600.00	4,631.56	779.64	4,968.44	48.25
980.002 SOFTWARE	1,000.00	0.00	0.00	1,000.00	0.00
994.000 CAPITAL IMPROVEMENT BOND	26,600.00	26,600.00	0.00	0.00	100.00
994.001 CAPITAL IMPROVEMENT BOND II	15,600.00	15,600.00	0.00	0.00	100.00
994.002 USDA BOND 2016	66,000.00	66,000.00	0.00	0.00	100.00
995.000 INTEREST EXPENSE	81,224.00	40,820.01	0.00	40,403.99	50.26
Total Dept 536 - WATER/SEWER	865,829.00	584,962.64	70,480.38	280,866.36	67.56
TOTAL EXPENDITURES	865,829.00	584,962.64	70,480.38	280,866.36	67.56

PERIOD ENDING 09/30/2020

ACCOUNT DESCRIPTION	2020-21 AMENDED BUDGET	YTD BALANCE 09/30/2020 RMAL (ABNORMAL)	ACTIVITY FOR ONTH 09/30/2020 EASE (DECREASE) RMAL	AVAILABLE BALANCE (ABNORMAL)	% BDGT USED
Fund 591 - WATER FUND					
Fund 591 - WATER FUND:					
TOTAL REVENUES	979,110.00	584,474.19	88,984.41	394,635.81	59.69
TOTAL EXPENDITURES	865,829.00	584,962.64	70,480.38	280,866.36	67.56
NET OF REVENUES & EXPENDITURES	113,281.00	(488.45)	18,504.03	113,769.45	0.43
TOTAL REVENUES - ALL FUNDS	2,493,859.00	1,646,069.40	434,201.08	847,789.60	66.00
TOTAL EXPENDITURES - ALL FUNDS	2,113,670.00	1,224,137.13	130,255.31	889,532.87	57.92
NET OF REVENUES & EXPENDITURES	380,189.00	421,932.27	303,945.77	(41,743.27)	110.98

Received by: RSRW
 Received Date: 9/14/20



Page Memorial Building

839 Fourth Avenue

Lake Odessa, Michigan 48849

REQUEST TO VACATE A VILLAGE STREET OR ALLEY

I, Patti Cook, owner of the property located at 760 4th Ave AND 757 3rd Ave would like to request the following **street** or **alley** (circle one) be vacated as follows:

NAME OF STREET 4th Ave & 3rd Ave

STARTING POINT OF STREET OR ALLEY REQUESTED TO BE ABANDONED Just south of wastewater manhole location in alley. Approx 26ft TO NORTH OF PARK

REASON FOR REQUEST One owner of both lots - lots become contiguous

SIGNED P Cook DATE 9/14/2020

Please provide the names of property owners adjacent to the street or alley requested to be vacated and the amount of frontage owned:

Property Owner Name	Address	Amount of Frontage Owned
<u>only myself !!</u>	<u>760</u>	<u>66ft</u>
	<u>757</u>	<u>69.05 ft</u>
<u>(Village park to the South)</u>		

Please note that a map of the proposed area for vacation is helpful. Please note that, per Section 28-4 of the Village Code of Ordinance, a legal description of the proposed area must accompany this application. Upon the submittal of a completed application, a copy of this form will be sent to the Village Council for consideration.

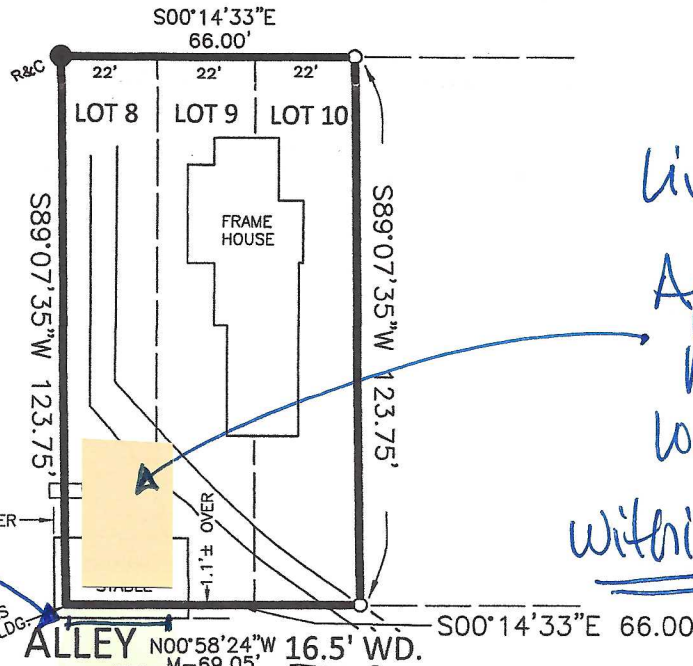
FOR: PATTI COOK

PROPERTY SURVEY LOCATION: 757 THIRD AVE AND 760 4TH AVE; LAKE ODESSA, MI

LEGAL DESCRIPTION: LOTS 3, 8, 9, AND 10 AND THE SOUTH 3 FEET OF LOT 2 OF BLOCK 28 OF THE VILLAGE OF LAKE ODESSA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN LIBER 1 OF PLATS ON PAGE 35.



FOURTH AVE. 70' WD.



*Livery Stable
Approx
New
Location*

*within 5ft
setbacks*

□ - DENOTES WOOD STAKE PLACED (TYPICAL)

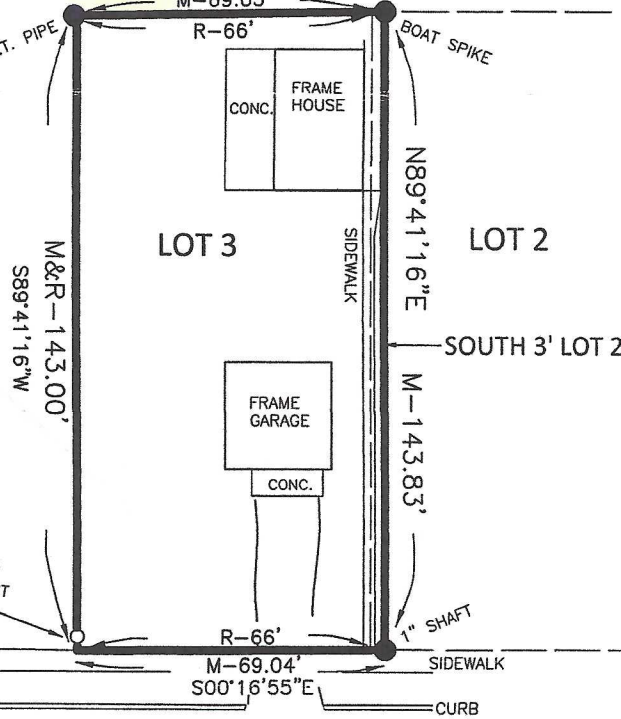
1'± OVER

IRON FALLS UNDER BLDG.

1" C.T. PIPE

BOAT SPIKE

*Approx
26ft*



IRON PLACED ON EDGE of SIDEWALK 0.28' WEST of PROPERTY CORNER

THIRD AVE. 60' WD.

WE CERTIFY TO THE ABOVE NAMED PARTIES THAT WE HAVE SURVEYED THE PROPERTY DESCRIBED ABOVE. AND THAT THE IMPROVEMENTS AND ENCROACHMENTS AFFECTING SAID PROPERTY, IF ANY, ARE LOCATED AS SHOWN ABOVE.

Preservation of circa 1880 Historic Livery Stable

760 4th Ave

Lake Odessa

760 4th Ave ~ due to recent fire, the home and foundation have been demolished and removed from the property. Lot will become a peaceful greenspace: mini clover has been planted PLUS the glorious Historic Livery Stable is standing proud in the southeast corner, overlooking the village park!

My desire and plan for this property...

~ Livery Stable will be stabilized and raised

~ New foundation installed

~ The Livery Stable to be placed on the southeast corner of 760 4th Ave (within the required 5ft setbacks)

~ Vacate a portion of the alley between 760 4th Ave and 757 3rd Ave ~ south of the wastewater, end of line.

~ Two lots become contiguous: 760 4th Ave and 757 3rd Ave

~ Survey of the two lots attached, approximate location of the alley to be vacated is noted.



Patti Cook

757 3rd Ave

760 4th Ave

Lake Odessa

616.260.6500

MEMO TO LAKE ODESSA VILLAGE COUNCIL

FROM ZONING ADMINISTRATOR – Jeanne Vandersloot

REGARDING: Details about land divisions, plats, metes and bounds, easements

10-16-20

There are several ways to divide land. The oldest methods are platting and land divisions. Platting was done in most villages and cities and lots are usually the same size as each other with a series of streets and often alleys between them for access. Platted lots have a lot number as a legal description. A platted lot begins at the street right of way as the village or city owns the street and its right of way. A platted development is partially approved locally but mostly by State regulations. They usually do not have a home owners association but often have covenants or deed restrictions such as minimum house size, garages required, number of out buildings, allow a home business, tree planting or removal and so forth. Streets in a plat are public streets. Most of the Village is platted.

The other longest way to divide land is by land division. The law changed dramatically on March 31, 1997 with parcels as they existed on that day becoming parent parcels or abutting parcels of same ownership are parent tracts. A formula was set up for the number of divisions permitted according to various amounts of acreage. Records must be kept of land divisions and an approval process put in place. There are further formulas for redividing a child parcel (one split off from a parent) and any leftover division rights can be assigned to purchasers of land. Nearly all land in the country is divided by land divisions and some in the villages and cities, but usually around the fringe areas.

The platting process eventually got to be a very long process with the State of over 2 years for approvals so a new method was put in the law called "site condo" which is much quicker with the State and local review. A lot is described with a lot number like platted lots. A site condo lot begins at the street right of way and the residents/lot owners co-owns the street (private) and its right of way. There are lots created which people buy and the rest of the land such as the road and any conservation area are co-owned by all the residents. A book is created called a Master Deed with Bylaws of procedures to elect a homeowners association and how they meet and collect funds for future maintenance of the road and other amenities. There are many rules of conduct and what is allowed such as minimum home size, garages, out buildings, parking of vehicles and they can be extensive or basic. Many site condos are also Planned Unit Developments (PUD) which requires various amounts of preserved land to be perpetually saved in a natural way and all the residents can enjoy those lands.

More than 1 Platted lot can be combined into multiple lots for construction purposes. Each lot and its number always remains that way and neighbors can buy a half of a lot as long as they are always contiguous to each other. A lot is still a lot. A legal description example would note that half of lot 2 goes along with lot 3 and 4 for a combined ownership.

A site condo lot cannot be combined but people can own adjacent lots and if the zoning allows, can build in the middle of a couple lots.

Land divisions are more flexible as they can be enlarged by buying neighboring land or selling some land to a neighbor which is called a boundary adjustment. Lot sizes and frontages must meet the local zoning though. Parcels in land division can be various shapes and sizes as long as any zoning frontage or size requirements are in place. Land division parcels are called Metes and Bounds parcels. The legal descriptions are difficult to read unless trained to do so. But they list the length and width in feet of all four sides such as north 120 ft, then east 130 ft, then south 120 ft and then west 130 ft to the POB (point of beginning) for the description. I gave a simple example, but they also include other numbers such as town and range. Land division parcels also typically extend to the middle of the road. Abutting parcels can be across the road this way or next to each other.

An easement is a legal described means to cross property for ingress, egress and utilities over another property. The property is owned by the person and the other party has the right to cross it.

As far as the two platted lots that Patti Cook now owns, they are separate and do not abut each other because there is an alley between them which the Village owns. The lot owners can use it for access to the rear of their properties. Often water and sewer lines run in the alleys. Alleys are often narrow in width and run between streets.

If part or all of an alley is vacated as an easement for access or utilities, the Village still owns the land. If it is then desired to sell it to abutting lots, it cannot happen as an alley land is not a lot so they cannot be combined. Also an alley is not large enough or have enough frontage to be its own "lot". Because a platted lot cannot be combined with a metes and bounds parcel (likely what the vacated alley would become) it does not allow the combination of Patti's two platted lots. If her lots were metes and bounds then the alley land could be added to her lots and they all become one large parcel but that is not the case.

Also if the lots could be combined Patti would lose the option to build a house on the lot with the barn on it.

Another way to look at it, is if the Village vacates the alley as an easement for access and utilities, the strip of land becomes not a land division but a nonconforming piece of leftover Village land and no one can use it except the Village unless someone else owns it. The alley land still cannot be combined with either of the platted lots to combine all of them due to the difference being platted and metes and bounds. The Village could sell it to Patti and she could use the land to cross back and forth or for fencing purposes.

How you look at it depends on what the Village really wants to do with the alley.

I hope this clarifies parcels, lots and alleys and easements.

**VILLAGE OF LAKE ODESSA
IONIA COUNTY, MICHIGAN**

Trustee _____, supported by Trustee _____, moved the adoption of the following ordinance:

ORDINANCE NO. 2020-_____

**AN ORDINANCE TO AMEND CHAPTER 6 OF THE CODE
OF ORDINANCES OF THE VILLAGE OF LAKE ODESSA**

THE VILLAGE OF LAKE ODESSA ORDAINS:

Section 1. That Chapter 6 of the Code of Ordinances, Village of Lake Odessa, Michigan, is hereby amended to read as follows:

Chapter 6 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE I. - IN GENERAL.

Sec. 6-1. - County to enforce single state construction code.

The village hereby designates the county building official to enforce the single state construction code, Public Act No. 230 of 1972 (MCL 125.1501 et seq.) within the village limits.

Sec. 6-2. - Flood-resistant construction.

(a) As part of the county building official's responsibilities under section 6-1, the county building official will enforce the requirements pertaining to flood-resistant construction in Appendix G of the Michigan Building Code ("Appendix G") as well as all other flood-related provisions throughout the Michigan Building Code and Michigan Residential Code.

(b) The Federal Emergency Management Agency ("FEMA") has produced a Flood Insurance Study ("FIS") dated January 16, 2015 and entitled "Ionia County, Michigan (All Jurisdictions)." FEMA has also produced Flood Insurance Rate Maps dated January 16, 2015, and marked as panel numbers 26067C, 0292D, and 0294D. These documents are adopted by reference and are declared to be a part of Section 1612.3 of the Michigan Building Code and to provide content to the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code.

Sec. 6-3. - Refuse building materials.

(a) The term "refuse building materials," as used in this section, shall include wood, plaster, stone, brick or other waste and unused materials resulting from the repair or construction of buildings.

(b) It shall be the duty of the owner, occupant, contractor or other person responsible for construction work to remove from the premises within a reasonable time after the completion of

such construction work, not to exceed 30 calendar days, all surplus construction material and all refuse building material. Such materials shall be removed outside the village limits or disposed of within the village in accordance with the directions of the superintendent of public works.

Sec. 6-4. - Securing unoccupied buildings and structures.

Any owner, lessee or other person offering a building, structure or part of a building or structure for sale or lease or having a building or part of a building or structure under his ownership, partial ownership or control shall keep the building, structure, or part of the building or structure secure when it shall be vacant or unoccupied. Such building, structure or part of the building or structure shall be deemed secure when all exterior openings are secured. All missing, partly missing or unlockable doors and windows or door and window openings shall be covered with exterior plywood sheathing of at least three-eighths-inch thickness nailed to the frame or casing with number six or number eight box coated nails.

Sec. 6-5. - Property maintenance code.

(a) Adopted. There is hereby adopted by reference the International Property Maintenance Code, 2018 edition, as published by the International Code Council, as the property maintenance code of the village, for the control of buildings and structures as provided in this chapter, and each and all of the regulations, provisions, penalties, conditions and terms of such code are hereby referred to, adopted and made a part of this article as if fully set out in this section, with the additions, insertions, deletions and changes, if any, prescribed in subsection (b) (d) of this section.

(b) Purpose. The purpose of the property maintenance code is to ensure public health, safety and welfare insofar as they are affected by the maintenance of all property, buildings and structures within the Village.

(c) Definitions. Whenever the words "village," "jurisdiction" or "governmental unit" are used in the International Property Maintenance Code, 2018 Edition, they shall mean the Village of Lake Odessa. Whenever the word "state" is used in the International Property Maintenance Code, 2018 Edition, it shall mean the State of Michigan.

(d) Additions, insertions and changes. The following sections of the International Property Maintenance Code, 2018 edition, are hereby amended or deleted, or additional sections or subsections are added, as follows:

Section 101.1. Insert: Village of Lake Odessa.

Section 102.3 Application of Other Codes is amended to read as follows:

102.3 Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Michigan Building Code, the Michigan Residential Code, the Michigan Mechanical

Code, the Michigan Plumbing Code, the Michigan Electrical Code and the Village of Lake Odessa Fire Code.

102.3.1. Reference to other codes. Whenever the "International Building Code" or "building code" is referenced in this Code it shall mean the Michigan Building Code. Whenever the "International Mechanical Code" is referenced in this Code it shall mean the Michigan Mechanical Code. Whenever the "International Plumbing Code" is referenced in this Code it shall mean the Michigan Plumbing Code. Whenever the "International Electrical Code" or "NFPA 70" is referenced in this Code it shall mean the Michigan Electrical Code. Whenever the "International Fire Code," "fire code" or "NFPA 25" is referenced in this Code it shall mean the Village of Lake Odessa Fire Code. Whenever the "International Zoning Code" is referenced in this Code it shall mean the Lake Odessa Zoning Ordinance.

Section 103.1 Code Official. References to the "code official" shall be deemed to refer to the village manager of the Village of Lake Odessa, or the village manager's designee.

Section 103.2. Deleted.

Section 103.5. Insert: The rates/fees/charges shall be adopted by a separate schedule approved by resolution of the village council.

Section 104.1 General is amended to read as follows:

104.1 General. The code official shall enforce the provisions of this code. Under the direction of the code official, the personnel designated in Village of Lake Odessa Code of Ordinances section 2-282, as amended, are also authorized to issue municipal civil infraction citations and notices to enforce this ordinance.

Section 106.3 Prosecution of Violation is amended to read as follows:

106.3 Prosecution of Violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be deemed guilty of a municipal civil infraction as provided for in Chapter 2, Article VII of the Village of Lake Odessa Code of Ordinances, as amended, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4. Violation penalties. Any violation of this Code shall be punishable as provided in and subject to the fines and penalties provided under Section 2-288, of the Code of Ordinances of the

Village of Lake Odessa. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 111.2 Membership of Board is amended to read as follows:

111.2 Appeals Board: In order to protect existing structures in the jurisdiction by vigorous enforcement of the provisions of this code, there shall be and is hereby created a Code Appeals Board, hereafter referred to as the "Board." The Village of Lake Odessa Zoning Board of Appeals is hereby designated as the Code Appeals Board required by the International Property Maintenance Code hereby adopted, and shall have the power and duty to hear and decide such appeals as are prescribed therein.

111.2.1 Vote: The Board shall hear all appeals relative to the enforcement of the International Property Maintenance Code, and by a concurring vote of the majority of its members may reverse or affirm wholly or partly or may modify the decision appealed from, and shall make such order or determination as in its opinion ought to be made. Failure to secure such concurring votes shall be deemed a confirmation of the decision of the code official.

Section 111.2.2: Deleted.

Section 111.2.3: Deleted.

Section 111.2.4: Deleted.

Section 111.2.5: Deleted.

Section 111.3: Deleted.

Section 111.4: Deleted.

Section 111.4.1: Deleted.

Section 111.5: Deleted.

Section 111.6: Deleted.

Section 111.6.1: Deleted.

Section 111.6.2: Deleted.

Section 111.7 is Deleted.

Section 111.8 is Deleted.

Section 112.4 Failure to comply is amended to read as follows:

112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not less than \$50 nor more than \$500.

Section 302.4. Insert: eight (8) inches.

Section 304.14. Insert: March 1 to December 1.

Section 602.3. Insert: October 1 to May 15.

Section 602.4. Insert: October 1 to May 15.

Sec. 6-6. – Copies of Code.

A complete copy of the International Property Maintenance Code, 2018 Edition, is available for public use, inspection and purchase at the offices of the Village clerk.

Secs. 6-7 - 6-30. - Reserved.

ARTICLE II. - DANGEROUS STRUCTURES OR EXCAVATIONS

Sec. 6-31. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dangerous structure or excavation means any building, structure, or excavation within the village which is unsafe or which is a menace to the health or safety of the public or that has 1 or more of the following defects or is in 1 or more of the following conditions:

- (a) Interior walls or other vertical structural members that list, lean or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base.
- (b) Exclusive of the foundation, that show 33 percent or more of damage or deterioration of the supporting members or 50 percent of damage or deterioration of the non-supporting enclosing or outside walls or covering.
- (c) Improperly distributed loads upon the floors or roofs or in which the floors or roofs are overloaded or that have insufficient strength to be reasonably safe for the purpose used.
- (d) Damage by fire, wind or other causes so as to have become dangerous to life, safety, morals, or the general health and welfare of the occupants or the people of the village.
- (e) So dilapidated, decayed, unsafe, insanitary or which so utterly fail to provide the amenities essential to decent living that they are unfit for human habitation or are likely to cause sickness or disease, so as to be injurious to the health, morals, safety or general welfare of those living therein.
- (f) Exterior fences, walls or structures are ruinous or liable to fall and injure persons or property.
- (g) Whenever any door, aisle, passageway, stairway, or other means of exit does not conform to the fire prevention code of the village.

- (h) Whenever any portion has been damaged by fire, wind, flood, or by any other cause in such a manner that the structural strength or stability is appreciably less than it was before such catastrophe and is less than the minimum requirements set forth in any provision applicable for a new or similar building of like location, structure and purpose.
- (i) Whenever any portion or member or appurtenance is likely to fall or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- (j) Whenever any portion has settled to such an extent that walls or other structural portions have materially less resistance to winds than is required in the case of new construction in like location in accordance with the Michigan Building Code.
- (k) Whenever the building or structure or any part, because of dilapidation, deterioration, decay, faulty construction, or because of the removal or movement of some portion of the ground necessary for the purpose of supporting the building or structure or portion thereof, or for other reasons, is likely to partially or completely collapse, or some portion of the foundation or underpinning is likely to fall or give way.
- (l) Whenever for any reason whatsoever the building or structure or any portion is manifestly unsafe for the purpose for which it is used.
- (m) Whenever the building or structure has been so damaged by fire, wind or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children who might play therein to their danger, or as to afford a harbor for vagrants, criminals or immoral persons, or as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful or immoral act.
- (n) Whenever a building or structure used or intended to be used for dwelling purposes, because of dilapidation, decay, damage or faulty construction or arrangement or otherwise, is unsanitary or unfit for human habitation or is in a condition that is likely to cause sickness or disease when so determined by the health officer, or is likely to work injury to the health, safety or general welfare of those living within.
- (o) Whenever any building or structure becomes vacant, dilapidated and open at any door or window, leaving the interior of the building or structure exposed to the elements or accessible to entrance by trespassers.
- (p) Whenever a building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease or rent. This subdivision does not apply if the owner or agent of said building or structure notifies the village manager that the building or structure will remain unoccupied for a period of 180 consecutive days, so long as said notification is given by said owner or agent not more than 30 days after the building or structure becomes unoccupied, or if the owner maintains the exterior of the building or structure and adjoining grounds in accordance with this section and applicable building code. Further, this subdivision does not apply to a secondary dwelling unit of the owner such as a vacation home, hunting cabin or summer home that is occupied by the owner or a member of the owner's family

during part of the year so long as the owner notifies the village manager that the dwelling will remain unoccupied for a period of 180 consecutive days or more each year.

- (q) Having light, air, and sanitation facilities that are inadequate to protect the health, morals, safety, or general welfare of human beings who live or may live therein.
- (r) Inadequate facilities for egress in case of fire or panic or having insufficient stairways, elevators, fire escapes, or other means of travel.
- (s) Parts that are so attached that they may fall and injure members of the public or property.
- (t) Because their condition are unsafe, insanitary, or dangerous to the health, morals, safety or general welfare of the people of this village.
- (u) Existing in violation of any provision of the state, county or village building codes, fire prevention codes or health codes.
- (v) All excavations that are in any public place or that are situated on private property as to attract the public if such excavations create a hazard and are unguarded.
- (w) All excavations that remain unfilled or uncovered for a period of 90 days or longer and that are so situated so as to endanger the safety of the public.

For purposes of this article, whensoever “building”, “structure”, or “excavation” is used it shall be deemed to be inclusive of the other terms.

Sec. 6-32. - Prohibited; declaration of nuisance.

No person shall maintain any dangerous structure or excavation, and any such structure or excavation is declared to be a public nuisance and shall be repaired, vacated, or demolished in accordance with this article.

Sec. 6-33. - Standards for repair, vacation and demolition.

The following standards shall be followed in substance by the village manager in ordering repair, vacation, or demolition:

- (a) If the dangerous structure or excavation is in such condition as to make it dangerous to the health, morals, or general welfare of its occupants it shall be ordered to be vacated.
- (b) If the dangerous structure or excavation can reasonably be repaired so that it will no longer exist in violation of the terms of this Chapter it shall be ordered repaired.
- (c) In any case where a dangerous structure is 50 percent damaged or decayed, or deteriorated from its original value or structure, it shall be demolished, and in all cases where a structure cannot be repaired so that it will no longer exist in violation of the terms of this article it shall be demolished. In all cases where a dangerous structure or excavation is a fire hazard

existing or erected in violation of the terms of this Code, or other ordinance of the village or state law, it shall be demolished.

Sec. 6-34. - Notice and hearing of condemnation.

The village council may, after notice to the owner of record and after holding a public hearing thereon, condemn a dangerous structure or excavation by giving notice to the owner of record of the land upon which such structure or excavation is located, specifying in what respects the structure or excavation is a public nuisance and requiring the owner to alter, repair, tear down, or remove the structure or fill the excavation within such reasonable time, not exceeding 60 days, as may be necessary to do the work or to have the work done as required by the council. The notice may also provide a reasonable time within which such work shall commence.

A hearing officer shall be appointed by the village manager to serve at his or her pleasure. The hearing officer shall be a person who has expertise in housing matters, including but not limited to, an engineer, architect, building contractor, municipal manager, or member of a community housing organization. The hearing officer shall not be an employee of the village.

Sec. 6-35. - Procedure upon failure to comply.

(a) If the owner, agent or lessee fails to appear or neglects or refuses to comply with an order of the village manager and pursuant to this article, the village manager shall file a report of his findings and a copy of his order with the hearing officer and request that the necessary action be taken to demolish or otherwise make safe the dangerous structure or excavation. The copy of the findings and order of the village manager shall be served on the owner, agent, lessee or party in interest in the dangerous structure or excavation in whose name the property appears on the last local tax assessment records. The notice shall be served either personally or by certified mail, return receipt requested, addressed to the owner or party in interest at the address shown on the tax records. If a notice is served on a person by certified mail, a copy of the notice shall also be posted upon a conspicuous part of the dangerous structure or excavation. The notice shall be served upon the owner or party in interest at least ten days before the date of the hearing included in the notice.

(b) The hearing officer shall fix a date for hearing, reviewing the findings and order of the village manager and shall give notice to the owner, agent or lessee in the manner prescribed in subsection (a) hereinabove, of the time and place of the hearing. At the hearing, the owner, agent or lessee shall be given the opportunity to show cause why the dangerous structure or excavation should not be demolished or otherwise made safe. The hearing officer, not more than five days after completion of the hearing, shall render a decision either closing the proceedings or ordering the structure or excavation demolished or otherwise made safe, or properly maintained.

If the hearing officer determines that the building or structure should be demolished or otherwise made safe, or properly maintained, the hearing officer shall so order, fixing a time in the order for the owner, agent or lessee to comply with the order. The order may require the owner or agent to maintain the exterior of the building or structure and adjoining grounds owned by the

owner of the building or structure, including but not limited to, the maintenance of lawns, trees and shrubs.

(c) If the owner, agent or lessee fails to appear or neglects or refuses to comply with the order, the hearing officer shall file a report of the findings and a copy of the order with the village council not more than five days after non-compliance by the owner and request that necessary action be taken to enforce the order. A copy of the findings and order of the hearing officer shall be served on the owner, agent or lessee in the manner prescribed in subsection (a) above.

(d) The village council shall fix a date not less than 30 days after the hearing presided over by the hearing officer, for a hearing on findings and order of the hearing officer, and shall give notice to the owner, agent or lessee in the manner prescribed in subsection (a) of the time and place of this hearing. At the hearing, the owner, agent or lessee shall be given the opportunity to show cause why the order should not be enforced. The village council shall either approve, disapprove or modify the order. If the village council approves or modifies the order, they shall take all necessary action to enforce the order. If the order is approved or modified, the owner, agent or lessee shall comply with the order within 60 days after the date of the hearing under this subsection. In the case of an order of demolition, if the village council determines that the dangerous structure or excavation has been substantially destroyed by fire, wind, flood or other natural disaster and the cost of repair of the building or structure will be greater than the state equalized value of the structure or excavation, the owner, agent or lessee shall comply with the order of demolition within 21 days after the date of the hearing under this subsection.

(e) The cost of the demolition, of making the structure safe, or of maintaining the exterior of the structure or grounds adjoining the building or structure incurred by the village, including the costs and expenses associated with enforcing this article and/or the costs and expenses of any necessary legal action necessary to bring the property into conformance with this article, shall be reimbursed to the village by the owner or party in interest in whose name the property appears.

(f) The owner or party in interest in whose name the property appears upon the last local tax assessment records shall be notified by the village treasurer of the amount of the costs of demolition, of making the building safe, or of maintaining the exterior of the building or structure or grounds adjoining the building or structure, including all costs referenced in subsection (e) above, by first class mail at the address shown on the records. If the owner or party in interest fails to pay the costs within 30 days after mailing by the village treasurer of the notice of the amount of the cost, the village shall have a lien for the costs incurred by the village to bring the property into conformance with this article. The lien shall not take effect until notice of the lien has been filed or recorded as provided by law. A lien provided for in this subsection does not have priority over previously filed or recorded liens and encumbrances. The lien for the costs shall be collected and treated in the same manner as provided for property tax liens under the General Property Tax Act, Act. 206 PA 1893.

(g) In addition to other remedies under this act, the village may bring an action against the owner of the building or structure for the full cost of the demolition, of making the building or structure safe, or of maintaining the exterior of the building or structure or grounds adjoining the

building or structure. These costs shall include any and all costs incurred by the village associated with the enforcement of this article and/or any costs incurred in prosecuting any legal action necessary to bring the property into conformance with this article. The village shall have a lien on the property for the amount of a judgment obtained pursuant to this subsection.

(h) A judgment in an action brought pursuant to the preceding subsection may be enforced against the assets of the owner other than the building or structure. The village shall have a lien for the amount of a judgment obtained pursuant to the previous subsection against the owner's interest in all real property located in this state that is owned in whole or in part by the owner of the building or structure against whom the judgment is obtained.

Sec. 6-36. - Method of service.

In all cases, except emergency cases, where the owner, occupant, lessee or mortgagee is absent from the village, all notices or orders provided for in this article shall be sent registered or certified mail, return receipt requested, to the owner, occupant, lessee, mortgagee and all other persons having an interest in the building or structure as shown by the land records of the county register of deeds to the last known address of each, and a copy of the notice shall be posted in a conspicuous place on the dangerous structure or excavation to which it relates. Such mailing and posting shall be deemed adequate service.

Sec. 6-37. - Abatement generally.

If the owner has not complied with the requirements of any notice or order, the village may carry out the requirements including the demolition, making the structure safe, or maintaining the exterior of the structure or grounds adjoining the building or structure. The cost of such abatement shall be charged against the premises and the owner of the premises consistent with this article.

Sec. 6-38. - Emergency abatement.

When, in the opinion of the village manager, there is actual and immediate danger to life, health or morals by virtue of the existence of a dangerous structure or excavation as herein defined, he shall cause the necessary work to be done to render such building or structure, or part thereof, temporarily safe, whether or not the legal procedure herein described has been instituted. The cost of such abatement shall be charged against the premises and the owner of the premises consistent with this article.

Sec. 6-39. - Costs of abatement.

(a) Whenever the village shall enter upon any lot or parcel of land in order to accomplish abatement of a public nuisance, pursuant to provisions of this section, the village department of public works director is hereby authorized and directed to keep an accurate account of all expenses incurred, and, based upon these expenses, to issue a certificate determining and certifying the reasonable cost involved for the work with respect to each parcel of property.

(b) Within ten days after receipt of the certificate, the village treasurer shall forward a statement of the total charges assessed on each parcel of property to the person shown as the owner by the last current tax roll, and the assessment shall be payable to the village treasurer within 30 days from the date the statement was forwarded.

(c) If the owner of a lot, lots or premises fails to pay the bill within 30 days from the date the bill is mailed, the council may cause the amount of the expense incurred, together with a penalty and administrative fee of ten percent, to be levied by them as a special assessment upon the lot, lots or premises as provided in section 26-28, or as provided by this article, or the amount thereof shall be collected by court action.

Sec. 6-40. - Administrative liability.

No officer, agent, or employee of the village shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this article. Any suit brought against any officer, agent or employee of the village as a result of any act required or permitted in the discharge of his duties under this article shall be defended by the village attorney until the final determination of the proceedings.

Section 2. Conflict and Repeal. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 3. Effective Date. This ordinance shall take effect seven days following its publication in a newspaper circulated within the Village.

Section 4. Publication. After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the Village Clerk in a newspaper of general circulation in the Village.

Ayes:
Nays:
Abstain:
Absent:

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2020

Karen L. Banks, Village President

Patrick Reagan, Interim Village Clerk

CERTIFICATION

I, the undersigned duly appointed Village Clerk of the Village of Lake Odessa, Ionia County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was

published in the Lakewood News, a newspaper of general circulation in the Village, on _____, 2020, and that such ordinance was entered into the Ordinance Book of the Village on _____, 2020.

Date: _____

Patrick Reagan, Interim Village Clerk

**VILLAGE OF LAKE ODESSA
IONIA COUNTY, MICHIGAN**

Trustee _____, supported by Trustee _____, moved the adoption of the following ordinance:

ORDINANCE NO. 2020-_____

**AN ORDINANCE TO AMEND CHAPTER 10 THE CODE
OF ORDINANCES OF THE VILLAGE OF LAKE ODESSA**

THE VILLAGE OF LAKE ODESSA ORDAINS:

Section 1. That Chapter 10, Article II, of the Code of Ordinances, Village of Lake Odessa, Michigan, is hereby amended to read as follows:

ARTICLE II. - NUISANCES

DIVISION 1. - IN GENERAL.

Sec. 10-31. - Nuisances defined and prohibited.

- (a) Public nuisances shall include, but not be limited to, whatever is forbidden by any provision of this chapter.
- (b) Whatever annoys, injures, or endangers the safety, health, comfort, or repose of the public; offends public decency; interferes with, obstructs, or renders dangerous any street, highway, public area or navigable body of water or stream; allows accumulation of junk or obnoxious matter on private property; or in any way renders the public insecure in life or property, is hereby declared to be a public nuisance.
- (c) No person shall commit, create, or maintain any nuisance.

Sec. 10-32. - Scope of article.

Conditions enumerated in this article shall be deemed public nuisances; provided, however, such conditions shall not be exclusive, and any offensive condition, whether or not enumerated in this article, shall be deemed a nuisance.

Sec. 10-33. - Right of entry.

The police department, the village manager or their designee shall have the right to enter private property at any reasonable hour of the day or night for the purpose of making a compliance survey of the premises, for obtaining a sample of water used thereon, or for collecting other data and material pertaining to public health, safety and welfare and enforcing this article. No person shall resist or attempt to prevent such officers from carrying out the

purposes set forth in this section. Such officers shall have in their possession and shall carry upon their persons at all times, while carrying out the duties outlined in this section, sufficient credentials identifying themselves. Such credentials shall be exhibited by the bearer on demand to any person in charge of any premises such officer seeks to enter.

Sec. 10-34. - Violations.

Whenever by any section of this article the performance of any act is required or the performance of any act is prohibited, a failure to comply with such section shall constitute a violation of this article. In addition, the failure, neglect or refusal to comply with a cease and desist order of the enforcing agency or person shall constitute a violation of this article.

Sec. 10-35. - Municipal civil infraction.

A person who violates any section of this article is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section 2-288, plus costs and other sanctions, for each infraction. Repeat offenses under this article shall be subject to increased fines as provided by section 2-288.

Sec. 10-36. - Civil procedures to compel compliance.

In addition to any other remedies pursued by the village to abate violations of this article, the village may also file a complaint in circuit court for the county for an order granting the relief for which the action or proceeding is brought or for an order enjoining all persons from doing or maintaining a public nuisance. The village manager, in such petition, may also apply to the circuit court for an order authorizing the village to abate any nuisance in the village.

Sec. 10-37. - Objectionable and unhealthy conditions.

Each of the following conditions, acts, dwellings, structures and property is considered objectionable and/or unhealthy and is declared to be a public nuisance and shall require the owner to correct the nuisance under this article:

- (a) Any building, erection, structure, cellar, or any part thereof which is overcrowded or does not provide adequate means of egress or ingress.
- (b) Any dwelling or residential building which does not have adequate facilities for the disposal of human excreta or other sewage.
- (c) Any dwelling or residential building which does not have a reasonably necessary amount of clean water for use on the premises.
- (d) Any building which is not adequately ventilated, drained, cleaned, and lighted.
- (e) Any structure, yard, or lot which is conducive to the harboring or breeding of insects, vermin, rats or other rodents.

- (f) Every cellar, foundation or excavation for any building, pool, pond and/or vessel which contains stagnant or putrid water.
- (g) An unclean building, yard, or lot that includes any unreasonable accumulation of garbage, rubbish, ashes, branches, leaves, or yard clippings.
- (h) All methods of human excreta disposal, except toilets properly maintained and connected with a sanitary sewer or septic tank which has been constructed and maintained in accordance with this Code or other village ordinances.
- (i) All clogged or choked sewers and house drains.
- (j) The discharge of any household or industrial liquid waste or any foul or nauseous liquid, water or other substance into or upon any highway, street, lane, alley, public space, square or into any adjacent lot or ground.
- (k) The pollution of any stream or body of water by depositing into the stream or water body or upon any adjacent highway, street, lane, alley, public street or square or into any adjacent lot or grounds any refuse, foul or nauseous liquid or water, creamery or industrial waste, or by forcing or discharging into any public or private sewer or drain any steam, vapor or gas.
- (l) The emission of noxious fumes or gas in such quantities as to render occupancy of property uncomfortable to a person of ordinary sensibilities.
- (m) All explosives, flammable liquids and other dangerous substances stored in any manner or in any amount contrary to the state statutes.
- (n) The accumulation of dust, papers or debris on any public parking lot or any parking lot maintained by any establishment for the use of its customers so that such dust, papers or debris may be blown upon adjoining, surrounding and other premises and be offensive or cause damage to the owners or occupants of such premises. The owner, lessee, operator or person in charge of such lot shall take such measures and shall treat the surface of such lot in a manner that dust, papers or debris shall not be blown therefrom in violation of this subsection.
- (o) Dangerous structures or excavations as defined by Chapter 6, Buildings and Building Regulations.
- (p) The presence of a dismantled, partially dismantled, unlicensed or inoperable vehicle, or parts of a vehicle on any platted or unplatted parcel of land as defined by this Chapter.

Sec.-10-38. - Posting of signs, advertisements, etc.

- (a) No person shall attach, place, paint, write, stamp, or paste any sign, advertisement, or any other matter upon any lamppost, electric light, railway, telegraph or telephone pole, shade tree, fire hydrant, or any box covering them; or any bridge, pavement, sidewalk, public building, or

any property or thing belonging to the village, or on any article or thing within any park. This subsection shall not be construed to prevent any public officer from doing the acts prohibited in this subsection for any purpose authorized by law.

(b) No person shall attach, place, paint, write, stamp, or paste any sign, advertisement, or other matter upon any house, wall, fence, gate, post, tree, or tree-box, without first having obtained the written permission of the owner, agent or occupant of the premises, or in compliance with the provisions of state law or provisions of this Code.

Secs. 10-39 - 10-60. - Reserved.

DIVISION 2. - ABATEMENT

Sec. 10-61. - Access.

The police department, the village manager or their designee shall be granted free access to and from any land for the work necessary to accomplish the abatement of any violation of this article found to exist, when such abatement is authorized by ordinance. No person shall obstruct or prevent such work. Such authorized representatives, after performing their duties in a prudent manner, shall not be liable for suit in any action of trespass therefor and shall be defended in any action arising therefrom by the village attorney until the final disposition of the proceedings.

Sec. 10-62. - Procedure.

(a) Where no other procedure is made specifically applicable by another section of this Code, any structure, condition or activity prohibited by this article may be abated by the village manager in accordance with the procedures in this division.

(b) The village manager shall first investigate the existence of the alleged nuisance to determine whether or not a public nuisance, as defined in this article, exists and to further determine the person who has created or is committing or maintaining such nuisance.

(c) The village manager shall then give written notice to the person responsible for the creation, commission or maintenance of such nuisance, specifying in particular the nature thereof, the corrective action to be taken to abate the nuisance and the time limit for abatement of such nuisance, which shall be a reasonable time but not to exceed ten days from the time the notice is served. Such notice shall be by registered or certified return receipt mail.

(d) If, at the expiration of the time limit in the notice, the person responsible for the commission, creation or maintenance of any nuisance shall not have complied with the requirements of the notice, the village may carry out the abatement requirements of the notice. The cost of such abatement shall be a debt owed the village by the person responsible for the commission, creation or maintenance of such nuisance and, if the nuisance is attributable to the use, occupancy or ownership of any land or premises within the village, shall be charged against such premises and the owner thereof.

(e) Whenever the village shall enter upon any lot or parcel of land in order to accomplish abatement of a nuisance, pursuant to provisions of this article, the village department of public works director is hereby authorized and directed to keep an accurate account of all expenses incurred, and, based upon these expenses, to issue a certificate determining and certifying the reasonable cost involved for the work with respect to each parcel of property.

(f) Within ten days after receipt of the certificate, the village treasurer shall forward a statement of the total charges assessed on each parcel of property to the person as shown as the owner by the last current tax roll and the assessment shall be payable to the village treasurer within 30 days from the date the statement was forwarded.

(g) If the owner of a lot, lots or premises fails to pay the bill within 30 days from the date the bill is mailed, the council may cause the amount of the expense incurred, together with a penalty and administrative fee of ten percent, to be levied by them as a special assessment upon the lot, lots or premises as provided in section 26-28, or the amount thereof shall be collected by court action.

Sec. 10-63. - Additional remedies.

Any action taken by the village to abate any nuisance under this division or any other section of this Code shall not affect the right of the village to institute proceedings against the person committing, creating or maintaining any nuisance for violation of this article, nor shall it affect the imposition of the penalty prescribed for such violation. As an additional remedy, upon application by the village to any court of competent jurisdiction, the court may order the nuisance abated and/or the violation or threatened violation restrained and enjoined.

Sec. 10-64. - Appeal hearing.

Except as otherwise provided in this article, appeals from any notice or order of any officer charged with the enforcement of this article shall be made to the village council within ten days from the date of service of the notice or order, provided that if the time limit specified for compliance is less than ten days, the appeal shall be within the time limit specified for compliance. The appellant shall file a written notice of appeal, specifying the ground therefor with the village manager. With each notice of appeal filed there shall be paid a fee of \$10.00. The village council shall fix a reasonable time for the hearing of the appeal and shall give notice thereof to all interested parties. The village council may reverse or affirm, in whole or in part, or make such order or decision with regard to the appeal as is determined necessary and shall have all the power of the officer from whom the appeal was taken.

Secs. 10-65 - 10-90. - Reserved.

Section 2. That Chapter 10, Article III of the Code of Ordinances, Village of Lake Odessa, Michigan, is hereby amended to read as follows:

ARTICLE III. - TREES AND SHRUBS

Sec. 10-91. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Large trees means those trees obtaining a height of 50 feet or more.

Medium trees means those trees obtaining a height of more than 25 feet but less than 50 feet.

Park trees means trees, shrubs, bushes and all other woody vegetation in public parks, on public property, and on all areas owned by the village or to which the public has free access as a park.

Small trees means those trees obtaining a height of less than 25 feet.

Street trees means trees, shrubs, bushes and all other woody vegetation on land lying between property lines on either side of all streets, avenues or rights-of-way within the village.

Sec. 10-92. - Village tree board - Generally.

(a) Established; composition. There is hereby created and established a village tree board which shall consist of three members, one such member to be a member of the village council appointed by the village president with the approval of the village council; one such member to be an employee of the department of public works, appointed by the president with the approval of the council; and the third member to be the village manager. If no village manager shall be employed by the village, then the third member shall be a resident appointed by the president with the approval of the council.

(b) Term of office. Members of the village tree board shall serve until their successor has been appointed.

(c) Compensation. Members of the village tree board shall serve without compensation.

(d) Operation. The village tree board shall choose its own officers, make its own rules and regulations, and keep a journal of its proceedings. A majority of the members of the village tree board shall be a quorum for the transaction of business.

Sec. 10-93. - Same - Duties and responsibilities.

(a) It shall be the responsibility of the village tree board to study, investigate, counsel, develop, and make recommendations to the village council for the care, preservation, pruning, planting, replanting, removal or disposition of street trees and park trees.

(b) Action on special matters. The village tree board, when requested by the village council, shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its duties and responsibilities.

Sec. 10-94. - Requirements for street trees.

(a) Species to be planted. The species set forth in this subsection shall constitute the official street tree species for the village. No species other than those included in this subsection may be planted as street trees without written permission of the village tree board.

- (1) Large trees (50 feet or more):
Superform maple (*Platanoides "superform"*).
Sugar maple (*Saccharum hard maple*).
Shademaster honeylocust (*Gleditsia triacanthus inermis "shademaster"*).
Skyline honeylocust (*Tricanthos inermis "skyline"*).
- (2) Medium trees (25 feet to 50 feet):
Crimson king maple (*Platanoides "crimson king"*).
Royal red maple (*Platanoides "royal maple"*).
Imperial honeylocust (*Triacanthos inermis "imperial"*).
- (3) Small trees (less than 25 feet):
Eastern redbud (*Cercis canadensis*).
Flowering dogwood (*Cornus*).
Allegheny serviceberry (*Amelanchier laevis*).

(b) Spacing. The spacing of street trees will be in accordance with the three species size classes listed in subsection (a) of this section, and no trees may be planted closer together than the following: Small trees, 30 feet (9.1 m); medium trees, 40 feet (12.2 m); large trees, 50 feet (15.2 m), except as approved in writing by the village tree board.

(c) Distance from curb and sidewalk. The distance trees may be planted from curbs or curblines and sidewalks will be in accordance with the three species size classes listed in subsection (a) of this section, and no trees may be planted closer to any curb or sidewalk than the following: Small trees, two feet (0.61 m); medium trees, three feet (0.91 m); and large trees, four feet (1.22 m).

(d) Distance from street corners and fire hydrants. No street tree shall be planted closer than 35 feet (10.67 m) to any street corner, measured from the point of nearest intersecting curbs or curblines. No street tree shall be planted closer than 15 feet (4.57 m) to any fire hydrant.

(e) Obstructing utilities. No street trees other than those species listed as small trees in subsection (a) of this section may be planted under or within ten lateral feet (3.05 m) of any overhead utility wire, or over or within five lateral feet (1.52 m) of any underground water line, sewer line, transmission line or other utility.

Sec. 10-95. - Planting trees on private property.

- (a) Distance from street right-of-way. No person shall plant any tree on private property within the village unless the distance from the center of the trunk of such tree to the nearest street right-of-way line measures six feet or more.
- (b) Planting of small trees on private property. No person shall plant on private property within the village any tree enumerated in section 10-74(a) as small trees within five lateral feet of any underground water line, sewer line, transmission line or other utility.
- (c) Planting of medium trees on private property. No person shall plant on private property within the village any tree enumerated in section 10-74(a) as medium trees within ten lateral feet of any underground water line, sewer line, transmission line or other utility.
- (d) Planting of large trees on private property. No person shall plant on private property within the village any tree enumerated in section 10-74(a) as large trees within 15 lateral feet of any underground water line, sewer line, transmission line or other utility.
- (e) Written approval for planting certain trees. No person shall plant on private property within the village any poplar, box elder, basswood, willow, silver maple, common catalpa, horse-chestnut, Chinese elm tree or "tree of heaven" without first obtaining the written approval of the village tree board.
- (f) Distance from utility lines. No person shall plant on private property within the village any tree not enumerated in section 10-74(a) and not prohibited in this section within 25 lateral feet of any underground water line, sewer line, transmission line or other utility.

Sec. 10-96. - Street tree and park tree care.

The village shall have the right to plant, prune, maintain and remove street trees, park trees, plants and other vegetation within the lines of all streets, alleys, avenues, lanes, squares, rights-of-way and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. The village may remove, or cause or order to be removed, any tree or part thereof which is in an unsafe condition or which by reason of its nature is injurious to sewers, electric power lines, gas lines, water lines, cable lines, or other public improvements, or is affected with any injurious fungus, insect or other pest. This section shall not prohibit the planting of street trees by adjacent property owners provided that the selection and location of such trees is in accordance with section 10-94.

Sec. 10-97. - Tree topping.

It shall be unlawful for any person or entity to top any street tree or park tree without the written consent of the village tree board. "Topping" is defined as the severe cutting back of limbs to stubs larger than three inches in diameter within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree. Trees severely damaged by storms or other causes, or certain trees under utility wires or other obstructions where other pruning practices are

impractical, may be exempted from the provisions of this section by a determination of the village tree board.

Sec. 10-98. - Pruning, corner clearance.

(a) Every owner of any tree overhanging any street right-of-way within the village shall prune the branches so that such branches shall not obstruct the light from any streetlamp or obstruct the view of any street intersection, and so that there shall be a clear space of eight feet (2.43 m) above the surface of the street or sidewalk. Such owners shall remove all dead, diseased or dangerous trees, or broken or decayed limbs that constitute a menace to the safety of the public.

(b) The village shall have the right to prune any tree or shrub on private property when it interferes with the proper spread of light along the street from a street light, or interferes with the visibility of any traffic control device or sign.

Sec. 10-99. - Dead or diseased tree removal on private property.

(a) Removal generally; notice. The village shall have the right to cause the removal of any dead or diseased trees on private property within the village when such trees or parts thereof constitute a hazard to life and property, or harbor insects or disease that constitute a potential threat to other trees within the village. The village shall send notice by first class mail to the owner of the private property, as appears from the assessment records, with a copy of such notice sent by first class mail to the occupant. Removal shall be done by such owners or occupants at their own expense within 60 days after the date of mailing of notice.

(b) Removal by village. In the event of failure of owners or occupants to comply with this section, the village shall have the authority to remove such trees and charge the cost of removal on the owner's property tax notice. In addition, the village may elect to recover such amount through court action.

Sec. 10-100. - Removal of stumps.

All stumps of street trees and park trees shall be removed below the surface of the ground so that the top of the stump shall not project above the surface of the ground.

Sec. 10-101. - Recovery of value of lost street trees or park trees.

(a) Recovery of value for damaged trees. Whenever the village tree board shall determine that any street tree or park tree has been impaired, damaged or broken in a manner which will cause immediate or future removal of the tree and that such removal is deemed premature and untimely based on the condition, vigor, location, kind and age of the tree and the board shall have knowledge of the person causing such damage, then the board shall assess against the responsible person the value of the tree as determined by use of the Michigan Forestry and Parks Association Shade Tree Evaluation Chart, or, at the election of the board, by appraisal.

(b) Recovery of value of destroyed trees. Whenever the village tree board shall determine that any street tree or park tree has been severed, destroyed or removed, and that such severing, destruction or removal is deemed premature and untimely based on the condition, vigor, location, kind and age of the tree, and the board shall have knowledge of the person causing such damage, then the board shall assess against the responsible person the value of the tree, as determined by use of the Michigan Forestry and Parks Association Shade Tree Evaluation Chart, or, at the election of the board, by appraisal.

(c) Choice of replacement tree. This section shall not be construed in such a way that the value received by the village shall be less than the actual cost of the removal of the tree and replacement with a tree determined comparable by the village tree board, such replacement tree to be not less than three inches in diameter measured at the height of six inches above the ground. The village tree board shall not be restricted in its choice as to the replacement planting site.

(d) Duty of police department. It shall be the duty of the village police department, having knowledge of any damage or destruction to street trees or park trees and having knowledge of the person causing such damage, to immediately report this information to the village tree board.

(e) Duty of tree board. It shall be the duty of the village tree board to notify the village council of any damage to street trees or park trees for which recovery could be sought under the provisions of this section.

Sec. 10-102. - Arborist's license and bond.

It shall be unlawful for any person to engage in the business or occupation of pruning, treating or removing street trees or park trees within the village without first applying for and procuring a permit. The permit fee shall be set annually by the village tree board and paid in advance; provided, however, that no permit shall be required of any public service company or village employee doing such work in the pursuit of their public service endeavors. Before any permit shall be issued, each applicant shall first file evidence with the village clerk of possession of liability insurance in the minimum amounts as set by resolution of the village council from time to time, indemnifying the village or any person injured or damaged resulting from the pursuit of such endeavors as described in this section. After receipt of the required permit fee and acceptable insurance information, the permit shall be issued by the village clerk.

Sec. 10-103. - Appeals to village council.

Any person may appeal from any ruling or order of the village tree board to the village council, who shall hear the matter and affirm, reverse or amend the decision of the village tree board.

Sec. 10-104. - Interference with village tree board.

It shall be unlawful for any person to prevent, delay or interfere with the village tree board, or any of its agents, while engaging in and about the inventoring, planting, identifying,

tagging, cultivating, mulching, pruning, spraying or removing of any street trees, park trees or trees on private grounds, as authorized in this article, or to remove, deface, mutilate or destroy any tree tag or other identifying device attached to any street trees, park trees, or trees on private ground by the village tree board, or any of its agents.

Sec. 10-105. - Penalty for violations of article.

Any person violating any provision of this article shall be guilty of a misdemeanor, and upon conviction or a plea of guilty, shall be subject to a fine as provided in section 1-17 of this Code. Any such fine shall be separate from the recovery of value provided in this article, and the maximum amount of the fine provided for in this section shall in no way limit the amount of the value which may be recovered under the provisions of this article.

Secs. 10-106 - 10-130. - Reserved.

Section 3. That Chapter 10, Article IV of the Code of Ordinances, Village of Lake Odessa, Michigan, is hereby amended to read as follows:

ARTICLE IV. - WEEDS

Sec. 10-131. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Weeds means all plant growth except flowers, vegetables, agricultural crops, trees, bushes or grass, whether noxious or otherwise.

Sec. 10-132. - Public nuisance declared.

All weeds and grass standing at the height of eight inches or more on land within the village, unless otherwise excepted in this article, are hereby declared to be a public nuisance.

Sec. 10-133. - Unlawful height of weeds and grass.

It shall be unlawful for any person to permit weeds or grass to reach a height of eight inches or more on land owned by or under the possession, control or occupancy of such person within the village, including any public right-of-way or easement portion thereof.

Sec. 10-134. - Responsibility for cutting.

It shall be the duty of the occupant of every premises and the owner of every unoccupied premises within the village to cut, remove, or destroy by lawful means all such weeds and grass as often as may be necessary to comply with the provisions of section 10-133.

Sec. 10-135. - Exceptions.

(a) It shall not be unlawful to allow the growth of weeds or grass to a height of eight inches or more in land areas not within platted subdivisions, except upon that part of such areas of land within 50 feet of any lot line of a platted subdivision, or the property line of any parcel upon which there is a dwelling house, or street, road or highway right-of-way.

(b) The non-owner occupants of a multiple-family housing structure containing three or more residential rental units shall not be subject to the provisions of this article. This does not, however, preclude the owner or agent of said structure from compliance with this article.

Sec. 10-136. - Notice; posting and publication.

(a) Publication. The village shall cause notice of the purpose of this article and the intent of the village to enforce it to be published once in April of each year in a newspaper of general circulation within the village.

(b) Notice of violation. Notice of violation of sections 10-133 or 10-134 shall be given by delivering the notice personally to the occupant or owner of the property; or by leaving notification at his residence, office or place of business; or by mailing notice to such occupant or owner at his last known address; or by posting the notice in a conspicuous place on the premises. One notification for failure to comply with the provisions of either sections 10-133 or 10-134 shall be given during the calendar year.

Sec. 10-137. - Abatement of nuisance.

(a) Upon receiving notification as set forth in section 10-136(b), the occupant or owner of unoccupied premises shall cause the weeds, grass and other vegetation to be cut, removed, or destroyed by lawful means within 72 hours, and shall thereafter continue to maintain such vegetation at a height of less than eight inches for the remainder of the calendar year.

(b) Failure to cure a violation of section 10-133 or 10-134 in a timely manner will cause the village to abate the violation. The village shall keep an account of the expense of the abatement, and such expense shall be charged to and paid by the owner, occupant or person in possession or control of the premises. Fees for abatement by the village shall be determined from time to time by resolution of the village council.

Sec. 10-138. - Costs of abatement constitute lien.

(a) Charges for weed or grass cutting shall be due within 30 days from the date the bill is mailed. If payment is not received by the due date, a late fee of \$50.00 shall be charged.

(b) Charges for weed or grass cutting shall become a lien upon the premises. Whenever a bill for such charges has been rendered and remains unpaid by May 1 of the following calendar year, the treasurer may add the expense of abatement and the late fee to the next real property tax

notice for the premises, which amounts shall become delinquent if unpaid by the due date for payment of such tax and shall then bear interest at the same rate as the tax.

Sec. 10-139. - Violation.

Any violation of this article shall be punishable as a municipal civil infraction.

Secs. 10-140 - 10-160. - Reserved.

Section 4. That Chapter 10, Article III of the Code of Ordinances, Village of Lake Odessa, Michigan, entitled "Dismantled, Inoperable and Unlicensed Vehicles," is hereby renumbered as Article V and amended to read as follows:

ARTICLE V. - DISMANTLED, INOPERABLE AND UNLICENSED VEHICLES

DIVISION 1. - GENERALLY

Sec. 10-161. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dismantled or partially dismantled vehicle means a vehicle from which some part that is ordinarily a component of such vehicle has been removed or is missing.

Inoperable motor vehicle means a motor vehicle which, because of dismantling, deterioration, disrepair or other cause, is incapable of being propelled under its own power.

Motor vehicle means any wheeled vehicle which is self-propelled or intended to be self-propelled as well as travel trailers, recreational vehicle, house trailers or camper bodies.

Unlicensed vehicle means any motor vehicle, or other vehicle requiring a license or registration, that does not have a current registration or does not have a registration tab or license plate affixed to the vehicle in the manner required by law.

Vehicle means every device in, upon or by which any person is or may be transported, or any device that may be drawn upon a highway, including a motor vehicle, travel trailer, recreational vehicle, fifth wheel, motor home, camper, watercraft, snowmobile and off-road or all-terrain vehicle, boat trailers, and utility or other trailers designed for transporting or storing another vehicle.

Sec. 10-162. - Right of entry.

The police department, village manager or their designee shall have the right to enter private property at any reasonable hour of the day or night for the purpose of making a compliance survey of the premises or collecting other data and material pertaining to public health, safety and welfare and enforcing this article. No person shall resist or attempt to prevent

such officers from carrying out the purposes set forth in this article. Such officers shall have in their possession and shall carry upon their persons at all times, while carrying out the duties outlined, sufficient credentials identifying themselves. Such credentials shall be exhibited by the bearer on demand to any person in charge of any premises such officer seeks to enter.

Sec. 10-163. - Violations.

Whenever, by any section of this article, the performance of any act is required or the performance of any act is prohibited, a failure to comply with such section shall constitute a violation of this article. In addition, the failure, neglect or refusal to comply with a cease and desist order of the enforcing agency or person shall constitute a violation of this article.

Sec. 10-164. - Municipal civil infraction.

A person who violates any section of this article is responsible for a municipal civil infraction, subject to payment of a civil fine as set forth in section 2-288, plus costs and other sanctions, for each infraction. Repeat offenses under this article shall be subject to increased fines as provided by section 2-288.

Sec. 10-165. - Civil procedures to compel compliance.

In addition to any other remedies pursued by the village to abate violations of this article, the village may also file a complaint in circuit court for the county for an order granting the relief for which the action or proceeding is brought or for an order enjoining all persons from doing or maintaining such nuisance. The village manager, in the petition, may also apply to the circuit court for an order authorizing the village to abate any nuisance in the village.

Sec. 10-166. - Evidence of nuisance.

The presence of a dismantled, partially dismantled, unlicensed or inoperable vehicle, or parts of a vehicle on any platted or unplatted parcel of land in violation of this article is declared to be a public nuisance.

Sec. 10-167. - Storage on private property.

No person shall store on, place on or permit to be stored or placed on or allowed to remain on any private property within the village a dismantled, partially dismantled, unlicensed, or inoperable vehicle, or any parts of a vehicle, except within a completely enclosed building or upon the premises of an authorized junkyard business as may be permitted under the zoning ordinance in Chapter 36 of this Code.

Sec. 10-168. - Location permitted.

No person shall dismantle, cut up, remove parts from or otherwise disassemble any automobile, abandoned vehicle, or otherwise except in a completely enclosed building or upon

the premises of an authorized junkyard, as may be permitted under the zoning ordinance in Chapter 36 of this Code.

Sec. 10-169. - Placement on street or in front yard.

This article shall not be construed to permit parking or placing of a dismantled, partially dismantled, unlicensed or inoperable vehicle on any street area in the village or in any required front yard, as defined in section 36-5.

Secs. 10-170 - 10-195. - Reserved.

DIVISION 2. - ABATEMENT

Sec. 10-196. - Access.

The village authorized representatives shall be granted free access to and from any land for the work necessary to accomplish the abatement of any violation of this article found to exist, when such abatement is authorized by ordinance. No person shall obstruct or prevent such work. Such authorized representatives, after performing their duties in a prudent manner, shall not be liable for suit in any action of trespass therefor and shall be defended in any action arising therefrom by the village attorney until the final disposition of the proceedings.

Sec. 10-197. - Notice to remove.

The police department, village manager or their designee is authorized and empowered to notify the owner or occupant of any private property within the village or the agent of such owner to remove any dismantled, partially dismantled, unlicensed or inoperable vehicle located on the owner's property. Such notice shall be by registered mail, addressed to the owner or occupant at his last known address, or shall be delivered to the owner or occupant in person.

Sec. 10-198. - Action for noncompliance.

Upon the failure, neglect or refusal of any owner, occupant or agent notified to remove any dismantled, partially dismantled, unlicensed, or inoperable vehicle within ten days after receipt of written notice provided for in section 10-127, or within ten days after the date of return of such notice if it is returned to the village post office because of the inability to make delivery thereof, provided the notice was properly addressed to the last known address of such owner or agent, as reflected upon the village tax records, the village manager is authorized and empowered to pay for the removal of such vehicle, or to order its disposal or removal by the village.

Sec. 10-199. - Costs of removal.

The reasonable cost and expense incurred by the village in removing and storing any vehicle from the property, as provided in section 10-198 shall be determined by the village, and the amount thus determined shall be charged to the owner of the premises involved and shall be due and payable forthwith. A bill covering such amount shall be mailed by the village clerk to

the person as shown as the owner by the last current tax roll, demanding payment of the amount due. If the owner of a lot, lots or premises involved fails to pay the bill within 30 days from the date the bill is mailed, the village council may cause the amount of the expense incurred, together with a penalty and administrative fee of ten percent, to be levied by them as a special assessment upon the lot, lots or premises as provided in section 26-28, or the amount thereof shall be collected by court action.

Section 5. Conflict and Repeal. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 6. Effective Date. This ordinance shall take effect seven days following its publication in a newspaper circulated within the Village.

Section 7. Publication. After its adoption, this ordinance or a summary thereof, as permitted by law, shall be published by the Village Clerk in a newspaper of general circulation in the Village.

Ayes:
Nays:
Abstain:
Absent:

ORDINANCE DECLARED ADOPTED.

Dated: _____, 2020

Karen L. Banks, Village President

Patrick Reagan, Interim Village Clerk

CERTIFICATION

I, the undersigned duly appointed Interim Village Clerk of the Village of Lake Odessa, Ionia County, Michigan, do hereby certify that the above ordinance, or a summary thereof, was published in the Lakewood News, a newspaper of general circulation in the Village, on _____, 2020, and that such ordinance was entered into the Ordinance Book of the Village on _____, 2020.

Date: _____

Patrick Reagan, Interim Village Clerk

VILLAGE COUNCIL
VILLAGE OF LAKE ODESSA
Ionia County, Michigan

ORDINANCE NO. 2020-____

AN ORDINANCE TO AMEND SUBSECTION 36-35(H) OF THE ZONING ORDINANCE
TO ADD “SINGLE FAMILY DWELLINGS” AS A “USE PERMITTED BY RIGHT”

Council member _____, supported by Council member _____, moved the adoption of the following ordinance:

The Village of Lake Odessa ordains:

Section 1. Amendment. That subsection 36-35(h) of the Code of Ordinances, Village of Lake Odessa, Michigan, is hereby amended in its entirety, to read as follows:

(h) LC, lakeside commercial district. Zoning district regulations for the LC, Lakeside Commercial District shall be as follows:

- (1) *Intent and purpose.* Lakeside commercial refers to an already established area along the shoreline of Jordan Lake. This is a restrictive district in the sense that no additional land will be devoted to commercial uses because of environmental constraints. Lands now include within this designation are to be devoted only to specialized low-intensity types of commercial uses related to lake development. Examples would be general store, marina, bait shop, marina, gas station, etc., and similar lake/neighborhood related businesses.
- (2) *Uses permitted by right.* Uses permitted by right in the lakeside commercial district shall be as follows:
 - a. Bait shop.
 - b. Ice cream or sandwich/coffee shop.
 - c. Fishing equipment sales or rental, excluding watercraft.
 - d. **Single family dwellings**
- (3) *Uses permitted by special use permit.* Uses permitted by special use permit in the lakeside commercial district shall be as follows:
 - a. Boat marina, sales and service.
 - b. Restaurants.
 - c. Boat rental.
 - d. Mini general store.
 - e. Realty or other small office.
- (4) *Permitted accessory uses.* Permitted accessory uses in the lakeside commercial district shall be as follows:
 - a. Parking lots.
 - b. On-site storage.
 - c. Docks, boardwalks, patios and decks.

- (5) *Permitted accessory signs.* Permitted accessory signs in the lakeside commercial district shall be as follows:
 - a. One ground sign or one wall sign is permitted per street side and lakeside, with a maximum permitted sign area of 25 feet. The minimum sign setback for ground signs shall be one-half the required setback for the yard in which the sign is located.
 - b. Only signs identifying the use and occupation are permitted.
 - c. No sign shall be illuminated by flashing or moving lights, and external illumination shall be downward facing.
 - d. One window sign is permitted per window, with a maximum permitted 4 square feet of sign area per window.

- (6) *Minimum off-street parking spaces.* Minimum off-street parking spaces in the lakeside commercial district shall be as follows:
Same as the central business district.

- (7) *Minimum off-street loading berths.* Minimum off-street loading berths in the lakeside commercial district shall be as follows:
Same as the central business district.

- (8) *Bulk regulations.* Bulk regulations in the lakeside commercial district shall be as follows:
 - a. *Minimum lot area:* Minimum lot area in this district shall be 8,700 square feet.
 - b. *Minimum lot width:* Minimum lot width shall be 33 feet.
 - c. *Required front yard:* Front yard set back shall be ten feet.
 - d. *Required side yard depth:*
 - 1. Three feet side yard depth shall be required.
 - 2. The total width for both side yards shall be six feet.
 - e. *Required rear yard depth:* Rear yard depth shall be 20 feet from the rear lot line or the normal waterline of the lakeshore, except commercial unenclosed decks may project into the rear setback up to ten feet and may connect to a boardwalk not wider than five feet that extends to the shoreline or dock.
 - f. *Maximum building height:* Maximum building height shall be 35 feet.

Section 2. Effective Date. This ordinance shall take effect seven days following its publication in a newspaper circulated within the Village.

YEAS: _____
 NAYS: _____
 ABSTAIN: _____
 ABSENT: _____

CERTIFICATION

This is a true and complete copy of Ordinance No. ____ adopted at a regular meeting of the Village Council of the Village of Lake Odessa held on _____, 2020.

 Patrick Reagan, Interim Village Clerk

PC Public Hearing: _____, 2020

Adopted: _____, 2020
Published: _____, 2020
Effective: _____, 2020

Lake Odessa Village Council

Ionia County, Michigan

Trustee _____, supported by Trustee _____, made a motion to adopt the following resolution:

RESOLUTION NO. 2020-41

APPROVING THE INTERIM TREASURER BRENT HAAG AS A PLAN TRUSTEE FOR THE EMPLOYEE DEFERRED COMPENSATION PLAN FOR THE VILLAGE OF LAKE ODESSA

WHEREAS, the Village of Lake Odessa offers full and part-time employees the opportunity to participate in a deferred compensation plan; and

WHEREAS, the Village Treasurer, in their duty of performing payroll for Village employees, needs to be authorized to access this program; and

WHEREAS, as the Village has appointed an interim Treasurer, Brent Haag will be named as a Plan Trustee for the Village's 401k plan during his time as the Village Treasurer.

NOW THEREFORE BE IT RESOLVED:

1. The Lake Odessa Village Council approves naming interim Village Treasurer Brent Haag as a plan trustee for the Village's deferred compensation plan.
2. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: October 19, 2020

Patrick Reagan, Village Manager/ Interim Clerk

Lake Odessa Village Council

Ionia County, Michigan

Trustee _____, supported by Trustee _____, made a motion to adopt the following resolution:

RESOLUTION NO. 2020-42

APPROVING THE REMOVAL OF FORMER EMPLOYEES FROM VILLAGE ACCOUNTS AND APPROVING THE NAMING OF TRUSTEES TO THE VILLAGE ACCOUNTS AT PORTLAND FEDERAL CREDIT UNION

WHEREAS, the Village of Lake Odessa maintains accounts at Portland Federal Credit Union (PFCU); and

WHEREAS, the Village Manager has contacted PFCU in order to remove the former Clerk/ Treasurer, Pearl Ward, from these accounts; and

WHEREAS, the Village Manager discovered that a former Village Manager, Mark Bender, was still named on accounts at PFCU; and

WHEREAS, in order to properly maintain and access the deposited Village funds at PFCU, the Village Manager and the interim Village Treasurer need to be formally named as account trustees through a resolution from the Village Council; and

WHEREAS, the two members of the Village Council's "Personnel Committee" – President Karen Banks and Trustee Michael Brighton -- are currently named on this account and will remain named as trustees on this account; and

WHEREAS, a resolution is also required to remove former Village employees Pearl Ward and Mark Bender from any and all accounts at PFCU.

NOW THEREFORE BE IT RESOLVED:

1. The Lake Odessa Village Council approves naming the Village Manager Patrick Reagan and the interim Village Treasurer Brent Haag as account trustees for the Villages accounts at Portland Federal Credit Union.
2. The Lake Odessa Village Council further approves the removal of former employees Pearl Ward and Mark Bender from any and all accounts.
3. The Lake Odessa Village Council further approves the members of the Personnel Committee – President Karen Banks and Trustee Michael Brighton – remaining on PFCU accounts.
4. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: October 19, 2020

Patrick Reagan, Village Manager/ Interim Clerk

Lake Odessa Village Council
Ionia County, Michigan

Trustee _____, supported by Trustee _____, made a motion to adopt the following resolution:

RESOLUTION NO. 2020-43

APPROVAL TO ACCEPT THE RESIGNATION OF DARYL HARTZLER FROM THE VILLAGE OF LAKE ODESSA DOWNTOWN DEVELOPMENT AUTHORITY

WHEREAS, Chapter Two, Article IV, Section 2-163-166 of the Code of Ordinance for the Village of Lake Odessa established the Village’s Downtown Development Authority; and

WHEREAS, this Authority consists the Village’s Chief Executive Officer (Village President) and six (6) appointed members; and

WHEREAS, one of the current members, Daryl Hartzler, has tendered his resignation – a copy of this message of resignation (sent to the Village President) is attached as “Exhibit A.”

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lake Odessa Council has received, reviewed, and accepts the resignation of Daryl Hartzler from the Village of Lake Odessa Downtown Development Authority.
3. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution are rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: October 19, 2020

Patrick Reagan, Village Manager/ Interim Clerk

Patrick Reagan

From: Karen Banks
Sent: Sunday, October 4, 2020 5:42 PM
To: Patrick Reagan
Subject: Fwd: Daryl's Departing

Will you please add this to the October agenda?

Sent from my iPhone

Begin forwarded message:

From: Daryl Hartzler <darhartzler@yahoo.com>
Date: October 3, 2020 at 10:19:58 PM EDT
To: Karen Banks <president@lakeodessa.org>
Cc: Patrick Reagan <manager@lakeodessa.org>, Darwin Thompson <darwin.thompson@mygait.com>, "hairport07@yahoo.com" <hairport07@yahoo.com>, Sandy Guthrie <cascade.confections@gmail.com>, "Sarah McGarry (sbmcgarry@gmail.com)" <sbmcgarry@gmail.com>, "sdahms@ubmich.com" <sdahms@ubmich.com>
Subject: Daryl's Departing

As of today I wish to no longer serve as a member on the Lake Odessa Downtown Development Authority.
Thanks for the opportunity. I will continue watering the rest of this year if you so choose. The flowers are beautiful.
Shalom.

Sent from my iPhone

On Aug 27, 2020, at 1:23 PM, Karen Banks <president@lakeodessa.org> wrote:

Yes, Daryl, you stepping up and continuing with watering duties is very much appreciated! My hubby will be transferring to a long-term care facility on Tuesday next week, so after that I can assist with taking some more shifts or days, too.

As far as the mums go, those weren't ever "ordered" per se. The usual course of action is we just get from Duwayne whatever he has in inventory. Since the DDA already voted in July to purchase mums this year, we'll need to re-vote NOT to do that. I'll make sure that item gets added to our Sept. 15 agenda.

~Karen

From: Dahms, Sue [mailto:sdahms@ubmich.com]
Sent: Thursday, August 27, 2020 1:01 PM
To: Daryl Hartzler; Patrick Reagan
Cc: Bill Rogers; Darwin Thompson; Karen Banks; Sandy Guthrie; Sarah McGarry; Patrick Reagan
Subject: RE: Lake Odessa DDA Meeting

Lake Odessa Village Council
Ionia County, Michigan

Trustee _____, supported by Trustee _____, made a motion to adopt the following resolution:

RESOLUTION NO. 2020-44

APPROVAL TO ACCEPT THE RESIGNATION OF JUDY RODRIGUEZ FROM THE LAKE ODESSA AREA ARTS COMMISSION

WHEREAS, Chapter Two, Article IV, Section 2-141 of the Code of Ordinance for the Village of Lake Odessa established the Lake Odessa Area Arts Commission; and

WHEREAS, this Arts Commission consists of eight (8) at-large members and one member of the Village Council; and

WHEREAS, one of the current members, Judy Rodriguez, has tendered his resignation – a copy of this message of resignation (sent to the Village President) is attached as “Exhibit A.”

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village of Lake Odessa Council has received, reviewed, and accepts the resignation of Judy Rodriguez from the Lake Odessa Area Arts Commission.
3. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution are rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: October 19, 2020

Patrick Reagan, Village Manager/ Interim Clerk

October 2, 2020

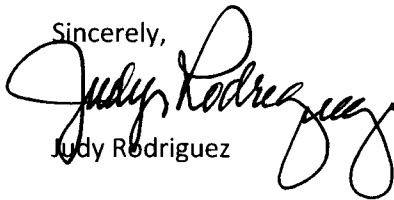
Becky Stafford, Chairperson
Lake Odessa Area Arts Commission
839 Fourth Avenue
Lake Odessa, MI 48849

Dear Becky:

It is with regret that I tender my resignation from the Arts Commission, effective immediately. I feel that my heart is no longer in it and am sure that there is someone that would do the job that I no longer enjoy doing.

I am grateful for having had the opportunity to serve on the board of this fine organization for the past several years and I offer my best wishes for its continued success.

Sincerely,

A handwritten signature in black ink that reads "Judy Rodriguez". The signature is written in a cursive style with a large, looping initial "J".

Judy Rodriguez

Lake Odessa Village Council

Ionia County, Michigan

Trustee _____, supported by Trustee _____, made a motion to adopt the following resolution:

RESOLUTION NO. 2020-45

APPROVING THE CLOSURE OF VILLAGE STREETS FOR A HOLIDAY PARADE BY THE LAKEWOOD AREA CHAMBER OF COMMERCE

WHEREAS, the Lakewood Area Chamber of Commerce has contacted the Village Manager and expressed an interest in hosting a parade on Friday, December 11, 2020; and

WHEREAS, with regard to the current COVID-19 pandemic, the Village Manager sought the advice and guidance of the Ionia County Health Department; and

WHEREAS, officials from the Ionia County Health Department has no issue with the Chamber of Commerce organizing and hosting this event with the understanding that all current and future COVID-19 related orders issued by the Michigan Department of Health and Human Services (MDHHS) must be strictly adhered to by the Chamber of Commerce during this event. These orders effect group sizes, social distancing, the proper utilization of masks, and any/ all other requirements placed upon community events by the MDHHS at the time of this event; and

WHEREAS, this parade is scheduled to begin at 5:30 pm and will follow the traditional route – from Village Park on Fourth Avenue to Tupper Lake Street.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Lake Odessa Village Council approves the use of certain Village streets for a holiday parade by the Lakewood Area Chamber of Commerce on Friday, December 11, 2020 beginning at 5:30 pm.
2. The Lake Odessa Village Council further approves this use based on event organizers strictly adhering to any and all orders in effect by the Michigan Department of Health and Human Services (MDHHS) on December 11, 2020.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: October 19, 2020

Patrick Reagan, Village Manager/ Interim Village Clerk

Lake Odessa Village Council

Ionia County, Michigan

Trustee _____, supported by Trustee _____, made a motion to adopt the following resolution:

RESOLUTION NO. 2020-46

APPROVING THE TEMPORARY RULES OF PROCEDURE FOR VIRTUAL/ ELECTRONIC MEETINGS FOR ALL COUNCIL, BOARD, AND COMMISSION MEETINGS FOR THE VILLAGE OF LAKE ODESSA

WHEREAS, the Village of Lake Odessa is an incorporated Village; and

WHEREAS, due to the COVID-19 pandemic, the Village Council and various Boards and Commissions established by action of the Village Council have been holding virtual/ electronic meetings since March 2020; and

WHEREAS, on October 16, 2020, the Governor of the State of Michigan, Gretchen Whitmer, signed Senate Bill 1108 into law, allowing for virtual/ electronic meetings to be held by local governments. A copy of this approved Senate Bill is attached as “Exhibit A;” and

WHEREAS, due to the continuing COVID-19 pandemic and orders issued by the Michigan Department of Health and Human Services, and the desire of the Lake Odessa Village Council to keep residents, Trustees, village staff, and the community safe, the Village Council wishes to have all Board and Commission (including the Village Council meetings) held virtually/ electronically; and

WHEREAS, at this time, the Council for the Village of Lake Odessa adopts, by reference, the rules and procedures listed in the approved Michigan State Senate Bill 1108, as the rules and procedures for all Village Boards and Commissions, allowing for the continuance of virtual/ electronic meetings by all Village Boards and Commissions; and

WHEREAS, the Village Council will adopt a more comprehensive list of rules and procedures by November 17, 2020.

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

1. The Lake Odessa Village Council approves using Senate Bill 1108, adopted by reference, as the temporary rules of procedure for all virtual/ electronic meetings of Village Boards and Commissions.
2. The Lake Odessa Village Council will, by November 17, 2020, adopt comprehensive rules of procedure for all virtual/ electronic Village Board and Commission meetings.
3. All resolutions and parts of resolutions are, to the extent of any conflict with this resolution, rescinded

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: October 19, 2020

Patrick Reagan, Village Manager/ Interim Village Clerk

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Senators Theis, Hollier, LaSata, MacDonald, Lucido, Victory, Daley, Zorn, Wojno,
McMorrow, Moss and Schmidt

ENROLLED SENATE BILL No. 1108

AN ACT to amend 1976 PA 267, entitled "An act to require certain meetings of certain public bodies to be open to the public; to require notice and the keeping of minutes of meetings; to provide for enforcement; to provide for invalidation of governmental decisions under certain circumstances; to provide penalties; and to repeal certain acts and parts of acts," by amending section 3 (MCL 15.263), as amended by 2018 PA 485, and by adding section 3a.

The People of the State of Michigan enact:

Sec. 3. (1) All meetings of a public body must be open to the public and must be held in a place available to the general public. All persons must be permitted to attend any meeting except as otherwise provided in this act. The right of a person to attend a meeting of a public body includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting. The exercise of this right does not depend on the prior approval of the public body. However, a public body may establish reasonable rules and regulations in order to minimize the possibility of disrupting the meeting.

(2) All decisions of a public body must be made at a meeting open to the public. For purposes of any meeting subject to this section, except a meeting of any state legislative body at which a formal vote is taken, the public body shall, subject to section 3a, establish the following procedures to accommodate the absence of any member of the public body due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster declared pursuant to law or charter by the governor or a local official or local governing body that would risk the personal health or safety of members of the public or the public body if the meeting were held in person:

(a) Procedures by which the absent member may participate in, and vote on, business before the public body, including, but not limited to, procedures that provide for both of the following:

(i) Two-way communication.

(ii) For each member of the public body attending the meeting remotely, a public announcement at the outset of the meeting by that member, to be included in the meeting minutes, that the member is in fact attending the meeting remotely. If the member is attending the meeting remotely for a purpose other than for military duty, the member's announcement must further identify specifically the member's physical location by stating the county, city, township, or village and state from which he or she is attending the meeting remotely.

(b) Procedures by which the public is provided notice of the absence of the member and information about how to contact that member sufficiently in advance of a meeting of the public body to provide input on any business that will come before the public body.

(3) All deliberations of a public body constituting a quorum of its members must take place at a meeting open to the public except as provided in this section and sections 7 and 8.

(4) A person must not be required as a condition of attendance at a meeting of a public body to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance.

(5) A person must be permitted to address a meeting of a public body under rules established and recorded by the public body. The legislature or a house of the legislature may provide by rule that the right to address may be limited to prescribed times at hearings and committee meetings only.

(6) A person must not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting.

(7) This act does not apply to the following public bodies, but only when deliberating the merits of a case:

(a) The Michigan compensation appellate commission operating as described in either of the following:

(i) Section 274 of the worker's disability compensation act of 1969, 1969 PA 317, MCL 418.274.

(ii) Section 34 of the Michigan employment security act, 1936 (Ex Sess) PA 1, 421.34.

(b) The state tenure commission created in section 1 of article VII of 1937 (Ex Sess) PA 4, MCL 38.131, when acting as a board of review from the decision of a controlling board.

(c) The employment relations commission or an arbitrator or arbitration panel created or appointed under 1939 PA 176, MCL 423.1 to 423.30.

(d) The Michigan public service commission created under 1939 PA 3, MCL 460.1 to 460.11.

(8) This act does not apply to an association of insurers created under the insurance code of 1956, 1956 PA 218, MCL 500.100 to 500.8302, or other association or facility formed under that act as a nonprofit organization of insurer members.

(9) This act does not apply to a committee of a public body that adopts a nonpolicymaking resolution of tribute or memorial, if the resolution is not adopted at a meeting.

(10) This act does not apply to a meeting that is a social or chance gathering or conference not designed to avoid this act.

(11) This act does not apply to the Michigan veterans' trust fund board of trustees or a county or district committee created under 1946 (1st Ex Sess) PA 9, MCL 35.602 to 35.610, when the board of trustees or county or district committee is deliberating the merits of an emergent need. A decision of the board of trustees or county or district committee made under this subsection must be reconsidered by the board or committee at its next regular or special meeting consistent with the requirements of this act. "Emergent need" means a situation that the board of trustees, by rules promulgated under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328, determines requires immediate action.

(12) As used in subsection (2):

(a) "Formal vote" means a vote on a bill, amendment, resolution, motion, proposal, recommendation, or any other measure on which a vote by members of a state legislative body is required and by which the state legislative body effectuates or formulates public policy.

(b) "Medical condition" means an illness, injury, disability, or other health-related condition.

Sec. 3a. (1) A meeting of a public body held, in whole or in part, electronically by telephonic or video conferencing in compliance with this section and, except as otherwise required in this section, all of the provisions of this act applicable to a nonelectronic meeting, is permitted by this act in the following circumstances:

(a) Before January 1, 2021 and retroactive to March 18, 2020, any circumstances, including, but not limited to, any of the circumstances requiring accommodation of absent members described in section 3(2).

(b) On and after January 1, 2021 through December 31, 2021, only those circumstances requiring accommodation of members absent due to military duty, a medical condition, or a statewide or local state of emergency or state of disaster as described in section 3(2). For the purpose of permitting an electronic meeting due to a local state of emergency or state of disaster, this subdivision applies only as follows:

(i) To permit the electronic attendance of a member of the public body who resides in the affected area.

(ii) To permit the electronic meeting of a public body that usually holds its meetings in the affected area.

(c) After December 31, 2021, only in the circumstances requiring accommodation of members absent due to military duty as described in section 3(2).

(2) A meeting of a public body held electronically under this section must be conducted in a manner that permits 2-way communication so that members of the public body can hear and be heard by other members of the public body, and so that public participants can hear members of the public body and can be heard by members of the public body and other participants during a public comment period. A public body may use technology to facilitate typed public comments during the meeting submitted by members of the public participating in the meeting that may be read to or shared with members of the public body and other participants to satisfy the requirement under this subsection that members of the public be heard by others during the electronic meeting and the requirement under section 3(5) that members of the public be permitted to address the electronic meeting.

(3) Except as otherwise provided in subsection (8), a physical place is not required for an electronic meeting held under this section, and members of a public body and members of the public participating electronically in a meeting held under this section that occurs in a physical place are to be considered present and in attendance at the meeting for all purposes.

(4) If a public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, the public body shall, in addition to any other notices that may be required under this act, post advance notice of a meeting held electronically under this section on a portion of the public body's website that is fully accessible to the public. The public notice on the website must be included on either the homepage or on a separate webpage dedicated to public notices for nonregularly scheduled or electronic public meetings that is accessible through a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of nonregularly scheduled or electronic public meetings. Subject to the requirements of this section, any scheduled meeting of a public body may be held as an electronic meeting under this section if a notice consistent with this section is posted at least 18 hours before the meeting begins. Notice of a meeting of a public body held electronically must clearly explain all of the following:

(a) Why the public body is meeting electronically.

(b) How members of the public may participate in the meeting electronically. If a telephone number, internet address, or both are needed to participate, that information must be provided specifically.

(c) How members of the public may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.

(d) How persons with disabilities may participate in the meeting.

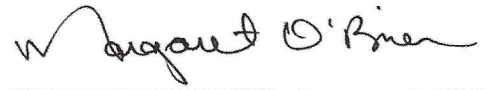
(5) Beginning on the effective date of the amendatory act that added this section, if an agenda exists for an electronic meeting held under this section by a public body that directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, the public body shall, on a portion of the website that is fully accessible to the public, make the agenda available to the public at least 2 hours before the electronic meeting begins. This publication of the agenda does not prohibit subsequent amendment of the agenda at the meeting.

(6) A public body shall not, as a condition of participating in an electronic meeting of the public body held under this section, require a person to register or otherwise provide his or her name or other information or otherwise to fulfill a condition precedent to attendance, other than mechanisms established and required by the public body necessary to permit the person to participate in a public comment period of the meeting.

(7) Members of the general public otherwise participating in a meeting of a public body held electronically under this section are to be excluded from participation in a closed session of the public body held electronically during that meeting if the closed session is convened and held in compliance with the requirements of this act applicable to a closed session.

(8) At a meeting held under this section that accommodates members absent due to military duty or a medical condition, only those members absent due to military duty or a medical condition may participate remotely. Any member who is not on military duty or does not have a medical condition must be physically present at the meeting to participate.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor

Lake Odessa Village Council
Ionia County, Michigan

Trustee _____, supported by Trustee _____, made a motion to adopt the following resolution:

RESOLUTION NO. 2020-47

APPROVING, AUTHORIZING, AND DIRECTING THE VILLAGE MANAGER TO SIGN A GRANT AGREEMENT BETWEEN THE VILLAGE OF LAKE ODESSA AND THE MICHIGAN COUNCIL FOR ARTS AND CULTURAL AFFAIRS

WHEREAS, the Village of Lake Odessa, on behalf of the Lake Odessa Area Arts Commission, has submitted an application for a grant to support the annual “Art in the Park” event; and

WHEREAS, the Village of Lake Odessa was notified that on October 19, 2020, this grant application was approved for funding, with a grant amount of \$6,488.00 in total; and

WHEREAS, the Michigan Council for Arts and Cultural Affairs has provided the Village with a grant agreement, to be signed by the Village Manager upon Village Council approval. A copy of a letter of funding is attached as “Exhibit A

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The Village Council approves, authorizes, and directs the Village Manager to sign the attached grant agreement and to remit back to the Michigan Council for Arts and Cultural Affairs.
2. All resolutions and parts of resolutions, insofar as they conflict with the provisions of this resolution are rescinded.

Ayes:

Nays:

Absent:

Abstain:

RESOLUTION DECLARED ADOPTED.

Dated: October 19, 2020

Patrick Reagan, Village Manager/ Interim Clerk



State of Michigan
Gretchen Whitmer, Governor

State of Michigan
Council for Arts and Cultural Affairs
300 N Washington Square
Lansing, Michigan 48913
Ph: 517-241-4011
Fax: 517-241-3979

October 19, 2020

Patrick Reagan, Village Manager
839 FOURTH AVENUE
LAKE ODESSA, MI 48849

Dear Mr. Reagan,

On October 15, 2020, the Michigan Council for Arts and Cultural Affairs took action on grant requests for Project Support Program. I am pleased to inform you that your application was included among those recommended to receive support. On behalf of the Council, I congratulate you on your grant award, as referenced below:

Grant Number: 21PS2138 **Title:** Art in the Park
Award: \$6,488 **State Funds:** \$6,488 **Federal Funds:** \$0
Recipient DUNS #: 09-594-7669 **Award Period:** 10/01/2020 - 09/30/2021

You will receive your grant agreement in a separate e-mail in approximately 5-7 business days.
Read those materials and carefully follow instructions to expedite the contracting process.

Please note, in addition to acknowledging the MCACA grant in your promotional materials etc., if there are federal dollars from the National Endowment for the Arts (NEA) included as part of your grant award, proper acknowledgement of the NEA is also required.

Before we are able to pay out any grant monies, you are required to return your signed grant agreement and a copy of the letters (or email etc.) you used to notify the Governor and your local legislators that you have received this award. In addition, any fiscal year 2020 grants received by your organization need to be closed out prior to receiving funding for 2021 grants.

Panelist comments regarding the application will be available within your organizational profile in the SmartSimple system.

If you have questions, please feel free to contact me or at 517-241-3968 or our staff at 517-241-4011.

Alison Watson
Director

Council Members

W. Omari Rush
Chairman
Ann Arbor

Anne Belanger
Rogers City

Darryl Brown
St. Ignace

Cèzanne Charles
Ann Arbor

Gretchen Gonzales
Davidson
Vice-Chair
Birmingham

Sigal Hemy
Pleasant Ridge

Nheena Ittner
Marquette

Joori Jung
Detroit

Anessa Kramer
Bloomfield Hills

Deborah Mikula
Howell

Jessica Care Moore
Detroit

Tyler Rossmassler
Fenton

Ara Topouzian
Farmington Hills

Rick Treur
Grand Rapids

Xavier Verna
Bear Lake





State of Michigan
Gretchen Whitmer, Governor

State of Michigan
Council for Arts and Cultural Affairs
300 N Washington Square
Lansing, Michigan 48913
Ph: 517-241-4011
Fax: 517-241-3979

Sincerely,

A handwritten signature in blue ink that reads "Alison Watson".



Alison Watson, Director
Michigan Council for Arts and Cultural Affairs
300 N. Washington Square
Lansing, MI 48913
Watsona11@Michigan.org
517.241.3968
www.michigan.gov/arts



IONIA COUNTY HEALTH DEPARTMENT

175 E. Adams Street, Ionia Michigan 48846
www.ioniacounty.org Ph: 616-527-5341

Ionia County COVID-19 Case Breakdown

10/16/2020

483 confirmed cases as of Close of Business 10/15/2020

Gender:

Male: 262 cases

Female: 221 cases

Age:

Age	Number of Cases
0-19	62
20-29	88
30-39	84
40-49	74
50-59	75
60-69	57
70-79	36
80-89	7



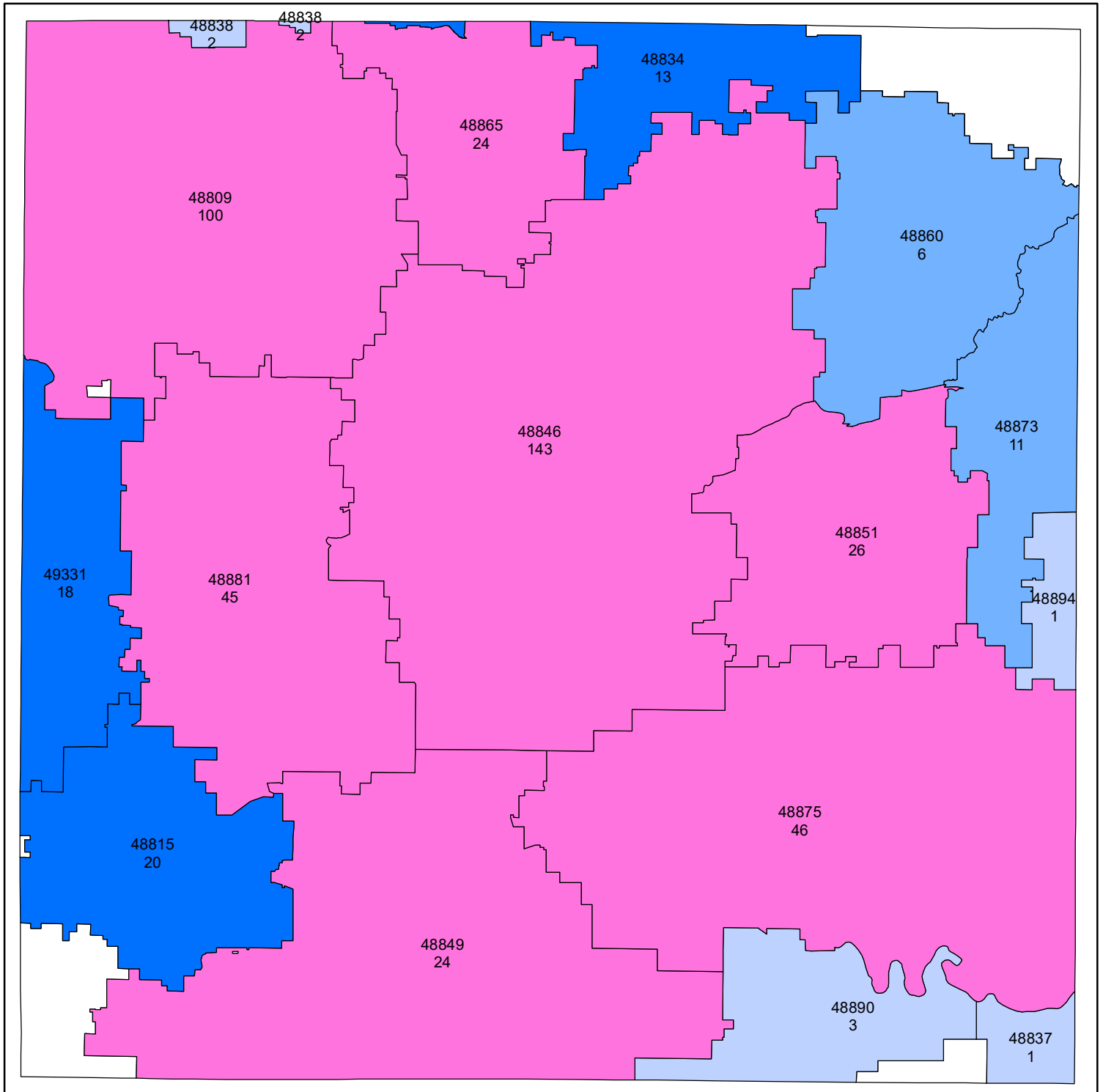
Ken Bowen, REHS, MS, Health Officer
Dr. Adenike Shoyinka, M.D., Medical Director

Prevent Disease; Prolong Life; Protect the Environment!





Map of Laboratory-Confirmed COVID-19 cases by Zip Code In Ionia County

10/15/2020



Key

-  No cases
-  < 6 cases
-  6-11 cases
-  12 - 20 cases
-  21 or more cases