



VILLAGE OF SUTTONS BAY
REMOTE Access Village Council Meeting
420 N. Front Street, Suttons Bay, MI 49682
August 16, 2021 5:30 p.m.
Agenda

Electronic Remote Access, in accordance with Public Act 228 of 2020 Article 3(2) and Resolution 1 of 2021 Declaration Of State Of Emergency will be implemented in response to COVID-19. The public may participate in the meeting through Zoom access by computer and smart phone and can find the link on our website at www.suttonsbayvillage.org

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 -July 19, 2021
 - b. Payment of Invoices
5. Public Comment / Communication and Reports (please limit to no more than three (3) minutes)
 - a. Correspondence from Rosali Collier
 - b. Correspondence from Mike Borkovich/Tom Speers re: Deputy Dononhue
6. Unfinished Business
7. New Business
 - a. **Soils & Structures Quote**
 - b. **Report VSB 2021-45 Manager's Update**
8. Special Committee Reports/Staff Reports (Verbal)
9. Good of the Order (Council Member **Comments**)
10. Public Comment (please limit to no more than three (3) minutes)
11. Adjournment

If you are planning on attending this meeting and are disabled requiring any special assistance, please notify the Village Clerk by calling 231.271.3051 or by email suttonsbay@suttonsbayvillage.org as soon as possible.



Roberto Larrea is inviting you to a scheduled Zoom meeting.

Topic: Village Council August 16, 2021

Time: Aug 16, 2021 05:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83919636526?pwd=ZVVySnBBMnpnS1FLMzIMNUhqdnOXQT09>

Meeting ID: 839 1963 6526

Passcode: 377512

One tap mobile

+19294362866,,83919636526#,,,,*377512# US (New York)

+13017158592,,83919636526#,,,,*377512# US (Washington DC)

Dial by your location

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 669 900 6833 US (San Jose)

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

Meeting ID: 839 1963 6526

Passcode: 377512

Find your local number: <https://us02web.zoom.us/j/keA00by8GH>

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VILLAGE COUNCIL REGULAR
REMOTE MEETING MINUTES OF JULY 19, 2021

The meeting was called to order at 5:30 p.m. by President Pro-Tem Christensen.

Present: Bahle, Case, Christensen, and Suppes
Absent: Long, Lutke and Smith
Staff present: Fay, Larrea and Petroskey

Approval of Agenda

Bahle moved, Suppes seconded, CARRIED, to approve the agenda as presented, with an affirmative unanimous roll call vote. Ayes: 4, No: 0.

Approval of Consent Agenda

Suppes moved, Bahle seconded, CARRIED, to approve the Consent agenda as presented, with an affirmative unanimous roll call vote. The Village Council regular meeting minutes of June 21, 2021, are approved. The payment of invoices is approved. Ayes: 4, No: 0.

Public Comment/Communications

A letter was submitted from Rich Bahle, Suttons Bay Township Supervisor, and can be found in this meeting packet.

Bill Perkins commented on the pop-up park by the Marina, noting 10 parking spaces are lost due to this park.

Lois Bahle encouraged Commissioners to think cooperatively with the Township on the culvert issues.

Presentation from Housing North Introduction/Housing Ready Program

Yarrow Brown gave a power point presentation on the Housing North, Homes for our Future public awareness campaign, calling for action and requesting an endorsement by adopting a Resolution.

Solid Waste Recycling Site discussion

Council discussed rather or not the Village is obligated to find a new site for the Recycling Center, while fully supporting the need for recycling and at the same time advocating for the Village residents affected by the noise nuisance. Council requested a point person be assigned to the Village, in writing, by the Leelanau County Solid Waste Council, to assist in the effort to find a solution to this ongoing issue. Council further requested the Solid Waste Recycling site discussion be placed on the appropriate committee meeting agenda once a SWC point person is assigned.

Continuation of Remote meetings discussion

It was the consensus of Council to support a hybrid approach to holding future Village Council meetings, such as in-person for Council members, and optional Zoom attendance for staff and the public. Larrea will review the current resolution, will reach out to staff, and will consider possible parameters for future Village Council meetings. Council requested a Committee of the Whole meeting be scheduled in early August in place of individual committee meetings, and prior to the next Village Council meeting to further discuss the continuation of remote meetings.

Good of the Order

Suppes stated the Planning Commission is working on a proposed community survey for Village resident's relative to the Master Plan.

Case observed the improvements at the Marina beach noting parking in the Village seems to be attracting the use of our park system.

Bahle stated past resistance of the placement of the sewer lagoons built years ago; noting similar resistance to the placement of the recycling center, further stating the need to find a home for the recycling center.

Public Comment

Lois Bahle believes the Village to be on the right track with joint discussions with the Solid Waste Council. Bahle stated perhaps there is a need to split up the recycling center site, or consider curbside recycling.

Bill Perkins encouraged Council members to go back to a Solid Waste Council meeting.

The meeting adjourned at 6:30 p.m.

Meeting minutes submitted by Shar Fay, Clerk.

Check Date	Check	Vendor Name	Description	Amount
Bank GEN FIFTH THIRD CHECKING				
07/23/2021	18451 (E)	CHERRYLAND ELECTRIC	ACCT# 83644101520 RICHTER RD- JUNE SERV	133.85
07/23/2021	18452 (E)	AMAZON	DPW-DAWN DISHWASHING LIQUID	50.43
07/23/2021	18453 (E)	BLUE CROSS BLUE SHIELD OF MICH	GR 007015354 0001 -AUGUST PREMIUM	275.63
07/23/2021	18454 (E)	CHARTER COMMUNICATIONS	ACCT#8245121220017471 326 FRONT	265.94
07/23/2021	18455 (E)	FIRST INTERNET BANK OF INDIANA	FIFPC - SUTTONS BAY, MI 2018- 3013-39801	65,812.50
07/23/2021	18456 (E)	GFL ENVIRONMENTAL	326 FRONT STREET -WASTE REMOVAL	130.00
07/23/2021	18457 (E)	ON TIME TELECOM, INC	DIALMY CALLS 1800 CREDITS-CHLORINATION	80.00
07/23/2021	18458 (E)	CHARTER COMMUNICATIONS	ACCT# 8245121220019774 420 FRONT STREET	142.97
07/28/2021	18459 (E)	ADOBE	SOFTWARE UPDATE MNG JULY	15.89
07/28/2021	18460 (E)	ADOBE	OFFICE ANNUAL FEE-JULY 2021-2022	190.67
07/28/2021	18461 (E)	FERGUSON PLUMBING SUPPLY	REPLACEMENT TOILET	534.82
07/28/2021	18462 (E)	FIFTH THIRD BANK	BANK FEES-JULY 2021	232.67
07/28/2021	18463 (E)	GFL ENVIRONMENTAL	1520 RICHTER RD-WASTE PICK-UP	621.02
07/28/2021	18464 (E)	STATE OF MICHIGAN - TREASURY	FUEL SALES TAX - JUNE, PD JULY, 2021	231.37
08/06/2021	18465 (E)	STATE OF MICHIGAN - TREASURY	JULY PAID AUGUST 2021 SALES TAX	1,021.63
07/20/2021	45175	BAYSHORE OIL & PROPANE	477.8 GALS @ 2.93 REC 90	31,426.65
07/21/2021	45176	BRAMER AUTO SUPPLY	CUST# 8571 MOTOR POOL SUPPLIES	50.36
07/21/2021	45177	GRAINGER	ACCT#871012852 VACUUM BREAKER	50.80
07/21/2021	45178	ART'S AUTO AND TRUCK PARTS INC	CUST#20090 LOADER OIL CHANGE SUPPLIES	182.62
07/21/2021	45179	LEELANAU ENTERPRISE	AD NO. 2074-LEGALS-MONTHLY SYNOPSIS	86.05
07/21/2021	45180	AT&T MOBILITY	ACCT#287304252169 FNDT # 59785867	511.52
07/21/2021	45181	BADGER METER INC	BEACON MEL HOST JUNE 2021	36.06
07/21/2021	45182	BAYSHORE OIL & PROPANE	650.4 GALS REC 90 @ 3.02	2,352.50
07/21/2021	45183	LESLIE COUTURIER	ZONING ADMIN AGREE - JULY, 2021	480.00
07/21/2021	45184	FIELD CRAFTS, INC	REF# M64577 MESH POLO(S)	115.10
07/21/2021	45185	BEACHES, LLC DBA GARDEN GOODS	ANNUAL FLATS FLOWER BOXES	789.16
07/21/2021	45186	THE HOME CITY ICE COMPANY	CUST#4501000546 1208\$1.15 /DELIVERY	350.80
07/21/2021	45187	INTEGRITY SOFTWARE SYSTEMS	TREND MICRO SECURITY SERV -12	488.40
07/21/2021	45188	KAL EXCAVATING CO	JOB#7108 S SHORE REPAIR/SUTTON PARK	13,650.00
07/21/2021	45189	KDP RETIREMENT PLAN SVCS, INC	2ND QUARTER ADMINISTRATOR FEES	270.00
07/21/2021	45190	MAPLE RIVER DIRECT MAIL	TAX BILLING/POSTAGE 2021	35.97
07/21/2021	45191	R W MERCER CO	FUEL PUMP REPAIR-MARINA	487.75
07/21/2021	45192	OLSON, BZDOK & HOWARD, P.C.	CLIENT#6289-00M LEGAL REVIEW	16.50
07/21/2021	45193	OPERATIONS MANAGEMENT INT	CUST# 120525 PROJ#404723.12 JULY SERVICE	13,738.58
07/21/2021	45194	PEERLESS MIDWEST INC.	DCL-55047 ANNUAL WELL & PUMP TESTING	1,200.00
07/21/2021	45195	INTEGRITY BUSINESS SOLUTIONS	ACCT#957380 OFFICE SUPPLIES	91.18
07/21/2021	45196	PURE WATER WORKS	5 GAL WATER & SUPPLIES	9.00
07/21/2021	45197	LEELANAU CTY ROAD COMMISSION	FUEL CHARGES UNLEADED/DIESEL JUNE 2021	1,027.13
07/21/2021	45198	SECURITY SANITATION, INC	WATERWHEEL PARK PORTA JOHN	100.00
07/21/2021	45199	SIGNPLICITY	MARINA SIGNAGE/PARK SIGNAGE	344.88
07/21/2021	45200	SIC METER, LLC	4- 5/8 X 4/4 BADGER METERS	632.95
07/21/2021	45201	SONDEE, RACINE & DOREN	CLIENT # 6027-00 LEGAL REVIEW	720.00
07/21/2021	45202	TIME WARNER CABLE	ACCT# 103479401 JULY 2021 INTERNET SERV	112.97
07/21/2021	45203	VALLEY CITY LINEN	ACCT#10467 JUNE 2021	100.00
07/21/2021	45204	VREDEVELD HAEFNER LLC	COMPLETION OF VILLAGE AUDIT 2020	2,725.00
07/21/2021	45205	PAUL WHITEFORD	DPW SUPPLIES-COPPER TUBING	19.57
07/23/2021	45206	DTE ENERGY	MULTIPLE ACCT(S) JULY SERVICE	399.40
08/03/2021	45207	DC COLLECTIVE GROCER	OFFICE SUPPLIES	6.65
08/03/2021	45208	ART'S AUTO AND TRUCK PARTS INC	CUST # 20090 MOTOR POOL SUPPLIES	58.86
08/03/2021	45209	COUNTY OF LEELANAU	POLICE PERSONNEL/MILEAGE APRIL 2021	20,483.98
08/03/2021	45210	NORTHERN BUILDING SUPPLY, LLC	ACCT# VIL10 THRU JULY 25, 2021	1,074.41
08/03/2021	45211	LEELANAU ENTERPRISE	LEGAL JULY 19, 2021 SYNOPSIS	64.35
08/03/2021	45212	BADGER METER INC	BEACON HOST-600 UNITS JULY 2021	36.00
08/03/2021	45213	BAYSHORE OIL & PROPANE	1056.5 GALS REC 90 @3.02	22,998.84
08/03/2021	45214	BS & A SOFTWARE	CUST#SUTTVLGLFEL SOFTWARE ANNUAL SERVICE	2,809.00
08/03/2021	45215	CENTURYLINK	ACCT# 891115093 EQUIP RENTAL	143.40
08/03/2021	45216	KSS ENTERPRISES	TOILET PAPER PARK SUPPLIES	269.95

Check Date	Check	Vendor Name	Description	Amount
08/03/2021	45217	THE HOME CITY ICE COMPANY	46 7 LB BAGS @ 1.15/DELIVERY	57.90
08/03/2021	45218	KENDALL ELECTRIC, INC	L-35 CSL 35W 270 LUMENS	11.12
08/03/2021	45219	LITTLE OUTDOOR SERVICE	DEAD BRANCH REMOVAL ST MARYS STREET	750.00
08/03/2021	45220	MICHIGAN PIPE & VALVE	CUST# 0001710 SUPPLIES	121.00
08/03/2021	45221	MONCHILOV SEWER SERVICE	PATCH AND MANHOLE REHAB SERVICE	55,300.00
08/03/2021	45222	MUNICIPAL UNDERWRITERS OF WEST	POLICY# HMTF-292264 ANNUAL PLAN	17,305.00
08/03/2021	45223	MI WATER ENVIRONMENT ASSOC	#1646 ANNUAL MEMBERSHIP DUES 9-2021/2022	77.00
08/03/2021	45224	NORTHERN SPRINKLERS	IRRIGATION SYSTEM INSTALIATION	3,737.65
08/03/2021	45225	OPERATIONS MANAGEMENT INT	CONTRACTUAL SERVICES/REPAIRS-AUGUST 2021	20,301.06
08/03/2021	45226	PRIORITY HEALTH	GROUP 78340 S0001, AUGUST PREIUM	7,307.37
08/03/2021	45227	PURE WATER WORKS	COOLER RENTAL JULY 2021	14.50
08/03/2021	45228	LEELANAU CTY ROAD COMMISSION	295.22 GALS UNLEADED/DIESEL JULY 2021	1,118.26
08/03/2021	45229	SARA KOPRIVA	PC-1 HR/SITE PLAN REVIEW	90.00
08/03/2021	45230	SECURITY SANITATION, INC	PORTA JOHN RENTAL BAHLE PARK	100.00
08/03/2021	45231	SLC METER, LLC	S.O. 42521 6- 1" BADGER METERS	1,284.28
08/03/2021	45232	SOS ANALYTICAL	PROJECT# WSSN 6500 LAB ANALYSIS	425.00
08/03/2021	45233	THREADS	CUSTOMIZED JACKETS/SHIRTS	157.50
08/03/2021	45234	TKS SECURITY	RVS VIDEO 146 S SHORE	240.00
08/03/2021	45235	WELLS FARGO FINANCIAL LEASING	CONT# 603-02144390000 SHARP COPIER	72.92

GEN TOTALS:

Total of 76 Disbursements:

298,756.29

From: suttonsbay@suttonsbayvillage.org
Sent: Monday, August 09, 2021 10:57 AM
To: manager@suttonsbayvillage.org
Subject: RE: Fire Pit Usage in the Village
Attachments: Open Burning Ordinance.pdf

Dear Ms. Collier,

Thank you for inquiry regarding fire pits.

Attached please find a copy of the Village's Open Burning Ordinance. It is clear fire pits are allowed, but the ordinance does list standards for an open fire. Feel free to share it with your neighbors as well as the owner of the Airbnb. Perhaps they would be kind enough to post it at the rental.

We hope it helps with your situation. Thank you.

Shar Fay
Village Clerk

-----Original Message-----

From: Rosali Collier <collierhowell@gmail.com>
Sent: Wednesday, August 4, 2021 10:09 PM
To: suttonsbay@suttonsbayvillage.org
Subject: Fire Pit Usage in the Village

Dear Suttons Bay Village Council Members:

My name is Rosali Collier and I live at 204 W 1st St here in the village. I have a question for you all, regarding the use of fire pits here in our neighborhood. We have two sets of neighbors who have fire pits going at least two to three nights a week, early summer through late fall. And now, we have a new Airbnb rental on Elm Street that encourages nightly fire pits (even in their advertisements).

The issue is that the smoke fills our house, sometimes until as late as 11:30 pm. Other than politely asking our neighbors to stop, which doesn't work and feels very uncomfortable, what can we do? And, with the new rental, these folks aren't our neighbors. They aren't invested in what the neighbors think.

Our eyes sting, our noses run, and our throats hurt. Sometimes it's so bad that we start to cough. Lately, this has been a nightly experience. Yes, we close our windows, but the smoke still comes in.

I would appreciate advice or information about any existing ordinances for this kind of pollution. We can't move our home, so we can't move out of the path of the smoke. At this point, summer is no longer a season we look forward to. What options are available for families like ours?

Thank you for your time, and if you have any questions for me, please feel free to reach out.

Rosali Collier

231-492-7266

Mike Borkovich

From: Mike Borkovich
Sent: Monday, August 9, 2021 10:38 AM
To: Tom Speers
Cc: John Donohue; 'James Kiessel (jkiessel@co.leelanau.mi.us)'; Duane Wright; Terrance Cadieux; Andy Bosscher; Greg Hornkohl; Chris Bailey; sheriff@co.leelanau.mi.us
Subject: RE: Deputy Donohue

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Tom ... thank you so much for your kind words about LCSO Deputy John Donohue. People are very quick to criticize Law Enforcement Officers these days so having positive feedback like this often helps to alleviate that stress. I am very proud of Deputy John Donohue and the great work that he does for our community. He excels with his public relations skills as we all strive to do and it does not surprise me to hear of his good work. Have a great day and again - thank you for contacting me on this matter as it has already made this day much better for all of us! Leelanau County Sheriff Mike Borkovich / 45-1.

From: Tom Speers <[REDACTED]@leelanau.gov>
Sent: Sunday, August 8, 2021 8:13 PM
To: Mike Borkovich <mborkovich@leelanau.gov>
Subject: Deputy Donohue

Dear Sheriff,

Recently I had an opportunity to interact with Deputy Donohue regarding some stolen bikes from the Suttons Bay Village Marina coal dock. I flagged down officer Donohue while driving and he agreed to meet me at the marina in 10 minutes. Officer Donohue showed up as indicated and during our exchange I noticed that he was not only just a Deputy but a training officer and a trained diver. While there have been many public interactions with police in the media of late both good and bad, I have to say that I was very impressed with Deputy Donohue. Not only did he take my report of stolen bicycles seriously, he called me later that day to report that he had found one of the bikes and was retrieving it from the swamp near the marina. Now that to me is a true public servant. I know he was busy that day because he told me what a busy time it had been. I cannot say enough in praise of Deputy Donohue. As a 16 year slip holder at the Marina in Suttons Bay, I am glad to know that we have dedicated officers like Deputy Donohue on the force. I want to express my gratitude toward him for his dedication and service to our community and to thank him for this dedication.

Regards,

Tom Speers



SOILS & STRUCTURES

August 3, 2021

Village of Suttons Bay
420 N Front Street
Suttons Bay, Michigan 49682

Attention: Mr. Rob Larrea

Regarding: Suttons Bay Marina
Geotechnical Investigation
Leelanau County, Michigan

Dear Mr. Larrea:

Soils & Structures, Inc. is pleased to present a quotation for geotechnical engineering services for the above referenced project.

Geotechnical Services

A total of two (2) test borings are proposed to evaluate the underlying soil conditions for the design and construction of a pedestrian bridge spanning a wetland area along the shoreline of Suttons Bay at the existing Suttons Bay Marina in Leelanau County, Michigan.

Tentatively, a test boring depth of fifty (50.0) feet is proposed for a total of one hundred (100.0) feet of drilling and testing. If adequate soil conditions are not encountered within the proposed boring depths the Village of Suttons Bay will be contacted for further direction.

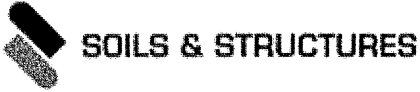
The test boring locations are anticipated to be accessible.

Soil borings will be backfilled with cuttings and/or bentonite chips. Soil borings performed in asphalt or concrete will be patched with appropriate material. Excess cuttings will be disposed on site. We assume no other restoration will be necessary.

Laboratory tests will be performed, as appropriate, on representative samples of the soil.

The report will be prepared by a registered geotechnical engineer and will include the following information.

- ❖ A description of the tests performed
- ❖ Discussion of the surface and subsurface conditions including groundwater conditions
- ❖ Recommendations for site preparation
- ❖ Recommendations for foundations
- ❖ Recommendations for groundwater management and drainage
- ❖ Recommendations for fill
- ❖ Recommendations for calculating lateral earth pressure
- ❖ Recommendations for quality control testing



Quotation

The proposed fees for the above scope of services are:

❖ Mobilization, drilling, sampling, and testing per ATSM D 1586	
- Initial 100.0 feet of drilling	\$ 3,100.00
- Additional drilling per foot	\$ 16.50
❖ Engineering Report	\$ 2,400.00
❖ Laboratory Testing	\$ 625.00
❖ Stake Boring Locations and MISS DIG	\$ 350.00
Total	\$ 6,475.00

Based on the above scope of services the estimated cost of the investigation is **Six Thousand Four Hundred Seventy Five Dollars (\$ 6,475.00).**

Soils & Structures proposes to stake and record the vertical and horizontal measurements at each test boring location and contact Miss Dig utility locate service to identify any public utilities in the vicinity prior to mobilizing to the site. The owner is responsible for locating their private utilities. We request that you coordinate with the owner to locate any private utilities on site that are not part of the Miss Dig system. Soils & Structures will not be responsible for damage to unmarked private utilities.

If requested Soils & Structures will contract ground penetrating radar (GPR) service for an additional cost not included in the proposal, to locate private utilities.

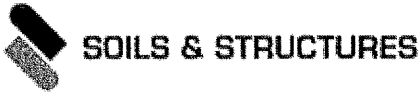
If artesian conditions are encountered during the drilling process, grout will be used to stop the water flow for an additional \$8.00 per foot.

We look forward to being of service to you. Please contact our office with any questions you may have.

Sincerely,
Soils & Structures, Inc.

A handwritten signature in black ink, appearing to read "Eric Tourre".

Eric Tourre
Field Manager
ERT/et



**CONFIRMATION OF AND AGREEMENT FOR THE PROVISION OF
LIMITED PROFESSIONAL SERVICES
[Notice of Furnishing]**

Design Professional Firm: Soils & Structures, Inc.
1411 Trade Centre Drive
Traverse City, Michigan 49696

Client: Village of Suttons Bay
420 N Front Street
Suttons Bay, Michigan 49682

Agreement Date: August 3, 2021

Project Name: Suttons Bay Marina

Project Location: Leelanau County, Michigan

Scope and Limit of Services:

Soil Borings & Engineering Report

Fee Arrangement: Work to be invoiced according to the proposal dated August 3, 2021

ESTIMATED COST OF INVESTIGATION = \$ 6,475.00

Special Conditions: None

Prepared By:

David W. Hohmeyer, P.E. / President
[printed name/title]

The **Terms and Conditions** form
is part of the Agreement.

Offered By:

Soils & Structures Inc.
(Professional Firm)

Accepted By:**

[Client/Company]

Eric R. Tourre / Field Manager
[printed name/title]

[printed name/title]

[signature]

8/3/21
[date]

[signature]

[date]

**Due to time constraints imposed on Soils & Structures, Inc. to begin or complete portions of the work this agreement is assumed to be accepted without a signature based on verbal instructions to proceed with the work. The agreement is also assumed to have been accepted based acceptance of the work product and its use for design, financing, permits and /or construction. Terms and Conditions may be negotiated prior to submission or use of the work product.

Page 1 of 2

TERMS and CONDITIONS

Project: Suttons Bay Marina

Agreement Date: August 3, 2021

The Firm shall perform the services outlined in this agreement for the stated fee arrangement.

Site Access:

Unless otherwise stated, the Firm will have access to the site for activities necessary for the performance of the services. The Firm will take precautions to minimize damage due to these activities, but have not included in the fee the cost of restoration of any resulting damage.

Dispute Resolution:

Any claims or disputes made during design, construction or post-construction between the Client and Firm shall be submitted to binding arbitration in accordance with the Construction Industry rules of the American Arbitration Association and any arbitration award so granted shall be specifically enforced by any Circuit Court in Michigan. Client and Firm agree to include a similar arbitration agreement with all contracts, subcontractors, sub-consultants, suppliers or fabricators, thereby providing for binding arbitration as the primary method for dispute resolution between all parties.

Billings & Payments:

Invoices for the Firm's services shall be submitted, at the Firm's option, either upon completion of such services or on a monthly basis. Invoices shall be payable within 30 days after the invoice date. If the invoice has not been paid within 30 days, the Firm may, without waiving any claim or right against the Client, and without liability whatsoever to the Client, terminate the performance of the service. Retainers shall be credited on the final invoice.

Late Payments:

Accounts unpaid 30 days after the invoice date may be subject to a monthly service charge of 1.5% (or the legal rate) on the then unpaid balance. In the event any portion or all of an account remains unpaid 90 days after billing, the Client shall pay all costs of collection, including reasonable attorney's fees.

Indemnification:

The Client shall, to the fullest extent permitted by law, indemnify and hold harmless the Firm, his or her officers, directors, employees, agents and sub-consultants from and against all damage, liability and cost, including reasonable attorney's fees and defense costs, arising out of or in any way connected with the performance by any of the parties previously named of the services under this agreement, excepting only those damages, liabilities or costs attributable to the sole negligence or willful misconduct of the Firm.

Certification, Guarantees and Warranties:

The Firm shall not be required to execute any document that would result in their certifying, guaranteeing or warranting the existence of conditions whose existence the Firm cannot ascertain.

Limitation of Liability:


In recognition of the relative risks, rewards and benefits of the project to both the Client and the Firm, the risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, the Firm's total liability to the Client for any and all injuries, claims, losses, expenses, damages or claim expenses arising out of this agreement from any cause or causes, shall not exceed the lesser of 10 x Soils & Structure's fee or \$10,000. Such causes include, but are not limited to; the Firm's negligence, errors, omissions, strict liability, breach of contract or breach of warranty.

Termination of Services:

This agreement may be terminated by the Client or the Firm should the other fail to perform its obligations hereunder. In the event of termination, the Client shall pay the Firm for all services rendered to the date of termination, all reimbursable expenses, and reimbursable termination expenses.

Ownership of Documents:

All documents produced by the Firm under this agreement shall remain the property of the Firm and may not be used by the Client for any other endeavor without the written consent of the Firm. The Client grants the Firm the right to use images of the site or construction related to the Firm's work on the Firm's web page.

		VILLAGE OF SUTTONS BAY REPORT VSB -2021-45	
Prepared:	8-11-21	Pages:	1 of 1
Meeting:		Attachments:	<input type="checkbox"/>
Subject:	Manager Update		

SOUTH SHORE DR.

A few property owners along S. Shore Drive have requested that ditches and culverts be considered in various locations within the road right of away. We do not believe the roadway in its entirety will require ditching, in fact, the water concerns are mostly attributed to three things; 1. Natural overflow from the wetlands during large storm events. 2. Lack of proper maintenance of driveway culverts to maintain flow. 3. Property owners, both purposely and inadvertently, building up their lawns to divert roadway water down the road. These issues are rather isolated and roadway drainage is only affected by #3 mentioned above. These observations have been confirmed over several weeks of observations. We are in the process of hiring a surveyor to provide the information needed (elevations, ROW, etc.) to take the next step.

ELM STREET PAVING

A grant to help supplement the repaving of 800 feet of Elm Street is causing delays and may jeopardize the timing for this project. We anticipate having more information soon, however, the grant announcements have been pushed back by the State due to the number of applicants. The grant is for 50% of the cost.

WATER INFRASTRUCTURE

We will once again be meeting with our infrastructure engineers to continue planning for future infrastructure improvements. This meeting, is our next step in planning for the expansion of our municipal water storage, as *required* by the State. In addition to increased storage, a new municipal well is also a part of this endeavor. Infrastructure improvements are notoriously unpopular with residents due to the high cost of improvements, which are often offset by increased customer rates. Our intent and main priority is to minimize the cost to our residents by identifying other funding resources. More to come...

RECYCLING SITE

See attached email.

From: Trudy Galla <tgalla@leelanau.gov>
Sent: Wednesday, August 11, 2021 12:26 PM
To: Rob Larrea
Subject: FW: Update - Recycling Site - Termination of Suttons Bay site

Rob;
Below is an email I sent to the County Board, and it has also been shared with the Solid Waste Council. This is an update for you and the Village Council – please share with the Council members.

Thank you.

Trudy

From: Trudy Galla
Sent: Wednesday, August 11, 2021 12:22 PM
To: Board of Commissioners <boc@leelanau.gov>
Subject: Update - Recycling Site - Termination of Suttons Bay site

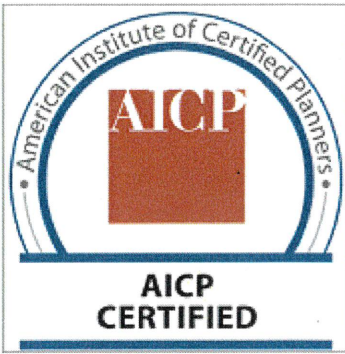
County Board of Commissioners;

I have been notified that the Suttons Bay School Board voted 6-0 to terminate the recycling site at the school. The recycling containers will be moved from their present location behind the school to a location on the south side of the school property, and can remain there until October 19. I have been provided a proposal for improvement at the new location and this would require a new Agreement be put into place between the county and the school. This will be added to the agenda for the Solid Waste Council meeting on September 7. Any new Agreement and/or request for funds to improve the site will need to come to the County Board for consideration.

As always, if you have any questions, please reach out to me. 231-256-9812. I will be sending an email to the Solid Waste Council, and will also notify the Village of Suttons Bay.

Respectfully,

Trudy J. Galla, AICP, Leelanau County Planning Director
8527 E. Government Center Dr., Suite 108
Suttons Bay MI 49682
231-256-9812
tgalla@leelanau.gov



From: Trudy Galla
Sent: Thursday, July 29, 2021 10:12 AM
To: Board of Commissioners <boc@leelanau.gov>
Subject: Recycling Site Update - Termination of 1 site

County Board of Commissioners;

This correspondence is to notify you that Suttons Bay School Superintendent has sent a notice they wish to exercise the 90 day termination clause in the Agreement between the County Board and the School for a recycling site at the school parking lot. Prior to receiving this notice, I had met with the Superintendent and looked at other locations on the campus for the bins. The school is open to another location but there is work to be done for site improvements and it will take time and money.

I will notify the Solid Waste Council members. This is a very busy recycling site in Leelanau County. While another location on the school grounds may be possible, it will take more than 90 days to go through all the steps, acquire cost estimates, and set up new agreements for the County Board and school to consider. At this time, I'm proceeding with the idea the site will be closing in a couple months, unless I hear differently from the school.

Another update: After many attempts to try and get some cameras (trail cams) at the recycling sites, I have determined they are not adequate to provide the security and coverage that is needed. I have contacted a company that provides video cameras and Elmwood township will be our test site. Cameras are expected to be placed on the site in approximately 3 weeks, along with new signage on the bins letting residents know the site is under surveillance. I am hopeful this helps clear up problems related to dumping non-recyclables at the sites and leaving items on the ground.

If you have any questions, please feel free to contact me.

Respectfully,

Trudy J. Galla, AICP, Leelanau County Planning Director
8527 E. Government Center Dr., Suite 108
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