



VILLAGE OF SUTTONS BAY
Village Council Meeting
Village Hall
420 N. Front Street
Suttons Bay, MI 49682

February 17, 2020 at 5:30 pm

Agenda

1. Regular Meeting Called to Order
2. Roll Call
3. Review and Approval of the Agenda – Conflict of Interest
4. Consent Agenda
 - a. Approval of Minutes - January 21, 2020
 - b. Payment of Invoices
5. Public Comment / Communication and Reports (please limit to no more than three (3) minutes)
6. Unfinished Business
 - a. Appointments
 - b. Report VSB- 2020-14 – Broadway Water Discussion
 - c. Report VSB- 2020-11 – Budget Amendment
7. New Business
 - a. Report VSB- 2020-12 – US BR 35 Amendment Resolution
 - b. Report VSB- 2020-13 – Temporary Boat Launch Closure
 - c. Report VSB- 2020-15 – Land Division Ordinance
8. Special Committee Reports
9. Good of the Order (Council Member Comments)
10. Manager's Report (verbal)
11. Public Comment (please limit to no more than three (3) minutes)
12. Adjournment



VILLAGE OF SUTTONS BAY
VILLAGE COUNCIL REGULAR MEETING
MINUTES OF JANUARY 21, 2020.

The meeting was called to order by President Lutke at 5:30 p.m.

Present: Bahle, Case, Christensen, Lutke, Newcomb and Suppes
Absent: Long
Staff present: Fay, Larrea and Miller

Approval of Agenda

Bahle moved, Case seconded, CARRIED, to approve the agenda as presented. Ayes: 6, No: 0.

Consent Agenda

Bahle moved, Case seconded, CARRIED, to approve the Consent Agenda as presented. The January 7, 2020 Village Council Regular meeting minutes submitted by Fay are approved. The meeting minutes can be found in this meeting packet. The Payment of Invoices submitted by Treasurer DeVol are approved. The invoice report can be found in this meeting packet. Ayes: 6, No: 0.

Public Comment

A written public comment was received from Brian Buysse regarding snow mobiles within the Village limits. A copy of the comment was provided to Council members. Clerk Fay mailed a copy of the ordinances to Mr. Buysse that referenced snow mobiles and nuisance/noise.

Appointments

President Lutke made the following nominations: Colleen Christensen as Pro-Tem to Village Council, Kathryn Danielson and Gail Hetler to the Planning Commission, Marty Jelenik to the Zoning Board of Appeals, and Kim Pontius to the Downtown Development Authority.

Suppes moved, Case seconded, CARRIED, to appoint Christensen as Pro-Tem to the Village Council for a term of one year; Danielson and Hetler to the Planning Commission for a term of three years; Jelenik to the Zoning Board of Appeals for a term of three years, and Pontius to the Downtown Development Authority for a term of 4 years. Ayes: 6, No: 0.

Report VSB-2020-01 – Certificates of Appreciation

Lutke conveyed appreciation to staff, and further recognized the following entities for their volunteer time given to the Village: Children's House Montessori School, By the Bay Garden Club, Chemical Bank, Cecily Sanford and Leelanau Historical Society.

Bahle moved, Suppes seconded, CARRIED, to approve Resolutions of Appreciation to those mentioned above, by an affirmative unanimous roll call vote. Ayes: 6, No: 0.

Report VSB-2020-02 Vactor Truck

Case moved, Christensen seconded, CARRIED, to amend the 2020 budget by increasing Capital Outlay Line Item 101-443-932 by \$73,000 from fund balance. Ayes: 6, No: 0.

Good of the Order

Christensen asked if there was a follow-up process for public comments; Larrea stated staff does follow up.

Newcomb inquired about the issues on Broadway Avenue. Larrea stated at length discussion at the Committee of the Whole meeting, and that further information will be provided to Council at the February meeting.

Case stated Broadway is a more complex issues that originally thought, and that the Village is moving toward a resolution, noting multiple factors, and that resolution is a procedural thing.

Lutke also stated the Village is doing all they can to push a resolution forward for Broadway. The Village has met with the Drain Commissioner who has proposed a drainage district. A public information session will be scheduled, and eventually approving a drainage district. Lutke stated the Agenda and meeting minutes can be found on the Village website.

Manager's Report

Larrea and Miller contacted KAL Excavating to discuss alternatives for fixing Broadway, perhaps consisting of a shallow basin on an out lot owned by the Village. KAL will provide an estimate of a cost, however, they will have to wait until the snow melts for a better review. A 2% grant from the Grand Traverse Band has been awarded in partnership with TART, to extend the TART trail north. The purchase of a new pick up truck will be finalized and will be presented to Committee in February, putting the Village in good shape with vehicles for years to come. Proposed ZBA Bylaws were presented to the ZBA Board at the last meeting. Larrea thank DeVol and Fay for reviewing the new proposed Employee manual. Larrea will be meeting with the Attorney on the manual followed by a Committee review and adoption by Council.

Public Comment

Tim Zywicki thanked DPW Director Miller and the DPW staff for their extra effort on Broadway Avenue. Zywicki stated a concern about putting in a pond/basin on Broadway noting it may become stagnant and smell bad. Miller responded that the basin would be shallow, long and wide, and would be more for seepage and that a better review will take place once the snow melts.

Kathleen Lamb, Broadway Avenue, stated her curiosity about the water and ice issue on Broadway.

Cindy Stayman stated the water drains mainly in the front of her house, it gets stagnant, and drains over when we get excessive water. Mr. Stayman stated the water then drains over their

driveway which causes his snowblower to clog up, therefore having to hire someone to plow his driveway, an additional expense.

The meeting adjourned at 5:47 p.m.

Meeting minutes submitted by Shar Fay, Village Clerk.


Check Date	Check	Vendor Name	Invoice Vendor	Description	Amount
Bank GEN FIFTH THIRD CHECKING					
01/22/2020	44097			CUST ID 183163, ACCT MI0057638	0.00
01/22/2020	44131	STATE OF MICHIGAN -DEQ	STATE OF MICHIGAN -DEQ	MI0057638B, BIOSOLIDS ANN FEES	1,950.00
01/22/2020	44132	STATE OF MICHIGAN -DEQ	STATE OF MICHIGAN -DEQ	VIL OFC SUPPLIES - SALT, COFFE	1,286.66
01/27/2020	44133	DC COLLECTIVE GROCER	DC COLLECTIVE GROCER	500 #10 WINDOW ENVELOPES - VIL	20.27
01/27/2020	44134	LEELANAU ENTERPRISE	LEELANAU ENTERPRISE	3222750 - 6 YD DPW - JAN, 2020	69.00
01/27/2020	44135	AMERICAN WASTE	AMERICAN WASTE	ACCT 287291270755 - SERV THRU	115.00
01/27/2020	44136	AT&T MOBILITY	AT&T MOBILITY	ACCT 287291270755 - SERV THRU	396.52
01/27/2020	44137	BLUE CROSS BLUE SHIELD OF MIC	BLUE CROSS BLUE SHIELD OF MIC	GR 007015354710 - FEB 2020 PRE	316.58
01/27/2020	44138	CHARTER COMMUNICATIONS	CHARTER COMMUNICATIONS	8245 12122 0017471 - MARINA TO	116.70
01/27/2020	44139	FLETS& VANDENBRINK ENGINEERIN	FLETS& VANDENBRINK ENGINEERIN	PROJ 841100 - GIS MAINT THRU 1	153.50
01/27/2020	44140	INTEGRITY SOFTWARE SYSTEMS	INTEGRITY SOFTWARE SYSTEMS	TREND MICRO SECURITY - JAN 20	30.00
01/27/2020	44141	ROBERTO IARREA	ROBERTO IARREA	CAR RENTAL FOR PLANNING CONFER	169.60
01/27/2020	44142	MICHIGAN CAT	MICHIGAN CAT	ACCT 12464 - LOADER REPAIR- 12	2,564.49
01/27/2020	44143	MICHIGAN MUNICIPAL LEAGUE	MICHIGAN MUNICIPAL LEAGUE	ACCT 0801-119, 4TH QTR 2019 U	8.13
01/27/2020	44144	MR CLEAN	MR CLEAN	4 VIL OFC @ \$70, 2 MTG RM @ \$3	340.00
01/27/2020	44145	PRIORITY HEALTH	PRIORITY HEALTH	GROUP 784340 - FEB, 2020 PREMI	7,146.98
01/27/2020	44146	PURE WATER WORKS	PURE WATER WORKS	5 GAL @ \$6, AND \$2 FUEL CHG 1	8.00
01/27/2020	44147	PURE WATER WORKS	PURE WATER WORKS	TWO 5-GAL WATER AND FUEL CHGS	14.00
01/27/2020	44148	PURE WATER WORKS	PURE WATER WORKS	WATER/COOLER WWTP- TO 12/31 YE	89.00
01/27/2020	44149	SECURITY SANITATION, INC	SECURITY SANITATION, INC	DPW - SERV THRU 1/16/2020	95.00
01/27/2020	44150	SECURITY SANITATION, INC	SECURITY SANITATION, INC	WATER WHEEL PDDDDK THRU 1/9/2	95.00
01/27/2020	44151	SOS ANALYTICAL	SOS ANALYTICAL	WWSN 6500 - COLIFORM TESTING-0	80.00
01/27/2020	44152	STANDARD INSURANCE COMPANY	STANDARD INSURANCE COMPANY	642946 0117, FEB 2020 PREMIUM	511.51
01/27/2020	44153	TRUCK & TRAILER SPECIALTIES	TRUCK & TRAILER SPECIALTIES	CUST 169 - SCRAPER BLADES, LUB	352.95
01/27/2020	44154	WELLS FARGO FINANCIAL LEASING	WELLS FARGO FINANCIAL LEASING	603-0214439-000, COPIER TO 2/1	72.92
02/04/2020	44155	DTE ENERGY	DTE ENERGY	SERVICE THRU JAN 16, 2020	171.97
02/12/2020	44156	CHARTER COMMUNICATIONS	CHARTER COMMUNICATIONS	8245 12122 0019774 - 420 N FRO	156.46
02/12/2020	44157				0.00
02/12/2020	44158	CONSUMERS ENERGY	CONSUMERS ENERGY	1000 0027 5485, AREA LIGHTS, JA	16.65
02/12/2020	44159	CONSUMERS ENERGY	CONSUMERS ENERGY	1000 0027 5527, STR LIGHTS - JA	961.45
02/12/2020	44160	CONSUMERS ENERGY	CONSUMERS ENERGY	1000 0027 5576, TRAF LIGHTS - J	4.03
02/12/2020	44161	CONSUMERS ENERGY	CONSUMERS ENERGY	1030 3404 1436, 49682 LED LIGH	92.18
02/12/2020	44162	CONSUMERS ENERGY	CONSUMERS ENERGY	SERV THRU 01/29/2020	3,211.08
02/12/2020	44163	CONSUMERS ENERGY	CONSUMERS ENERGY	1030 2491 1796, 420 N FRONT, T	102.37
02/12/2020	44164	CENTURYLINK	CENTURYLINK	ACCT 405593377 - SERV TO 2/21	206.06
02/12/2020	44165	CHERRYLAND ELECTRIC	CHERRYLAND ELECTRIC	ACCT 8364410 - SERV TO 1/13/20	249.68
02/12/2020	44166	GRAINGER	GRAINGER	ACCT 871012852 - GRINDER, TOOL	186.19
02/12/2020	44167	GRAINGER	GRAINGER	4 SPRAY PAINT - CHEVY ORANGE	45.96
02/12/2020	44168	ART'S AUTO AND TRUCK PARTS IN	ART'S AUTO AND TRUCK PARTS IN	CUST 20090 - 35 LB PAIL GREASE	130.45
02/12/2020	44169	ART'S AUTO AND TRUCK PARTS IN	ART'S AUTO AND TRUCK PARTS IN	LUBE SPIN-ON - SINGLE AXLE DUM	21.08
02/12/2020	44170	ART'S AUTO AND TRUCK PARTS IN	ART'S AUTO AND TRUCK PARTS IN	PARTS FOR DUAL AXLE DUMP BRAKE	231.92
02/12/2020	44171	NORTHERN BUILDING SUPPLY, LL	NORTHERN BUILDING SUPPLY, LL	ACCT VIL10 - JAN SUPPLIES - AL	306.32
02/12/2020	44172	LEELANAU ENTERPRISE	LEELANAU ENTERPRISE	CUST 1217 - JAN 7 SPEC & JAN 2	126.55
02/12/2020	44173	AMERICAN WASTE	AMERICAN WASTE	ACCT 3222750 - 6 YD X1, FEB 20	115.00
02/12/2020	44174	BADGER METER INC	BADGER METER INC	CUST 211826 - BEACON MLB HOST -	35.88
02/12/2020	44175	BLADES GROUP	BLADES GROUP	1 PALLET 50LB BAGGED ASPHALT	143.40
02/12/2020	44176	CENTURYLINK	CENTURYLINK	ACCT 89115093 -EQUIP - FEB 202	586.92
02/12/2020	44177	CENTURYLINK	CENTURYLINK	ACCT 300439566 - SERV THRU 2/2	1,950.00
02/12/2020	44178	DANBROOK ADAMS RAYMOND	DANBROOK ADAMS RAYMOND	ACCT 545.01 - 401K/457 PLAN IS	26.00
02/12/2020	44179	INTEGRITY SOFTWARE SYSTEMS	INTEGRITY SOFTWARE SYSTEMS	13 TREND @ 2.00 YE AP	142.50
02/12/2020	44180	INTEGRITY SOFTWARE SYSTEMS	INTEGRITY SOFTWARE SYSTEMS	EMAIL MAINT & CONVERSION- ZONI	32.50
02/12/2020	44181	LAND INFORMATION ASSESS ASSOC	LAND INFORMATION ASSESS ASSOC	UPDATE & SEND LOGO PACKAGE - W	195.00
02/12/2020	44182	LAND INFORMATION ASSESS ASSOC	LAND INFORMATION ASSESS ASSOC	WEBSITE MAINT AND SET-UP- YE A	186.75
02/12/2020	44183	R W MERCER CO	R W MERCER CO	CUST SUT100 - OVERFILL ALARM -	1,680.00
02/12/2020	44184	MI MUNICIPAL LEAGUE WORKERS C	MI MUNICIPAL LEAGUE WORKERS C	5002750-19, INSTALL #4, 2019-2	100.00
02/12/2020	44185	JENNIFER BURNS	JENNIFER BURNS	REFUND - BAHLE DEPOSIT, PD VIA	30.00
02/12/2020	44186	MRPA	MRPA	2020 MRPA WORKSHOP -DAVID MILL	

Check Date	Check	Vendor Name	Invoice Vendor	Description	Amount
02/12/2020	44187	OLSON, BZDOK & HOWARD, P.C.	OLSON, BZDOK & HOWARD, P.C.	6289-OOM , BLIGHT ORDINANCE RE	33.00
02/12/2020	44188	OPERATIONS MANAGEMENT INT	OPERATIONS MANAGEMENT INT	CUST 120825 - WWTP AGREEMENT -	16,801.43
02/12/2020	44189	OPERATIONS MANAGEMENT INT	OPERATIONS MANAGEMENT INT	CUST 120525 - WWTP AGREE - JAN	13,397.00
02/12/2020	44190	INTEGRITY BUSINESS SOLUTIONS	INTEGRITY BUSINESS SOLUTIONS	ACCT 957380 - 12 DIG CALCULATO	111.89
02/12/2020	44191	INTEGRITY BUSINESS SOLUTIONS	INTEGRITY BUSINESS SOLUTIONS	ACCT 957380OFC SUPPLIES - BIND	17.07
02/12/2020	44192	INTEGRITY BUSINESS SOLUTIONS	INTEGRITY BUSINESS SOLUTIONS	ACCT 957380 - W2'S, 1099'S, EN	49.50
02/12/2020	44193	PITNEY BOWES - PURCHASE POWER	PITNEY BOWES - PURCHASE POWER	8000-9090-0222-9933, POSTAGE	201.00
02/12/2020	44194	LEELANAU CTY ROAD COMMISSION	LEELANAU CTY ROAD COMMISSION	DIESEL/NO-LEAD FOR JAN 2020 -	2,034.04
02/12/2020	44195	SUTTONS BAY PUBLIC SCHOOLS	SUTTONS BAY PUBLIC SCHOOLS	SINGLE AXEL DUMP - TURBO CHG,	698.61
02/12/2020	44196	SOS ANALYTICAL	SOS ANALYTICAL	WSSN 6500 - ROUTINE, RESAMPLE	220.00
02/12/2020	44197	TART TRAILS, INC	TART TRAILS, INC	RESEARCH TRAIL FROM DUMAS TO P	10,000.00
02/12/2020	44198	THREADS	THREADS	2 SCRN PRNT, 1 EMBROIDERY & 1	103.30
02/12/2020	44199	USABUEBOOK	USABUEBOOK	CUST 820127 - DYE TESTING MATE	199.43
02/12/2020	44200	VALLEY CITY LINEN	VALLEY CITY LINEN	ACCT 10467 - JAN 2020	100.00
02/12/2020	44201	WINDEMULLER	WINDEMULLER	REPAIR POWER TO BAHLE PK WARMI	486.18

GEN TOTALS:

(2 Checks Voided)
Total of 70 Disbursements:

73,014.61

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2020- 14	
Prepared:	February 12, 2020	Pages:	1 of 1
Meeting:	February 17, 2020 VILLAGE COUNCIL	Attachments:	<input type="checkbox"/>
Subject:	Broadway water run-off		

PURPOSE

To discuss an alternative to the creation of a Drainage District authorized by Public Act 40 of 1956, for water runoff concerns voiced by Broadway Street residents.

STAFF COMMENT

At issue is a multi-jurisdictional concern related to the water runoff created by both man-made interference as well as natural drainage patterns. These variables, when combined with practices of not requiring culverts under driveways to direct water runoff, have resulted in significant water trespass issues. Observations over the past several months have shown that water tends to overflow from private property onto the public roadway. During significant rains, the water tends to crest the road centerline and traverse onto private property on the other side of the roadway.

The Village Council requested Staff to investigate possible special assessments or other funding availability to determine a means of assisting the residents along Broadway. At the January meeting, the Drain Commissioner and engineer provided the Village with a cost estimate for the creation of a drainage district along Broadway Street, which included properties in both communities.

Following the January meeting, Staff requested an estimate from KAL Excavating to be able to provide an alternative option. The attached estimated provides for a quicker fix by taking over control of the basin in question, securing easements to properly direct the water, construct a basin with overflow, and install driveway culverts. This number will increase due to tree removal, soil borings, etc. however overall the project will be significantly less to tax payers than a drainage district.

ACTION REQUESTED

Direction.

Broadway St. - Preliminary Drainage Plan & Cost Estimate

From: Brian Cenci <fishgolfhockey@yahoo.com>

Sent: Mon, Jan 13, 2020 at 2:03 pm

To: schristensen@co.leelanau.mi.us

Broadway St. - Preliminary Design (Ditching and Road Ditch Culverts).pdf (2.1 MB)

Steve,

Attached is a very rough ditching & culvert plan for Broadway St. and then a very rough cost estimate. Now this is a complete ditching system that would utilize both sides of the street and then 2 large constructed engineered rain gardens/bio-detention systems at the downstream end of the road drainage towards the east, prior to connecting to the existing system. This assumes driveway culverts, check dams and new driveway aprons too. The rain gardens at the base would have an underdrain and overflow system....quite frankly, they'd be built the right way and different than the rain gardens that are in place now. Now I would call this more of the "Cadillac" design rather than the "economy car" design.

-Brian

- Road Ditching: $3,310 \text{ LF} \times \$7.50/\text{LF} = \$24,825$
- 12" CSP Driveway Culvert: $540 \text{ LF} \times \$25/\text{LF} = \$13,500$
- 15" RCP Cross Culvert: $100 \text{ LF} \times \$50/\text{LF} = \$5,000$
- Check Dams/Cross Veins: $25 \text{ EA.} \times \$400/\text{EA.} = \$10,000$
- Rain Gardens/Bio-Detention Basins: $400 \text{ SYD} \times \$15/\text{SYD} = \$6,000$
- Rain Garden underdrains: $480 \text{ LF} \times \$35/\text{LF} = \$16,800$
- Rain Garden overflow structures: $6 \text{ EA} \times \$2,000/\text{EA.} = \$12,000$
- Road Crossings: $4 \text{ EA.} \times \$4,000/\text{EA.} = \$16,000$
- Connection to Existing Storm Sewer system: $1 \text{ LS} \times \$6,000/\text{LS} = \$6,000$
- Driveway Restoration (avg. HMA & Conc. mix): $670 \text{ SYD} \times \$40/\text{SYD} = \$26,800$
- Restoration: $4,500 \text{ SYD} \times \$4/\text{SYD} = \$18,000$
- SESC = \$4,000
- Mobilization & Contingency = \$10,000
- **TOTAL CONSTRUCTION COST= \$168,925**

manager@suttonsbayvillage.org

From: Dave Miller <dpwdirector@suttonsbayvillage.org>
Sent: Tuesday, January 28, 2020 8:10 PM
To: Rob Larrea
Subject: Fwd: Email Info

FYI

Sent from my iPhone

Begin forwarded message:

From: Joel Voss <jvoss@kalexexcavating.com>
Date: January 28, 2020 at 1:18:43 PM EST
To: "dpwdirector@suttonsbayvillage.org" <dpwdirector@suttonsbayvillage.org>
Subject: RE: Email Info

Hello David,

Budget estimate for drainage work on W Broadway.

Install 2 -12" culverts under existing driveways.
Install 1-15" culvert under W Broadway.
Patch road and driveways with asphalt.
Ditch between culverts.
Remove stumps and construct 20' x 40' basin.
Restore disturbed areas with on-site topsoil, Seed & mulch.
Budget Estimate: \$19,500


Thank you,

Joel Voss
Kal Excavating

From: dpwdirector@suttonsbayvillage.org <dpwdirector@suttonsbayvillage.org>
Sent: Tuesday, January 28, 2020 1:05 PM
To: Joel Voss <jvoss@kalexexcavating.com>
Subject: Email Info

David B. Miller
Director of DPW & Utilities
Village of Suttons Bay
dpwdirector@suttonsbayvillage.org
(231) 271-1032



		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2020- 11	
Prepared:	February 12, 2020	Pages:	1 of 1
Meeting:	February 17, 2020 VILLAGE COUNCIL	Attachments:	<input checked="" type="checkbox"/>
Subject:	Budget Amendment – Vehicle Purchase		

PURPOSE

To recommend the Village Council amend the budget line item 402-000-974 by \$40,000 for the purchase of a new vehicle.

STAFF COMMENTS

Over the past several months we have discussed the purchase of a second vehicle to replace the 2003 Dodge. Following discussion on various vehicle / cab styles we have opted for a 2020 F250 (4-doors) which is a departure from the traditional 2-door style, however, with an extra employee now working in the field, it will better suit the Village's needs. This purchase will essentially upgrade our DPW fleet to include the 2015 (yellow), 2019 (white utility) and a 2020 (white) pick-up trucks. All trucks are equipped to plow, tow, and transport Staff safely and efficiently.

BUDGET BACKGROUND

Following the purchase of a vehicle in 2019 a decision was made to postpone the purchase of a second vehicle. Therefore, the funds for the second vehicle were not expended in 2019, nor were they specifically allocated for and transferred to the 2020 budget. This request essentially finalizes the process by reallocating the funds needed to purchase the vehicle and add all necessary equipment.

This item was once again brought before the General Service Committee at their February 4, 2020 meeting, for discussion where it was recommended to the Village Council for action.

ACTION REQUESTED (*motion for consideration*)

MOTION THAT the Village Council amend the budget line item 402-000-974 by \$40,000 for the purchase of a new vehicle.

CNGP530

VEHICLE ORDER CONFIRMATION

09/17/19 11:42:10

==>

Dealer: F48017

Page: 1 of 1

2020 F-SERIES SD

Order No: 9999 Priority: 99

Order Type: 1 Price Level: 015

Ord PEP: 600A Cust/Flt Name: SUTTONS BAY

PO Number:

	RETAIL	DLR INV		RETAIL	DLR INV
X2B F250 4X4 S/C	\$39040	\$37088.00	10000# GVWR PKG		
164" WHEELBASE			425 50 STATE EMISS	NC	NC
Z1 OXFORD WHITE			473 SNOW PLOW PKG	250	228.00
A VNYL 40/20/40			512 SPARE TIRE/WHL2	NC	NC
S MEDIUM EARTH GR			JACK		
600A PREF EQUIP PKG			67D 200/240 AMP ALT	NC	NC
.XL TRIM			FUEL CHARGE		96.90
572 .AIR CONDITIONER	NC	NC	DEST AND DELIV	1595	1595.00
.AMFM/MP3/CLK			TOTAL BASE AND OPTIONS	40885	39007.90
996 .6.2L EFI V8 ENG	NC	NC	TOTAL	40885	39007.90
44S 6-SPD AUTOMATIC	NC	NC	*THIS IS NOT AN INVOICE*		
TD8 .LT245 BSW AS 17					
X37 3.73 REG AXLE	NC	NC			
JOB #1 BUILD					
TRAILER TOW PKG					

F1=Help

F2=Return to Order

F3/F12=Veh Ord Menu


F4=Submit

F5=Add to Library

S099 - PRESS F4 TO SUBMIT

QC03523

YOUR COST \$30360 plus DELIVERY

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2020- 12	
Prepared:	February 12, 2020	Pages:	1 of 1
Meeting:	February 17, 2020 VILLAGE COUNCIL	Attachments:	<input checked="" type="checkbox"/>
Subject:	USBR 35 Route Realignment		

PURPOSE

To consider the adoption of a resolution to re-route Michigan Bike Route 35 off of St. Joseph Street.

OVERVIEW

Some of you may have noticed signs throughout the Village that look like the picture to the right. These signs identify US Bike Route 35, which stretches from Indiana through the Village of Suttons Bay, around the Leelanau Peninsula and up to Sault Ste. Marie, Canada. This route spans 500 miles and mostly follows the great lake shoreline.



Meetings with interested residents and TART Trail representatives have identified a more bicycle friendly route through the Village. The attached resolution requests to re-route US BR 35 which currently travels along Cedar Street, crossing M-22 and continuing down M-22/ST Joseph Street, then through the Marina Park, and finally crossing Front Street to M204. The proposed Route would modify US BR 35 from the TART trail west (First Street) north along St Mary's Street to M-204.

STAFF COMMENTS

The modification of the route will take bicyclist off the heavily traveled M-22 and direct them to a less traveled, less congested residential road. Procedurally, the Village is required to request the modification for the American Association of State Highway and Transportation Officials (AASHTO) to consider the change. Prior to consideration by AASHTO, M-DOT will first review the request before making a recommendation to AASHTO.

This item was recommended for consideration by the General Service Committee at their February 4th meeting. Attached you will find the application, map, and a Resolution of Support to M-DOT for your consideration.

ACTION REQUESTED

MOTION TO Adopt Resolution #2020- 01 in support of amending USBR-35.



VILLAGE OF SUTTONS BAY
LEELANAU COUNTY, MI

RESOLUTION 1 OF 2020

SUPPORT OF THE U.S. BICYCLE ROUTE 35 THROUGH THE VILLAGE OF SUTTONS BAY

WHEREAS, bicycle tourism is a growing industry in North America, contributing \$47 billion a year to the economies of communities that provide facilities for such tourists; and

WHEREAS, the American Association of State Highway and Transportation Officials (AASHTO) has designated a corridor along the western shore of the lower peninsula of Michigan connecting to Sault Ste. Marie be developed as United States Bicycle Route 35 (USBR 35); and

WHEREAS, M-22 through the Village of Suttons Bay will be closed in the Spring for a streetscape project with new bump outs and with no bike lanes proposed. The proposed new route is a less traveled Street through residential neighborhoods;

WHEREAS, A stakeholder group namely TART TRAILS recommended the proposed reroute to USBR 35 in consultation with the Village of Suttons Bay, a map of which is herein incorporated into this resolution by reference; and

WHEREAS, the proposed route for USBR 35 passes through the Village of Suttons Bay and can therefore provide a benefit to our residents and businesses; and

WHEREAS, the proposed reroute would increase bicycle safety by eliminating heavily traveled roads; and

WHEREAS, the recommended change to the North bound route in the Village of Suttons Bay would start at 1st Street heading west to St Mary's Street. St Marys Street north seven (7) blocks to M204 with signs directing travel West on M204.

WHEREAS, the recommended change to the south bound route in the Village of Suttons Bay from M-204 head South along St Mary's Street 7 blocks turning east onto first street one block to the TART Trail entrance.

WHEREAS, the Village of Suttons Bay has investigated the proposed reroute and found it to be a suitable route, which will avoid the heavily traveled M-22, offering safer travel and still allowing access to all the amenities the Village has to offer. The Village desire is that the route be designated so that it can be mapped and signed, thereby promoting bicycle tourism in our area; and

WHEREAS, the Village of Suttons Bay acknowledges that they will work in cooperation with MDOT on sign placement.

NOW THEREFORE BE IT RESOLVED, that the Village of Suttons Bay Council strongly supports the development of USBR 35 and the proposed route changes, and requests that the appropriate officials see to it that the route is officially designated by AASHTO as soon as this can be achieved.

YES:
NO:
ABSENT:

RESOLUTION DECLARED ADOPTED

I hereby certify that the above Resolution was adopted by the Village Council on _____, at a meeting of the Village Council held in the Council Chamber, Village Hall, 420 N. Front St., Suttons Bay, MI 49682

Dated:

Shar Fay
Village Clerk

Michigan U.S. Bicycle Route Modification Request Process and Form

Prepared: November 2015
Last Updated: March 2016

Background Overview:

In 2009 the Michigan Department of Transportation (MDOT) began the process of identifying and designating U.S. Bicycle Routes (USBR) through the American Association of State Highway and Transportation Officials (AASHTO) process. The designation of USBR's facilitate the movement of long-distance touring bicyclists across the state and region. Through designation, USBR's facilitate cross state and regional bicycle travel resulting in economic, safety and mobility benefits.

To date there are 3 AASHTO designated USBR's; USBR20 between Marine City and Ludington, USBR 35 between New Buffalo and Sault. Ste. Marie, and USBR 10 between St. Ignace and Iron Mountain. Combined these routes cover nearly 1,000 miles of Michigan's local and county roads, state highways and shared use pathway. This network is owned and maintained by numerous agencies. The designation of a road or pathway segment as a USBR requires the owning jurisdiction to pass a resolution of support recognizing the designation.

Just as land uses, infrastructure, and roadway safety can change over time, so too can designated bicycle routes. AASHTO accepts applications for the designation or realignment of routes twice per year. Because applications for designation and realignment to AASHTO require authorization by local road agencies and MDOTs Director, request to make modifications to the route should not be done without just cause. As a result, MDOT has prepared the following document to assist with the evaluation and review process.

The following document should be submitted to MDOT's Bicycle and Pedestrian Coordinator by a representative(s) of authority from the Act 51 agency(ies) for whom has jurisdiction over the road(s) under consideration for designation or removal thereof. If the segment in questions is not the responsibility of an Act 51 agency requests should be prepared by authorized representatives of the agency or organizations with responsibility of the infrastructure.

U.S. Bicycle Route Modification Request

U.S. Bicycle Route Number: **35**

MDOT Region: **Northwest Region**

County: **Leelanau**

City or Village (if applicable): **Village of Suttons Bay**

Is this a request to eliminate a segment designation and realign the route; or for the consideration of an alternate (secondary) route segment? (check one)

Eliminate segment designation and realign route XX or Alternate (secondary) route _____

Name of managing/owning agency for roadway or pathway segment (s): **VILLAGE OF SUTTONS BAY**

Signature of authorized agent for managing agency for roadway or pathway segment

Print Name and Position: **Rob Larrea, Village Manager**

Signature: _____ Date: _____

Phone: **231.271.3051 ext. 1**

Email: **manager@suttonsbayvillage.org**

Instructions:

To remove the designation of an existing USBR road or pathway segment and designate a new segment complete SECTION 1 and SECTION 2. If the request is for the designation of a second route that will serve an alternative route to the originally designated route please complete only SECTION 2. Requests for modifications of USBRs should also include the following items.

- A formal letter from the managing agency.
- Formal Resolution from the governing commission, board or council.
- Maps must be provided to clearly illustrate the existing route and any proposed changes. Show existing route upon which a designation is being removed using black x's on the segment; highlight proposed new route in yellow. If the existing route will remain and a secondary/alternative route is being proposed please show the existing route in green and the alternative route highlighted in yellow.
- Map must show connecting segments and any changes in jurisdiction or roadway ownership.
- Detailed turn by turn directions of the new route. Directions must include length of the modified connecting segments, name of all proposed road segments and the length of each segment to the nearest tenth of a mile. Directions should note turn direction (left or right) and cardinal directions (north, south, east, west). Turn by turn directions must be provided for each direction of travel as appropriate (north to south and south to north; or east to west and west to east).

SECTION 1- Eliminate Segment Designation: Please provide the following information for each existing designated USBR road or pathway segment being considered for delisting as a segment of designated bicycle route.

Name of road or pathway segment(s): **M-22**

Managing Agency for road or pathway segment(s): **Michigan Department of Transportation**

Endpoints of road or pathway segment(s): **North-Duck Lake Road, M-204 South – 1st Street & Leelanau Trail**

Length of road or pathway segment (s) (individual segments and total): **< one (1) mile**

Posted speeds of road segment (s): **30 MPH**

Typical cross section(s) of road segment (number of lanes and widths including shoulders/bike lanes):

Two-Lane—Parking on either side

Please provide the name(s) of the agency(ies) with jurisdiction over the segments that connect to the endpoints of the segment being considered for elimination: **Village of Suttons Bay and Michigan Department of Transportation**

Are U.S. Bicycle M1-9 signs present on the segment in question or the connecting segments: **Yes**

If Yes have discussion on sign relocation with appropriate agencies been initiated: **Yes**

Please provide a concise but detailed explanation as to why this segment of road or pathway is being considered for delisting as a designated USBR: **M-22 will be closed in Spring of 2020 for Streetscape project. The Street is the main thoroughfare through the village and is heavily traveled. After project completion, M-22 will remain a heavily traveled roadway.**

SECTION 2- New Segment Designation: Please provide the following information for each new segment of road or pathway being considered for designation as a new USBR.

Name of road or pathway segment(s): **St Mary's Street**

Managing Agency for road or pathway segment(s): **Village of Suttons Bay**

Will this designation serve as a new USBR route to replace a segment being considered for delisting as a designated route or as an alternative (secondary) route to an existing designated USBR. (check one)

X - this will be a new segment that will replace an existing designated segment.

Endpoints of road or pathway segment(s): **North-Duck Lake Road (M202) South- 1st Street to Leelanau Trail**

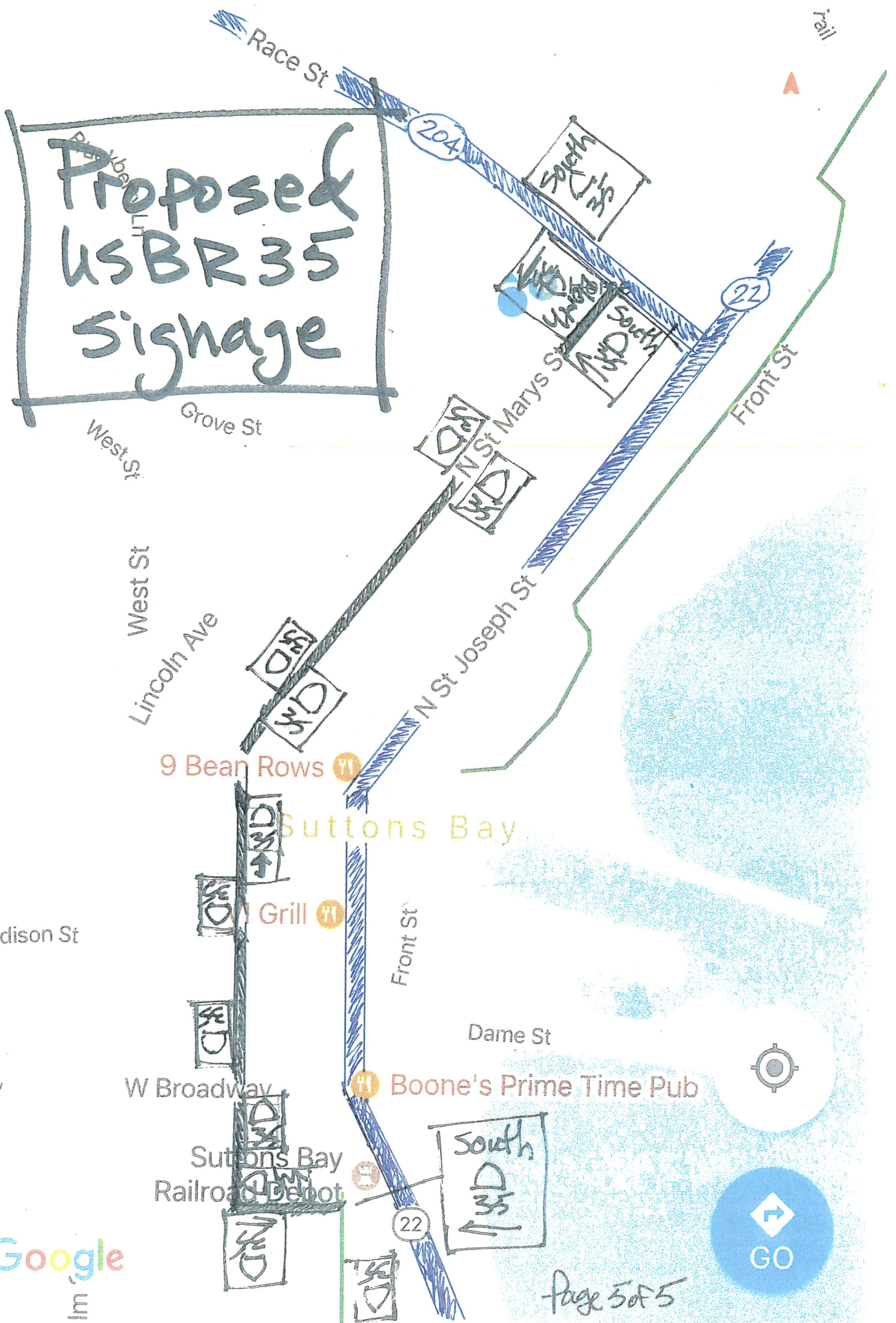
Lengths of road and pathway segment (s) (individual segments and total): **< one (1) mile**

Posted speeds of road segment (s): **25 MPH**

Typical cross section of road segment (number of lanes and widths including shoulders/bike lanes): **two (2) lanes, parking on both sides**

Please list any observations with respect to the safety and mobility of bicyclists using the new proposed route. Roadway characteristics such as the ease and safety of the bicyclists to make necessary left turns, pavement condition, presence of railroad crossings and any skews, sight distances, etc. should be evaluated from the perspective of a bicyclists. **The new route is a less traveled Village Street rather than on "Main Street" with continuous flow of traffic and various turns. Once the traveler leaves the Leelanau Trail from the South or M-204 from the North on the new route, it is a straight shot through the Village.**

Please provide a concise but detailed explanation as to why this segment of road or pathway is being considered for designated as a new USBR: **The new route is a less traveled route with lower posted speed. This route allows the traveler a straight shot through the village while still offering an easy access to all the amenities the village has to offer. In addition, M-22 will be closed in Spring of 2020 for streetscape project. After project completion, M-22 will remain a heavily traveled roadway.**



Proposed
USBR 35
Signage

Race St

204

South
35

South
35

22

Front St

N St Marys St

N St Joseph St

West St

Lincoln Ave

9 Bean Rows

Suttons Bay

Grill

Front St

Dame St

Boone's Prime Time Pub

W Broadway

Suttons Bay
Railroad Depot

22

South
35

Madison St


Way

1st St

Google
Maps



Page 5 of 5

		VILLAGE OF SUTTONS BAY VSB- 2020-13	
Prepared:	February 12, 2020	Pages:	1 of 1
Meeting:	February 17, 2019 VILLAGE COUNCIL	Attachments:	<input type="checkbox"/>
Subject:	Marina Boat Launch		

PURPOSE

To consider temporarily closing the Marina boat launch as recommended by the Marina Committee.

STAFF COMMENTS

As we continue to witness an unprecedented rise in lake levels, we are also experiencing the secondary effects associated with that rise. Seiches and northwest winds threatened our new marina infrastructure, undermined our boat launch, and caused flooding in our parking area. The launch pads, made of concrete, are now compromised and can no longer properly distribute the weight of larger vessels, resulting in the potential sloping, or breaking of the pads when used.

As we discussed the possible closure of the launch it was apparent that pedestrian safety has long been a concern at this launch. Pedestrians accessing the marina pier and boat slips are naturally directed across the launch causing a safety issue when vehicles are backing up to launch. The closure of the launch will let us reassess this issue and perhaps provide a safe alternative to this issue.

The request for closure was brought before the Marina Committee at their February 6, 2020 meeting. Upon discussion and due to the launch being compromised the recommendation by the committee was to temporarily close the marina boat launch, move the skid pier to North Park to support additional boats, and educate users of our boat launch and marina of the closure.

ACTION REQUESTED

MOTION TO support the recommendation of the Marina Committee to **TEMPORARILY CLOSE THE MARINA BOAT LAUNCH** for the reasons stated in Report VSB-2020-13.

		VILLAGE OF SUTTONS BAY REPORT VSB -2019- 15	
Prepared:	January 27, 2020	Pages:	1 of 1
Meeting:	February 5, 2020 VILLAGE COUNCIL	Attachments:	<input checked="" type="checkbox"/>
Subject:	Land Division Ordinance Draft		

PURPOSE

To consider scheduling a public hearing on a new Land Division Ordinance.

STAFF COMMENTS

A new land division ordinance is before you for discussion. This ordinance will replace the adopted ordinance that is in need of several updates to comply with current law. Rather than attempt a fix to the current Ordinance, I have drafted a new Ordinance for consideration. We are also creating a new application that complies with the requirements of the law as well as approval documents and most importantly, a checklist for applicants and Staff.

We will be forming a committee of three to review applications. The review committee will be comprised of the Assessor, Zoning Administrator and Village Planner or Manager. The review session will eliminate sending the application back and forth between the Township and Village, which has proven to be time consuming and a burden to the Applicant.

Once a completed application is received and reviewed, written feedback will be provided to the applicant by the committee. A second review will finalize the application and the applicant will be provided with instructions to record the document. This is a proven procedure that keeps everyone accountable, including Staff, and the applicant.

The Administration Committee has recommended moving this Ordinance forward for public comment.

ACTION REQUESTED

MOTION TO call for a public hearing on the attached Land Division Ordinance for March 16, 2020.



VILLAGE OF SUTTONS BAY
LEELANAU COUNTY, MICHIGAN

ORDINANCE NO. XX
LAND DIVISION ORDINANCE

An ordinance to regulate partitioning or division of parcels or tracts of land, enacted pursuant but not limited to the Land Division Act, Public Act 288 of 1967, as amended, (MCL 560.101, *et seq.*) and the General Law Village Act, Public Act 3 of 1895, as amended, (MCL 61.1, *et seq.*), to provide a procedure therefore; to repeal any ordinance or provision thereof in conflict herewith; and to prescribe penalties and enforcement remedies for the violation of this ordinance.

THE VILLAGE OF SUTTONS BAY ORDAINS:

Section I: Title

This ordinance shall be known and cited as the Village of Suttons Bay Land Division Ordinance.

Section II: Purpose

The purpose of this ordinance is to carry out the provisions of the Land Division Act, Public Act 288 of 1967, as amended, (MCL 560.101, *et seq.*), formerly known as the Subdivision Control Act), to prevent the creation of parcels of property which do not comply with applicable ordinances and said Act, to minimize potential boundary disputes, to maintain orderly development of the community, and otherwise provide for the health, safety and welfare of the residents and property owners of the Village by establishing reasonable standards for prior review and approval of land divisions within the Village.

Section III: Legal Basis

This Ordinance is enacted pursuant to the statutory authority granted by the Land Division Act, formerly known as the Subdivision Control Act of 1967, Act 288, P.A. 1967, as amended by Act 591 of P.A. 1997.

Section IV: Definitions

For purposes of this ordinance, certain terms and words used herein shall have the following meaning:

- A. "Accessible" in reference to a parcel, means that the parcel meets one or both of the following requirements:
 - (i) Has an area where a driveway provides vehicular access to an existing and approved public or

private road or street and meets all applicable location standards of the state transportation department or county road commission under Act No. 200 of the Public Acts of 1969, being sections 247.321 to 247.329 of the Michigan Compiled Laws, and of the Village, or has an area where a driveway can provide vehicular access to an existing and approved public or private road or street and meet all such applicable location standards.

- (ii) Is served by an existing easement that provides vehicular access to an existing and approved public or private road or street and that meets all applicable location standards of the state transportation department or county road commission under Act No. 200 of the Public Acts of 1969 and road width and other dimensional standards in the Zoning Ordinance and which will comply with the road width and other dimensional standards in the Zoning Ordinance or can be served by a proposed easement that will provide vehicular access to an existing and approved public or private road or street and that will meet all such applicable location standards and which will comply with the road width and other dimensional standards in the Zoning Ordinance.
- B. "Adequate Permanent Access" means a public or private street or place along with its right-of-way, easement or general common area, which provides vehicular access to a lot or parcel.
 - C. "Applicant" means a natural person, firm, association, partnership, corporation, or combination of any of them that holds an ownership interest in land whether recorded or not.
 - D. "Boundary Adjustment" means a property transfer between two or more adjacent parcels where property is taken from one parcel and added to an adjacent parcel.
 - E. "Divide" or "Division" means the partitioning or splitting of a parcel or tract of land by the applicant thereof or by his or her heirs, executors, administrators, legal representatives, successors or assigns for the purpose of sale, or lease of more than one year, or of building development that results in one or more parcels of less than 40 acres or the equivalent, and that satisfies the requirements of Sections 108 and 109 of the Land Division Act. "Divide" and "Division" does not include a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel; and any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the Land Division Act, or the requirements of other applicable local ordinances.
 - F. "Exempt split" or "exempt division" means the partitioning or splitting of a parcel or tract of land by the applicant thereof or by his or her heirs, executors, administrators, legal representatives, successors, or assigns that does not result in one or more parcels of less than 40 acres or the equivalent. For a property transfer between two or more adjacent parcels, if the property taken from one parcel is added to an adjacent parcel, any resulting parcel shall not be considered a building site unless the parcel conforms to the requirements of the Land Division Act or the requirements of other applicable local ordinances.

- G. "Forty acres or the equivalent" means 40 acres, or a quarter-quarter section containing not less than 30 acres, or a government lot containing not less than 30 acres.
- H. "Governing Body (or Village Council)" means The Village Council of the Village of Suttons Bay.
- I. "Land Division Committee": The body responsible for the review of Land Division applications under Article IV of the Ordinance, composed of the Township Assessor, Village Zoning Administrator and Village Planner and/or Village Manager.
- J. "Lot Split" shall mean the partitioning of a lot, outlot or other parcel of land within a recorded plat.
- K. "Private Road or Street": A road or street held in private ownership dedicated to the use of adjacent property owners which meets the definition, design and construction standards of the Zoning Ordinance.
- L. "Public Road or Street": A road or street dedicated to the public, such dedicating having been accepted by the appropriate public entity, which meets the definition, design, and construction standards as adopted by the Village, and/or Department of Transportation and otherwise meets the standards of the Zoning Ordinance.
- M. "Village": The Village of Suttons Bay.
- N. "Zoning Ordinance": The Village of Suttons Bay Zoning Ordinance.

Section V: Prior Approval Requirement

Land in the Village shall not be divided nor shall a boundary adjustment be affected without the prior review and approval of the Land Division Committee, in accordance with this ordinance and the Land Division Act; provided that the following shall be exempted from this requirement:

- A. A parcel proposed for subdivision through a recorded plat pursuant to the Land Division Act.
- B. A parcel proposed for subdivision that will be transferred to a federal, state, county or local unit of government for public purposes.
- C. A parcel proposed for subdivision through a recorded site condominium pursuant to the State Condominium Act.
- D. A lot in a recorded site condominium proposed to be divided in accordance with the State Condominium Act.
- E. An exempt split as defined in this Ordinance.

Section VI: Application for Land Division or Boundary Adjustment Approval

An applicant shall file all of the following with the Township Assessor and Village Zoning Administrator before making any land division or boundary adjustment either by deed, land contract, lease for more than one year, or for building development:

- A. A completed application form provided by the Village.
- B. Proof of fee ownership of the land proposed to be divided.
- C. Proof that all taxes payable upon the property have been paid in full.
- D. Two copies of a survey map in accordance with E below, and drawn to scale, illustrating all resulting

parcels, current structures and setbacks.

- E. For boundary adjustments, both the area of the boundary adjustment and the original parcel before adjustment must be separately shown. The survey map must be prepared by a surveyor or civil engineer licensed to practice in the State of Michigan. The survey must show the legal description and dimensions of all created parcels and the location of existing and proposed structures, land improvements, easements, streets, driveways, and ingress and egress to public or private streets. This map must be at a scale of at least one-inch equals 100 feet and should show the location of wetlands or flood plain areas, the zoning of proposed parcels, and the location of existing buildings, streets, or driveways within 50 feet of the property lines. The survey map will represent the parcels AFTER the division or boundary adjustment has occurred. Label the newly created parcels as "Parcel 1, Parcel 2, etc.". The application should include two copies of site plans for the proposed development.

In lieu of such survey map, and prior to application, the applicant may submit a tentative preliminary parcel map to be reviewed, for conceptual purposes, by the Land Division Committee. The tentative preliminary parcel map shall be drawn to a scale of not less than that provided for in the application form, and shall show the boundary lines, dimensions and accessibility of each proposed land division or boundary adjustment from existing or proposed public roads and public utilities. When submitting a tentative preliminary parcel map, the applicant shall waive the 45-day statutory requirement for a decision and shall include a fee that is set by resolution of the Village Council. The Land Division Committee's decision regarding the feasibility of the proposed land division or boundary adjustment is not binding upon the application or the Village.

- F. Proof that all standards of the Land Division Act and this Ordinance have been met.
- G. The history and specifications of the land proposed to be divided sufficient to establish that the proposed land division complies with Section 108 of the State Land Division Act. Specifically, the application shall state that the land proposed to be divided is a parent parcel, or if not a parent parcel, then it shall provide the history of the land proposed to be divided from the parent parcel to present, including all leases, land contracts and conveyances.
- H. If a transfer of division rights is proposed in the land transfer, detailed information about the terms and availability of the proposed division rights transfer.
- I. All land divisions and boundary adjustments shall result in "buildable" parcels sufficient to comply with all required area and width requirements, setback provisions, minimum floor areas, off-street parking spaces, public water and sewer service, access to existing public utilities and public roads, and maximum allowed area coverage of buildings and structures on the site, if applicable.
- J. The fee as may from time to time be established by Resolution of the Village Council for land division reviews.

Section VII: Procedure for Review of Applications for Approval

- A. The Land Division Committee shall approve, approve with reasonable conditions to assure compliance with applicable ordinances and the protection of public health, safety and general welfare, or

disapprove the land division or boundary adjustment applied for within forty-five (45) days after receipt of a complete application conforming to this Ordinance's requirements and the Land Division Act, and shall promptly notify the applicant of the decision and, if denied, the reasons for denial. If the application does not conform to this Ordinance's requirements and the Land Division Act, the Land Division Committee shall return the same to the applicant for completion and re-filing in accordance with this Ordinance and the Land Division Act.

- B. A decision approving a land division or boundary adjustment is effective for 90 days, after which it shall be considered revoked unless:
 - 1. within such period the Village certificate of approval and the written instrument creating such land division or boundary adjustment, together with the approved survey, are recorded with the Leelanau County Register of Deeds office and filed with the Township Assessor; or
 - 2. an extension of time has been granted in writing by the Land Division Committee to fulfill the conditions of approval. Such extension shall only be granted when factors beyond the reasonable control of the applicant have prevented fulfillment of the conditions and completion of the land division or boundary adjustment application.
- C. The Assessor or designee shall maintain an official record of all approved and accomplished land division and boundary adjustments.
- D. Approval of a land division or boundary adjustment is not a determination that the resulting parcels comply with other ordinances or regulations.
- E. The Village and its officers and employees shall not be liable for approving a land division or boundary adjustment if building permits for construction on the parcels are subsequently denied due to inadequate water supply, sewage disposal facilities, wetlands or otherwise, and any notice of approval may include a statement to this effect.

Section VIII: Standards for Approval

A proposed land division or boundary adjustment reviewable by the Village shall be approved if the following criteria are met:

- A. All resulting parcels have the minimum width required and as measured by the applicable zoning district pursuant to the Zoning Ordinance.
- B. All resulting parcels have the minimum area required for the applicable zoning district pursuant to the Zoning Ordinance.
- C. The ratio of depth to width of all resulting parcels created by the land division or boundary adjustment do not exceed a four to one ratio exclusive of access roads, easements, or non-development sites. The depth of all resulting parcels created by a land division or boundary adjustment shall be measured within the boundaries of each parcel from the abutting road right-of-way to the most remote boundary line point of the parcel from the point of commencement of the measurement.

- D. The proposed land division or boundary adjustment complies with all requirements of this Ordinance and the Land Division Act.
- E. All resulting parcels are "accessible" as that term is defined in the Ordinance.
- F. All resulting parcels have adequate easements for public utilities from the parcel to existing public utility facilities.
- G. If any resulting parcel contains a pre-existing structure, the structure shall comply with minimum setbacks and maximum parcel coverage standards as required by the applicable zoning district pursuant to the Zoning Ordinance.

Section IX: Lot Splits

Lot splits shall be processed in the same manner and subject to the same standards and conditions as a land division or boundary adjustment application, provided that no lot, outlot or other parcel of land within a recorded plat shall be partitioned or divided into more than four (4) parts.

Section X: Consequences of Noncompliance with Approval Requirement

Any resulting parcel created in non-compliance with this Ordinance shall not be eligible for any building permits, or zoning approvals, including but not limited to land use permits, conditional land use approval or site plan approval, and shall not be recognized as a separate parcel on the tax roll or assessment roll. The Village shall further have the authority to initiate injunctive or other relief to prevent any violation or continuance of any violation of this Ordinance.

In addition any person, firm or corporation who violates any of the provisions of this Ordinance shall be deemed to be responsible for a municipal civil infraction as defined by Michigan statute which shall be punishable by a civil fine of not more than \$500.00 along with costs which may include all expenses, direct and indirect, to which the Village has been put in connection with the municipal civil infraction. In no case, however, shall costs of less than \$9.00 nor more than \$500.00 be ordered. A violator of this Ordinance shall also be subject to such additional sanctions and judicial orders as are authorized under Michigan Law. Each day that a violation continues to exist shall constitute a separate violation of this Ordinance.

Pursuant to Section 267 of the Land Division Act (MCL 560.267), an unlawful land division, boundary adjustment or split shall also be voidable at the option of the purchaser and shall subject the seller to the forfeiture of all consideration received or pledged therefore, together with any damages sustained by the purchaser, recoverable in an action at law.

Section XI: Severability

The provisions of this ordinance are hereby declared to be severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by any court of competent jurisdiction, it shall not affect any portion of this ordinance other than said part or portion thereof.

Section XII: Repeal

The Village of Suttons Bay Ordinance No. XX and all previous Land Division Ordinances affecting unplatted land divisions in conflict with this Ordinance are hereby repealed; however, this Ordinance shall not be construed to repeal any provision in any applicable Zoning Ordinances, or other ordinances of the Village that shall remain in full force and effect notwithstanding any land division approval hereunder.

Section XIII: Effective Date

This ordinance shall take effect upon publication following its adoption. The

following voted:

YEAS:

NAYS:

ABSTAIN:

ABSENT:

I hereby certify that the foregoing was duly adopted by the Village of Suttons Bay, Leelanau County, Michigan, at its regular meeting on the XXth day of XXXXXXXX and that (7) seven members of the Village Council were in attendance and (7) seven voted for the adoption of the Ordinance.

Shar Fay, Village Clerk

ADOPTED:

EFFECTIVE: