



ADMINISTRATION / PERSONNEL COMMITTEE

420 N Front St.

Suttons Bay, MI 49682

Wednesday, September 8, 2021 at 8:10 am

VIA Remote Participation

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

AGENDA

Call to Order

1. Reports (staff)
 - a. Treasurer Report
2. Public Comments
Please limit remarks to no more than three (3) minutes or less.
3. Committee Business
 - a. VSB 2021-46 Street Tree Policy
 - b. VSB 2021-47 Art Festival
 - c. VSB 2021-51 Blight Ordinance
 - d. VSB 2021-52 Banner Policy
4. Status Update – Other Committees
 - a. VSB 2021-50 S Shore Drive
5. Public Comments/Written Communication
6. Committee Member Comments
7. Announcements
8. Adjournment

Roberto Larrea is inviting you to a scheduled Zoom meeting.

Topic: Administrative Committee Meeting

Time: Sep 8, 2021 08:10 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83665934987?pwd=R3NwV0pDWDcxMDVMVVI4NzV5Z1sUT09>

Meeting ID: 836 6593 4987

Passcode: 902925

One tap mobile

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+19294362866,,83665934987#,,,,*902925# US (New York)

Dial by your location

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+1 253 215 8782 US (Tacoma)

Meeting ID: 836 6593 4987

Passcode: 902925

Find your local number: <https://us02web.zoom.us/j/kARrUUP7w>


GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 08/31/2021	ACTIVITY FOR MONTH 08/31/2021	AVAILABLE BALANCE	% BDDT USED
Fund 101 - General Fund						
000		885,725.00	57,229.92	13,423.69	828,495.08	6.46
TOTAL REVENUES		885,725.00	57,229.92	13,423.69	828,495.08	6.46
101	- Village Council	26,080.00	5,677.32	1,049.33	20,402.68	21.77
171	- Village Manager	32,599.00	19,195.77	4,408.92	13,403.23	58.88
215	- Village Clerk	10,774.00	5,658.99	641.51	5,115.01	52.52
253	- Treasurer	23,950.00	12,959.72	1,573.35	10,990.28	54.11
265	- Village Hall	50,190.00	29,886.02	9,030.05	20,303.98	59.55
345	- Police	85,000.00	20,483.98	20,483.98	64,516.02	24.10
441	- Public Works	121,075.00	35,959.62	4,189.25	85,115.38	29.70
443	- Motor Pool Department	93,419.00	50,787.67	12,459.17	42,631.33	54.37
448	- Streetlighting	13,500.00	7,252.12	1,028.00	6,247.88	53.72
701	- Zoning & Planning	52,939.00	21,619.80	2,820.03	31,319.20	40.84
751	- Parks & Recreation	120,695.00	60,486.76	5,719.17	60,208.24	50.12
999	- Transfers to Other Funds	270,100.00	0.00	0.00	270,100.00	0.00
TOTAL EXPENDITURES		900,321.00	269,967.77	63,402.76	630,353.23	29.99
Fund 101 - General Fund:						
TOTAL REVENUES		885,725.00	57,229.92	13,423.69	828,495.08	6.46
TOTAL EXPENDITURES		900,321.00	269,967.77	63,402.76	630,353.23	29.99
NET OF REVENUES & EXPENDITURES		(14,596.00)	(212,737.85)	(49,979.07)	198,141.85	1,457.51
Fund 202 - Major Street						
000		178,500.00	130,550.75	5,943.93	47,949.25	73.14
TOTAL REVENUES		178,500.00	130,550.75	5,943.93	47,949.25	73.14
000		239,262.00	208,776.71	10,305.12	30,485.29	87.26
TOTAL EXPENDITURES		239,262.00	208,776.71	10,305.12	30,485.29	87.26
Fund 202 - Major Street:						
TOTAL REVENUES		178,500.00	130,550.75	5,943.93	47,949.25	73.14

PERIOD ENDING 08/31/2021

GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 08/31/2021	ACTIVITY FOR MONTH 08/31/2021	AVAILABLE BALANCE	% BDDT USED
Fund 202 - Major Street						
TOTAL EXPENDITURES		239,262.00	208,776.71	10,305.12	30,485.29	87.26
NET OF REVENUES & EXPENDITURES		(60,762.00)	(78,225.96)	(4,361.19)	17,463.96	128.74
Fund 203 - Local Street Fund						
000		102,500.00	34,051.09	3,083.44	68,448.91	33.22
TOTAL REVENUES		102,500.00	34,051.09	3,083.44	68,448.91	33.22
000		158,880.00	49,109.38	6,000.84	109,770.62	30.91
TOTAL EXPENDITURES		158,880.00	49,109.38	6,000.84	109,770.62	30.91
Fund 203 - Local Street Fund:						
TOTAL REVENUES		102,500.00	34,051.09	3,083.44	68,448.91	33.22
TOTAL EXPENDITURES		158,880.00	49,109.38	6,000.84	109,770.62	30.91
NET OF REVENUES & EXPENDITURES		(56,380.00)	(15,058.29)	(2,917.40)	(41,321.71)	26.71
Fund 248 - DDA Fund						
000		5.00	6.64	0.28	(1.64)	132.80
TOTAL REVENUES		5.00	6.64	0.28	(1.64)	132.80
000		7,385.00	2,681.31	446.56	4,703.69	36.31
TOTAL EXPENDITURES		7,385.00	2,681.31	446.56	4,703.69	36.31
Fund 248 - DDA Fund:						
TOTAL REVENUES		5.00	6.64	0.28	(1.64)	132.80
TOTAL EXPENDITURES		7,385.00	2,681.31	446.56	4,703.69	36.31
NET OF REVENUES & EXPENDITURES		(7,380.00)	(2,674.67)	(446.28)	(4,705.33)	36.24
Fund 402 - Property Replacement Fund						
000		178,050.00	126.19	2.88	177,923.81	0.07
TOTAL REVENUES		178,050.00	126.19	2.88	177,923.81	0.07
000		124,200.00	58,206.14	0.00	65,993.86	46.86
TOTAL EXPENDITURES		124,200.00	58,206.14	0.00	65,993.86	46.86
Fund 402 - Property Replacement Fund:						
TOTAL REVENUES		178,050.00	126.19	2.88	177,923.81	0.07
TOTAL EXPENDITURES		124,200.00	58,206.14	0.00	65,993.86	46.86
NET OF REVENUES & EXPENDITURES		53,850.00	(58,079.95)	2.88	111,929.95	107.86

GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 08/31/2021	ACTIVITY FOR MONTH 08/31/2021	AVAILABLE BALANCE	% BDDT USED
Fund 590 - Sewer Fund						
000		543,600.00	359,884.27	59,046.38	183,715.73	66.20
TOTAL REVENUES						
		543,600.00	359,884.27	59,046.38	183,715.73	66.20
537 - Sewer Fund - Collection		262,410.00	154,849.99	77,823.51	107,560.01	59.01
538 - Sewer - Plant		539,629.00	186,488.04	24,032.87	353,140.96	34.56
TOTAL EXPENDITURES						
		802,039.00	341,338.03	101,856.38	460,700.97	42.56
Fund 590 - Sewer Fund:						
TOTAL REVENUES						
		543,600.00	359,884.27	59,046.38	183,715.73	66.20
TOTAL EXPENDITURES						
		802,039.00	341,338.03	101,856.38	460,700.97	42.56
NET OF REVENUES & EXPENDITURES						
		(258,439.00)	18,546.24	(42,810.00)	(276,985.24)	7.18
Fund 591 - Water Fund						
000		232,900.00	136,675.50	21,520.92	96,224.50	58.68
TOTAL REVENUES						
		232,900.00	136,675.50	21,520.92	96,224.50	58.68
000		264,725.00	101,586.36	15,941.00	163,138.64	38.37
TOTAL EXPENDITURES						
		264,725.00	101,586.36	15,941.00	163,138.64	38.37
Fund 591 - Water Fund:						
TOTAL REVENUES						
		232,900.00	136,675.50	21,520.92	96,224.50	58.68
TOTAL EXPENDITURES						
		264,725.00	101,586.36	15,941.00	163,138.64	38.37
NET OF REVENUES & EXPENDITURES						
		(31,825.00)	35,089.14	5,579.92	(66,914.14)	110.26
Fund 594 - Marina Fund						
000		474,900.00	526,673.02	79,612.44	(51,773.02)	110.90
TOTAL REVENUES						
		474,900.00	526,673.02	79,612.44	(51,773.02)	110.90
000		658,543.00	359,204.07	89,764.41	299,338.93	54.55
TOTAL EXPENDITURES						
		658,543.00	359,204.07	89,764.41	299,338.93	54.55
Fund 594 - Marina Fund:						
TOTAL REVENUES						
		474,900.00	526,673.02	79,612.44	(51,773.02)	110.90
TOTAL EXPENDITURES						
		658,543.00	359,204.07	89,764.41	299,338.93	54.55
NET OF REVENUES & EXPENDITURES						
		(183,643.00)	167,468.95	(10,151.97)	(351,111.95)	91.19
TOTAL REVENUES - ALL FUNDS						
		2,596,180.00	1,245,197.38	182,633.96	1,350,982.62	47.96

GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 08/31/2021	ACTIVITY FOR MONTH 08/31/2021	AVAILABLE BALANCE	% BDDT USED
TOTAL EXPENDITURES - ALL FUNDS		3,155,355.00	1,390,869.77	287,717.07	1,764,485.23	44.08
NET OF REVENUES & EXPENDITURES		(559,175.00)	(145,672.39)	(105,083.11)	(413,502.61)	26.05

		VILLAGE OF SUTTONS BAY REPORT VSB -2021-46	
Prepared:	September 1, 2021	Pages:	1 of 1
Meeting:	September 8, 2021	Attachments:	<input checked="" type="checkbox"/>
Subject:	Street Tree Policy - Discussion		

PURPOSE

To discuss the Street Tree policy.

OVERVIEW

The Street Tree policy was created and adopted in 2008 as a part of the Tree REDI program. In short, the policy has numerous exhibits that do not appear to have been vetted. This approach is never recommended for the simple reason that it is not catered to the community adopting it. These types of policies should be vetted and paired to fit with the community’s intent.

For example, Exhibit #1 lists a total of 72 trees, **29 of the 72 trees are deemed native and acceptable**. If the intent of the Village is to encourage native species, I question why the policy emphasizes non-native species, rather than simply having an acceptable list. When the list of 29 trees is vetted, the number of acceptable trees diminishes further.

If the desire of this community is to have a “Street Tree Policy” then I would recommend we rescind the current policy and create a new policy that is drafted correctly, and catered to our community. This is not a priority currently, however, we plant street trees yearly and even though we follow the *intent* of the policy, the policy should be drafted properly and avoid exhibits drafted by the State and catered to Michigan, rather than the Village of Suttons Bay.

CONCLUSION

If we simplify the intent of the 13-page tree policy, it is to plant native trees and diversify the tree stock. That intent will be considered as we move forward with replacing the street trees that were cut down last spring and fall.

ACTION REQUESTED

Discussion.

**VILLAGE COUNCIL
VILLAGE OF SUTTONS BAY
LEELANAU COUNTY, MICHIGAN**

VILLAGE OF SUTTONS BAY STREET TREE POLICY

A policy to regulate the maintenance, removal, trimming, pruning, planting of trees and the disposal of wood within the Village Street Right of Way System and on Village property.

Occasionally residents and/or property owners inquire as to what trees may be planted within the public right of way or if the selected location is appropriate to plant trees. Residents, from time to time also inquire about trimming, pruning or removing trees located within the right of way. The Department of Public Works (DPW) also receives numerous requests for wood removal of trees the Village has taken down. The following is a list of rules and guidelines for planting, removing, pruning, trimming in the right of way and the removal of wood from a tree that has been cut down.

The Village Tree R.E.D.I. program is dedicated to promoting a healthy tree stock with in the Village by renewing the tree stock, eliminate hazards, diversify species, and increase the number of trees growing within the Village.

1. Tree R.E.D.I. Program:
 - A. Purpose of Project:
 - 1) *Renewal* of an aging tree stock by removing and replacing tree stock by targeting the dead, dying, deceased and decayed as identified by Forester.
 - 2) *Eliminate* hazards to the public health, safety and welfare.
 - 3) *Diversify* species of tree stock throughout the Village to promote survivability to disease or insect infestation.
 - 4) *Increase* the number of trees growing in the village by planting along newly established roads and parks, identifying areas where trees have been removed and not replaced.
 - B. Short and Long term Benefits:
 - 1) The Village has always been responsible for the maintenance of trees along its street right of ways. Planned maintenance and renewal will promote a healthy, safe municipal forest. There are numerous long term benefits to a well maintained forest such as;
 - a) wind reduction
 - b) energy conservation
 - c) visual and aesthetic qualities which can affect property values
 - d) oxygen production and CO2 reduction
 - e) reduction of soil erosion and water run off

- C. Responsibility for tree projects will be under Village Management. From the Village Council Committee of "Public Works" to the Village Manager who will monitor the program, to the Public Works Department who will provide the actual work involved in planting and maintaining the trees.

2. PLANTING REQUIREMENTS / RESTRICTIONS

- A. Call MISS DIG at (800) 482-7171 before planting in any location.
- B. A Village permit is required before working in the right of way.
- C. Trees planted in the right of way must be at least one and half (1.5) inches in diameter measured five (5) feet above ground.
- D. No tree shall be placed so as to cause a traffic hazard.
- E. No tree shall be planted where the space between the curb and sidewalk is less than five (5) feet.
- F. No tree shall be planted closer than two (2) feet from the curb.
- G. No street trees, other than those with a mature height of less than twenty-five (25) feet, shall be planted within ten (10) feet of any overhead utility wire.
- H. No street tree shall be planted over or within five (5) feet laterally of any underground water, sewer, gas or electrical lines (excluding telephone, cable television and individual service lines.)
- I. No street tree shall be planted closer than ten (10) feet to a fire hydrant, utility pole or street light.
- J. No street tree shall be planted within fifteen (15) feet of a street intersection.

3. PLANTING CONSIDERATIONS

- A. Will street tree interfere with overhead wires in the future?
- B. Will tree receive sufficient water and care in the right of way?
- C. Will tree branches interfere with traffic view when making turns from driveways or intersections?
- D. Will tree branches be hanging over street/sidewalk causing interference for vehicle/pedestrians?
- E. Will tree eventually cause sidewalk to buckle or rise becoming a hazard to anyone using the sidewalk.

4. SPECIE SELECTION AND DIVERSITY

This policy seeks to plant street trees where they will thrive with minimal maintenance. Choosing an appropriate street tree species involves an examination of onsite soils, rooting space, drainage, overhead wires, crown space, sun exposure, prevailing winds, winter salt spray and other street side environmental conditions.

In addition, one of the primary goals of this policy is to protect the investment made in street trees by planting and maintenance by requiring a diversity of species from an approved list of street trees. Therefore, the Village of Suttons Bay street tree policy seeks an assortment of trees to provide some insurance against present and future pests and

diseases. The Michigan Department of Natural Resources, Urban & Community Forestry Program has provided information that lists acceptable and unacceptable trees for street planting. The lists are not all inclusive. Trees not on the list will be considered on a case by case basis.

- EXHIBIT #1: Recommended Tree Species By Size and Class
- EXHIBIT #2: Trees Not Recommended For Planting
- EXHIBIT #3: Michigan Native Trees
- EXHIBIT #4: Tree For Shady Areas
- EXHIBIT #5: Drought Tolerant Trees
- EXHIBIT #6: Trees For Wet Areas

APPROVED SPECIES

See EXHIBIT #1 for Recommended species.

Maples: No soft maples, see EXHIBIT #2. Maples are discouraged due to the numerous Maples already existing in the Village.

Pear Species:

- Aristocrat
- Autumn Blaze
- Bradford
- Cleveland

There may be other species that are acceptable, if approved by the Village of Suttons Bay, with submittal of mature tree height, shape, root type and other applicable information. Contact the Village Department of Public Works at with questions.

NON-APPROVED SPECIES

See EXHIBIT #2 for Non-Recommended species.

Any evergreen trees (spruce, pine, fir)

5. STREET TREE MAINTENANCE

The initial planting of street trees will include adequate watering, mulching, wrapping, staking, pruning and fertilization by the installer. In most cases, the street trees will be guaranteed by the installer for one year, provided that the owner of the associated platted lot or property is responsible for the ongoing maintenance of their street tree.

In addition to regular tree maintenance (fertilizing, watering, staking, ect.) to be completed by the lot or property owner, the Village of Suttons Bay Department of Public Works may prune or remove street trees that were not permitted or authorized, not

properly planted, that impair street visibility, snow removal, utility lines, pedestrian movements or otherwise negatively affect the public health, safety and welfare. The Public Works will attempt to notify lot or property owners at least 24 hours in advance of street pruning or removal.

6. STREET TREE REMOVAL AND PRUNING

A priority list of trees needing removal or pruning shall be maintained by the Department of Public Works. The priority list is provided by a registered Forester after conducting a Four-D Survey of the street trees. Every fourth year the survey will be conducted and the prioritized list will be completed in the following three years.

For each tree that is scheduled to be removed, sufficient funds should be made available to insure that the stump is removed and a new approved tree specie with a size of (1.5") one and a half inches at DBH will be provided for replacement. If the existing site is not adequate to support a replacement tree another street site will be selected to plant the replacement tree.

7. REQUEST TO REMOVE OR PRUNE BY PROPERTY OWNER

A property owner may submit request that a street tree be removed or maintenance be conducted. The request must indicate how the property owner intends on paying for the project and who responsible for the project. The request must be accompanied by justification and purpose of the request. Street trees not on the Department of Public Works priority list will not be considered for removal.

Waiver and Release: If the property owner is permitted to perform a street tree project a Waiver and Release must be executed by property owner and contractor, sub-contractor, employee or others that are involved with the project.

Permit/Authorization: Any street tree work performed by other than the Public Works must receive permit authorization from the Department of Public Works. (See Exhibit #7 WAIVER, ASSUMPTION OF RISK, AND RELEASE)

8. WOOD SALVAGE

When tree maintenance is performed there is usually wood remaining that is salvageable. In all cases the remaining wood is the responsibility of the Village to dispose of. Numerous requests are made to the Public Works to salvage the wood. If the Public Works has no need of the wood and no other disposal arrangements have been made the abutting property owner has first rights to the salvageable wood. If the abutting property owner declines the wood other salvage requests will be considered.

In no case will the Public Works grant the public access to wood to be salvaged that have not obtained authorization and/or executed a Waiver and Release. (See Exhibit #7 WAIVER, ASSUMPTION OF RISK, AND RELEASE)

The person(s) salvaging the wood is responsible for removal of wood and all debris within three days after receiving authorization. After three days the DPW will remove and dispose of the wood based on their standard practice.

Wood is not to be given to the property owner or public for resale.

This policy is declared adopted by Village Council at a regular meeting held on 7-21-2008 and is to become effective immediately.

Larry Mauby

LARRY MAUBY, Village President

Dorothy Petroskey

Dorothy Petroskey, Clerk

I hereby certify the foregoing to be a true copy of a policy duly adopted at a regular meeting of the Village Council of the Village of Suttons Bay, held on 7-21-2008.

Dorothy Petroskey

Dorothy Petroskey, Clerk

Introduced: 7-21-2008
Adopted: 7-21-2008
Effective: 7-21-2008

Exhibit #7
Pg 1 of 2**RECOMMENDED TREE SPECIES BY SIZE CLASS***This information is provided as a courtesy by the Michigan Department of Natural Resources, Urban & Community Forestry Program.*

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>SIZE CLASS</u>	<u>HARDINESS ZONE</u>	<u>MICHIGAN NATIVE</u>
Maple, Trident	Acer buergeranum	small <30'	6-8	No
Maple, Amur	Acer ginnala	small <30'	3-7	No
Maple, Paperbark	Acer griseum	small <30'	5-7	No
Maple, Japanese	Acer palmatum	small <30'	4-6	No
Maple, Striped	Acer pensylvanicum	small <30'	3-7	Yes
Maple, Tartarian	Acer tartaricum	small <30'	3-6	No
Serviceberry, Hybrids	Amelanchier hybrids	small <30'	4-8	No
Serviceberry, Downy	Amelanchier arborea	small <30'	3-8	Yes
Hornbeam, American	Carpinus caroliniana	small <30'	4.8	Yes
Redbud, Eastern	Cercis canadensis	small <30'	4.9	Yes
Dogwood, Flowering	Cornus florida	small <30'	5-6	Yes
Dogwood, Kousa	Cornus kousa	small <30'	5-8	No
Dogwood, Corneliancherry	Cornus mas	small <30'	4-6	No
Dogwood, Grey	Cornus racemosa	small <30'	4-8	Yes
Smoketree	Cotinus coggygria	small <30'	4-6	No
Hawthorn	Crataegus spp	small <30'	5-8	Yes
Magnolia	Magnolia hybrid 'Galaxy'	small <30'	5/9	No
Magnolia, Saucer	Magnolia soulangeana	small <30'	4-6	No
Magnolia, Star	Magnolia stellata	small <30'	4-8	No
Crabapple, Flowering	Malus spp.	small <30'	2-8	No
Cherry, Japanese Flowering	Prunus serrulata	small <30'	5-8	No
Lilac, Japanese Tree	Syringa reticulata hybrids	small <30'	3-7	No
Nannyberry Viburnum	Viburnum lentago	small <30'	2-8	Yes
Maple, Hedge	Acer campestre	medium 30-40'	5-7	No
Maple, Shantung	Acer tuncatum x Acer plantanoides	medium 30-40'	4-8	No
Ohio Buckeye	Aesculus glabra	medium 30-40'	4-6	Yes
Birch, River	Betula nigra "Heritage"	medium 30-40'	4-9	Yes
Hornbeam, European	Carpinus betulus	medium 30-40'	3-9	No
Golden Raintree	Koelreuteria paniculata	medium 30-40'	4-9	No
Ironwood	Ostrya virginiana	medium 30-40'	3-9	Yes
Amur Corktree	Phellodendron amurese	medium 30-40'	4-8	No
Spruce, Black	Picea mariana	medium 30-40'	2-5	Yes
Cherry, Sargent	Prunus sargentii 'columnaris'	medium 30-40'	4-8	No
Fir, Balsam	Abies balsamea	large >40'	3-5	Yes
Maple, Norway*	Acer platanoides	large >40'	4-8	No
Maple, Red	Acer rubrum	large >40'	3.9	Yes
Maple, Sugar	Acer saccharum	large >40'	3-7	Yes
Horsechestnut	Aesculus hippocastanum	large >40'	4-8	No
Birch, Asian White	Betula platyphylla var. japonica	large >40'	3-8	No
Catalpa, Northern	Catalpa speciosa	large >40'	5-9	No

*Some limitations - see Trees Not Recommended list (IC 4213).

Exhibit #2
p. 2 of 2

RECOMMENDED TREE SPECIES BY SIZE CLASS (CONT'D)

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>SIZE CLASS</u>	<u>HARDINESS ZONE</u>	<u>MICHIGAN NATIVE</u>
Hackberry	Celtis occidentalis	large >40'	4-9	Yes
Katsura tree	Cercidiphyllum japonicum	large >40'	4-8	No
Yellowwood	Cladrastis kentukea (lutea)	large >40'	4-8	No
Turkish Filbert	Corylus colurna	large >40'	5-8	No
Ginkgo* (male varieties only)	Ginkgo biloba	large >40'	4-8	No
Honeylocust and cultivars	Gleditsia triacanthos	large >40'	4-8	No
Kentucky Coffeetree	Gymnocladus dioica	large >40'	4-9	No
Cedar, Eastern Red	Juniperus virginiana	large >40'	2-9	Yes
Sweetgum	Liquidambar styraciflua	large >40'	5-9	No
Tuliptree	Liriodendron tulipifera	large >40'	4-9	Yes
Magnolia, Cucumbertree	Magnolia acuminata	large >40'	4-8	No
Dawn Redwood	Metasequoia glyptostroboides	large >40'	4-8	No
Blackgum	Nyssa sylvatica	large >40'	5-9	Yes
Spruce, White	Picea glauca	large >40'	2-6	Yes
Pine, Red	Pinus resinosa	large >40'	2-5	Yes
Pine, White	Pinus strobus	large >40'	3-8	Yes
Callery Pear*	Pyrus calleryana	large >40'	5-8	No
Oak, Swamp White	Quercus bicolor	large >40'	4-7	Yes
Oak, Burr	Quercus macrocarpa	large >40'	3-8	Yes
Oak, Pin	Quercus palustris	large >40'	5-8	Yes
Oak, English	Quercus robur	large >40'	5-8	No
Oak, Red	Quercus rubra	large >40'	5-8	Yes
Oak, Shumard	Quercus shumardii	large >40'	5-9	No
Scholar Tree	Sophora japonica	large >40'	4-8	No
Baldcypress	Taxodium distichum	large >40'	5-9	No
Arborvitae	Thuja occidentalis	large >40'	2-8	Yes
Basswood	Tilia americana	large >40'	4-7	Yes
Linden, Littleleaf	Tilia cordata	large >40'	3-7	No
Linden, Silver	Tilia tomentosa	large >40'	4-7	No
Hemlock, Canadian	Tsuga canadensis	large >40'	3-7	No
Elm*	Ulmus spp.	large >40'	5-9	Yes
Zelkova, Japanese	Zelkova serrata	large >40'	5-8	No

*Some limitations - see Trees Not Recommended list (IC 4213).



TREES NOT RECOMMENDED FOR PLANTING

This information is provided as a courtesy by the Michigan Department of Natural Resources, Urban & Community Forestry Program.

There are many reasons that specific tree species are not recommended for planting. The primary reasons are related to tree health or nuisance. Tree health problems are usually due to insect or disease susceptibility. This means that it is very common for trees to be invaded by pests. The result is poor tree vigor and growth, dieback and early mortality. Weakened trees may also become hazardous to people and property. Nuisance means that a characteristic of the specific tree species may create an irritating or annoying condition that must be dealt with regularly. For example, mulberry trees drop fruit every year that people can slip on. Silver maple roots go toward water, often getting into sewer lines and must be roto-rooted out.

Trees on this "not recommended" list have characteristics that may require additional time, maintenance or money costs. If you choose to use one of these trees, consider the potential problems and determine if you can manage it. You may decide that the benefits of the tree species outweigh the costs for you. For example, a mulberry tree in the back yard may attract and feed birds without causing problems on sidewalks or sewers. A honeylocust with thorns may be fine where you want to keep people and animals out.

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>COMMENTS</u>
Maple, Boxelder	Acer negundo	Weak wood, poor branch structure, prone to insect pests, invasive
Maple, Norway	Acer platanoides	Over planted, invasive, susceptible to storm damage
Maple, Silver	Acer saccharinum	Weak wood, poor branch structure, very susceptible to storm damage, invasive roots
Tree of Heaven	Ailanthus altissima	Weak wood, sucker growth
Birch, Paper	Betula papyrifera	Prone to major insect pests, very susceptible to storm damage
Birch, European White	Betula pendula	Prone to major insect pests, very susceptible to storm damage
Chestnut, American	Castanea dentata	Prone to major disease and insect pests
Russian Olive	Elaeagnus angustifolia	Prone to major disease and insect pests, very invasive
Beech, American	Fagus grandifolia	Prone to major disease and insect pests, esp. Beech bark disease
Ash species	Fraxinus spp.	Prone to major disease and insect pests, esp. Emerald Ash Borer
Ginkgo (female)	Ginkgo biloba	Fruit from female trees have very unpleasant odor
Honeylocust	Gleditsia tricanthos	Messy fruit, thorns may be harmful, thornless varieties are available
Mulberry, White	Morus alba	Messy fruit, susceptible to storm damage, invasive roots
Spruce, Colorado	Picea pungens	Out of range in Michigan, prone to major disease
Spruce, Colorado Blue	Picea pungens var. glauca	Out of range in Michigan, prone to major disease
Poplar, White	Populus alba	Susceptible to storm damage, excessive sucker growth, invasive roots
Cottonwood	Populus deltoides	Susceptible to storm damage, excessive sucker growth, invasive roots
Cherry, Black	Prunus serotina	Messy fruit, prone to disease and insect pests, very susceptible to storm damage
Locust, Black	Robinia pseudoacacia	Prone to major disease and insect pests, sucker growth
Willow, Weeping	Salix alba	Weak wood, poor branch structure, very susceptible to storm damage, invasive roots
Willow, Black	Salix nigra	Weak wood, poor branch structure, very susceptible to storm damage, invasive roots
Mountain ash, American	Sorbus americana	Major disease and insect pests
Mountain ash, European	Sorbus aucuparia	Major disease and insect pests
Elm, American	Ulmus americana	Prone to major disease and insect pests esp. Dutch Elm Disease, invasive roots
Elm, Siberian	Ulmus pumila	Prone to major disease and insect pests, very susceptible to storm damage
Elm, Slippy	Ulmus rubra	Prone to major disease and insect pests, esp. Dutch Elm Disease
Elm, Rock	Ulmus thomasii	Prone to major disease and insect pests

Exhibit #2



Michigan Department of Natural Resources - Forest, Mineral and Fire Management

MICHIGAN NATIVE TREES

This information is provided as a courtesy by the Michigan Department of Natural Resources, Urban & Community Forestry Program.

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>	<u>HARDINESS ZONE</u>	<u>SIZE CLASS</u>
Fir, Balsam	Abies balsamea	3-5	large>40'
Maple, Red	Acer rubrum	3-9	large>40'
Maple, Sugar	Acer saccharum	3-7	large>40'
Birch, White	Betula papyrifera	2-4	large>40'
Hackberry	Celtis occidentalis	4-9	large>40'
Beech, American	Fagus grandifolia	4-9	large>40'
Cedar, Eastern Red	Juniperus virginiana	2-9	large>40'
Tuliptree	Liriodendron tulipifera	4-9	large>40'
Blackgum	Nyssa sylvatica	5-9	large>40'
Spruce, White	Picea glauca	2-6	large>40'
Pine, Red	Pinus resinosa	2-5	large>40'
Pine, White	Pinus strobus	3-8	large>40'
Cherry, Black	Prunus serotina	4-9	large>40'
Oak, Swamp White	Quercus bicolor	4-7	large>40'
Oak, Bur	Quercus macrocarpa	3-8	large>40'
Oak, Pin	Quercus paustris	5-8	large>40'
Oak, Red	Quercus rubra	5-8	large>40'
Oak, Shumard	Quercus shumardii	5-9	large>40'
Arborvitae	Thuja occidentalis	2-8	large>40'
Basswood	Tilia americana	4-7	large>40'
Birch, River	Betula nigra	4-9	medium 30-40'
Ohio Buckeye	Aesculus glabra	4-6	medium 30-40'
Ironwood	Ostrya virginiana	3-9	medium 30-40'
Spruce, Black	Picea mariana	2-5	medium 30-40'
Maple, Striped	Acer pensylvanicum	3-7	small<30'
Serviceberry, Downy	Amelancier arborea	3-8	small<30'
Hornbeam, American	Carpinus caroliniana	4-8	small<30'
Redbud, Eastern	Cercis canadensis	4-9	small<30'
Dogwood, Flowering	Cornus florida	5-6	small<30'
Dogwood, Grey	Cornus racemosa	4-8	small<30'
Hawthorn	Crataegus spp.	5-8	small<30'
Common Chokecherry	Prunus virginiana	3-8	small<30'
Nannyberry Viburnum	Viburnum lentago	2-8	small<30'

Exhibit #4



Michigan Department of Natural Resources - Forest, Mineral and Fire Management

TREES FOR SHADY AREAS

This information is provided as a courtesy by the Michigan Department of Natural Resources, Urban & Community Forestry Program.

<u>Common Name</u>	<u>Scientific Name</u>
Maple, Japanese	Acer palmatum
Maple, Striped	Acer pensylvanicum
Maple, Norway*	Acer platanoides
Maple, Red	Acer rubrum
Maple, Tartarian	Acer tartaricum
Maple, Shantung	Acer tuncatum x Acer plantanoides
Horsechestnut	Aesculus hippocastanum
Serviceberry, Hybrids	Amelanchier hybrids
Serviceberry, Downy	Amelancier arborea
Hornbeam, American	Carpinus caroliniana
Hackberry	Celtis occidentalis
Dogwood, Flowering	Cornus florida
Dogwood, Grey	Cornus racemosa
Beech, American*	Fagus grandifolia
Beech, European	Fagus sylvatica
Blackgum	Nyssa sylvatica
Ironwood	Ostrya virginiana
Oak, Swamp White	Quercus bicolor
Scholar-Tree	Sophora jacponica
Basswood	Tilia americana
Linden, Silver	Tilia tomentosa
Hemlock, Canadian	Tsuga canadensis
Elm, Lacebark	Uimus parviflora
Nannyberry Viburnum	Viburnum lentago

*Some limitations - see *Trees Not Recommended list (IC 4213)*



DROUGHT TOLERANT TREES

This information is provided as a courtesy by the Michigan Department of Natural Resources, Urban & Community Forestry Program.

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>
Maple, Trident	Acer buergeranum
Maple, Hedge	Acer campestre
Maple, Amur	Acer ginnala
Maple, Norway*	Acer platanoides
Maple, Red	Acer rubrum
Maple, Tartarian	Acer tartaricum
Maple, Shantung	Acer tuncatum x Acer plantanoides
Serviceberry Hybrids	Amelanchier hybrids
Serviceberry, Downy	Amelanchier arborea
Birch, Grey	Betula populifolia
Catalpa, Northern	Catalpa speciosa
Dogwood, Kousa	Cornus kousa
Dogwood, Grey	Cornus racemosa
Turkish Filbert	Corylus colurna
Smoketree	Cotinus coggygria
Hawthorn	Crataegus spp.
Russian Olive	Elaeagnus angustifolia
Beech, American	Fagus grandifolia*
Beech, European	Fagus sylvatica
Ginkgo*	Ginkgo biloba
Honeylocust var 'Impcole'	Gleditsia triacanthos 'Impcole'
Kentucky Coffeetree	Gymnocladus dioica
Cedar, Eastern Red	Juniperus virginiana
Golden Raintree	Koelreuteria paniculata
Ironwood	Ostrya virginiana
Spruce, White	Picea glauca
Pine, Red	Pinus resinosa
Cherry, Black	Prunus serotina
Callery Pear	Pyrus calleryana
Oak, Swamp White	Quercus bicolor
Oak, Burr	Quercus macrocarpa
Oak, Shumard	Quercus shumardii
Scholar Tree	Sophora japonica
Arborvitae	Thuja occidentalis
Basswood	Tilia americana
Elm*	Ulmus spp.
Nannyberry Viburnum	Viburnum lentago
Zelkova, Japanese	Zelkova serrata

*Some limitations - see Trees Not Recommended list (IC 4213).



Michigan Department of Natural Resources - Forest, Mineral and Fire Management

TREES FOR WET AREAS

This information is provided as a courtesy by the Michigan Department of Natural Resources, Urban & Community Forestry Program.

<u>COMMON NAME</u>	<u>SCIENTIFIC NAME</u>
Maple, Norway*	Acer platanoides
Maple, Red	Acer rubrum
Maple, Shantung	Acer tuncatum x Acer plantanoides
Hackberry	Celtis occidentalis
Hawthorn	Crataegus spp.
Ginkgo* (male varieties only)	Ginkgo biloba
Honeylocust cultivars	Gleditsia triacanthos
Blackgum	Nyssa sylvatica
Spruce, Black	Picea mariana
Oak, Swamp White	Quercus bicolor
Oak, Pin	Quercus palustris
Oak, Shumard	Quercus shumardii
Baldcypress	Taxodium distichum
Arborvitae	Thuja occidentalis
Nannyberry Viburnum	Viburnum lentago

*Some limitations - see Trees Not Recommended list (IC 4213).


WAIVER, ASSUMPTION OF RISK, AND RELEASE

Date: _____, _____

The undersigned, for himself/herself and his/her heirs, successors and assigns, hereby voluntarily assumes the inherent risks involved in sawing and cutting (with power tools and equipment) and the removal of logs, branches and trees from a public Right of Way owned and controlled by the Village of Suttons Bay, Michigan. I expressly assume the risk of and accept full responsibility for any and all injuries (including death) and accidents which may occur as a result of my participation and the participation of contractors and individuals that I have employed, in such activities and release from liability the Village of Suttons Bay and its officers and employees. I hereby waive any and all claims, demands, fees, causes of action, or losses I may hereafter have with respect to any injury to my person or property with respect to or arising in any manner from my participation in the tree cutting and removal activities described above. I certify that I have read and fully understand this Waiver, Assumption of Risk, and Release and represent that I am legally competent to make this agreement.

Signature: _____

Printed Name: _____

		VILLAGE OF SUTTONS BAY REPORT VSB -2021- 47	
Prepared:	August 27, 2021	Pages:	1 of 1
Meeting:	September 8, 2021	Attachments:	<input type="checkbox"/>
Subject:	Art Festival		

PURPOSE

To update the Village Council on complaints and concerns associated with the success of the Art Festival.

STAFF COMMENT

The Art Fair is a very popular and exciting event for our businesses, visitors, and artists alike. Like any event of this size and nature, it is imperative to evaluate the challenges associated with the event, every year, so they can be improved. This report will only address the complaints that we feel have merit.

Business Complaints

We received a complaint that a business located on Adams Street was negatively affected by the closing of said street. The business had previously arranged to have the barricades moved to allow access to the business, however, issues ensued nonetheless. Our community officer worked directly with the business to limit frustrations associated with the disruption but the inconvenience turned into (an avoidable) frustration for the business.

Recommendation: Adams Street should remain open as to not impede traffic flow to and from these businesses. This should be a condition for 2022.

Festival Loading / Unloading

Adams Street was closed to through traffic and set-up traffic was directed from south to north along front street. With minimal volunteer traffic control, artists created a line of traffic that was impenetrable, blocking marina traffic, and residential ingress/ egress. Rerouting staging traffic, to enter from the north rather than south, will alleviate concerns associated with the marina. Marina slip holders and park users should not be blocked from accessing the docks or park area.

Recommendation: 1. Consider directing traffic to enter from the north to minimize the stacking impact and blocking of the marina ingress/egress. 2. Traffic control was suspect. The Art Festival has grown to the point where hiring additional police officers is now a necessity and a condition for 2022.

Farm Market

The farm market generates an excitement on its own, resulting in a lot of vehicular traffic. When the farm market is in operation at the same time as the Art Festival, the parking concerns escalate exponentially. Increased parking congestion caused issues for vehicles towing boats and trying to maneuver onto the roadway. Although several citations were issued for those parked in *posted* no parking areas, it still unnecessarily impedes traffic flow for our boat launch. For clarification purposes, the Village does not benefit monetarily from the citations and traffic is not typically an issue for the farm market when not competing with festival traffic.

Recommendation: To require the farm market to relocate for the weekend of the Art Festival. This is more of a Village issue rather than an Art Festival issue but should be addressed for 2022.

Police


As mentioned above, the Art Festival will need to begin discussions with the Police department regarding the hiring of additional officers for next year's event. We can and should still have our community officer working; however, the success of the event has far exceeded one officer. Other communities require organizers of various events to contract with the police department for additional officers, to avoid unnecessary traffic issues.

Recommendation: To *require* this as a condition of approval for 2022.

CONCLUSION

The Village has a vibrant downtown and the success of Marina Beach and the pop-up park has only increased (non-motorized and vehicular) traffic in this area. Add the success of the Art Festival and the Village has the issues other communities wish for.

Moving the festival onto Front Street is largely praised as a better location by attendees due to convenience and ADA accessibility. Of course, anytime you close a street, new challenges arise. The most obvious challenge is traffic circulation and control. Requiring the Art Festival to contract and pay for additional police officers to safely direct and control traffic is commonplace for festivals in other communities and should not come as a surprise to organizers. Discussions with the police department should occur in early planning stages (January / February) so officers can be reserved appropriately.

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2021-51	
Prepared:	September 1, 2021	Pages:	1 of 1
Meeting:	September 7, 2021	Attachments:	<input checked="" type="checkbox"/>
Subject:	Blight Ordinance		

OVERVIEW

Attached is the DRAFT blight ordinance, for your review. I believe we are on our 3rd draft now, however, the changes when last reviewed have been incorporated and reviewed by the attorney. Following discussion from the committee, if satisfied, we will forward the ordinance to the county prosecutor for comments. Although it is not common practice to send an ordinance to the prosecutor, I believe it is essential to do so when adopting an ordinance of this capacity.

CONCLUSION

Please review the Ordinance and provide any questions. If the Committee is satisfied with the language and procedures outlined, we will pass it on for review.

VILLAGE OF SUTTONS BAY
LEELANAU COUNTY, MICHIGAN

ORDINANCE NO. XX
BLIGHTED AND UNSAFE STRUCTURES
ORDINANCE

An Ordinance enacted pursuant to the authority of Public Act 3 of 1895, MCL 67.1. to promote the health, safety and welfare of the people of the Village of Suttons Bay, Leelanau County, Michigan by regulating the maintenance and safety of certain buildings and other structures; to define the classes of buildings and other structures affected by this ordinance; to establish administrative requirements and prescribe procedures for the maintenance of certain buildings and other structures; to establish remedies, provide for enforcement, and fix penalties for the violation of this ordinance.

THE VILLAGE OF SUTTONS BAY ORDAINS:

It is the intent of this ordinance to prevent the physical deterioration of structures, neglect of property and abandonment of structures or property that over time create a negative economic, physical or unsafe condition upon the neighborhoods and businesses of the community and constitute a threat to human health, safety and public welfare.

SECTION 1 – 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:

Enforcing officer – The Leelanau County Sheriff’s Office and the Village of Suttons Bay Zoning Administrator are empowered to perform the duties and functions as described in this Ordinance.

Unsafe structure: A structure which has any of the following defects or is in any of the following conditions:

1. A structure, because of dilapidation, decay, damage, faulty construction, or otherwise which is unsanitary or unfit for human use;
2. A structure that has light, air, or sanitation facilities which are inadequate to protect the health, safety, or general welfare of those who live or may live within;
3. A structure that has been physically compromised to the extent that the structure is inhabitable or threatens the integrity of the structure’s safety.
4. A structure, or part thereof, which is likely to partially or entirely collapse, or some part of the foundation or underpinning is likely to fall or give way so as to injure persons or damage property;

5. A structure that is in such a condition so as to constitute a nuisance, as defined by this Ordinance;
6. A structure that is hazardous to the safety, health, or general welfare of the people of the Village by reason of inadequate maintenance, dilapidation, or abandonment;
7. A structure that has become vacant, dilapidated, and open at door or window, leaving the interior of the structure exposed to the elements or accessible to entrance by trespassers or animals or open to casual entry;
8. A structure that has settled to such an extent that walls or other structural portions have less resistance to winds than is required in the case of new construction by the Construction Code applicable to the structure;
9. A structure that has been damaged by fire, wind, flood, or by any other cause to such an extent as to be dangerous to the life, safety, health, or general welfare of the people living in the Village;
10. A structure that has become damaged or structurally compromised to such an extent that the cost of repair to place it in a safe, sound, and sanitary condition exceeds 50 percent of the assessed valuation of the structure, at the time when repairs are to be made.

SECTION 2 – UNLAWFUL TO OCCUPY OR MAINTAIN

It shall be unlawful for an owner or agent to maintain or occupy an unsafe structure.

SECTION 3 – RESPONSIBILITY

All persons or entities who own, manage, lease, rent, or occupy any structure shall be equally responsible for keeping the structure in a clean and habitable condition and shall take all necessary precautions to prevent any structure from becoming an unsafe structure or nuisance or other condition detrimental to public health, safety, or general welfare from arising thereon.

SECTION 4 – RIGHT OF ENTRY

1. Where it is necessary to make an inspection to enforce the provisions of this Ordinance, or whenever the Village enforcing officer has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this Ordinance, the Village enforcing officer, shall have the right to enter private property at any reasonable hour for the purpose of making a sanitary or health survey of the structure, obtaining a sample of water, collecting other data and material pertaining to public health, or enforcing the provisions of this Ordinance.
2. If the structure or premises is unoccupied, the Village enforcing officer shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If the structure or premises is occupied the code official shall present credentials to the occupant and request entry.
3. If entry is refused, the code official shall have recourse to the remedies provided by law to secure entry.

4. It shall be unlawful for any person to resist or attempt to prevent the Village enforcing officer, from carrying out the purposes of this section.

SECTION 5– NOTICE

The Village enforcing officer, shall issue a notice of unsafe structure when it is determined that the structure is unsafe. The intent of the notice is to inform the owner of the violations and encourage compliance.

1. Service of the notice shall be made upon the owner or agent indicated by the records of the Village assessor by:
 - a. Personally, delivering a copy to the owner or agent;
 - b. Mailing a copy by certified mail, postage prepaid, return receipt requested to the owner as indicated by the records of the assessor and posting a copy of the notice upon a conspicuous part of the structure; or
 - c. When service cannot be made by either of the above methods, by publishing the notice in a local newspaper of general circulation once a week for three consecutive weeks and by posting a copy of the notice upon a conspicuous part of the structure.
2. The written notice shall include:
 - a. Address, tax ID number, and / or a description of the real estate sufficient for identification;
 - b. The unsafe structure conditions identified and the corrections required to render the structure safe or if the Village enforcing officer, or his designee, has determined the structure cannot be made safe, indicate that the structure is to be demolished; and
 - c. Specify a reasonable time within which the corrections must be made or the structure must be demolished.

3. Placarding of Structure

If the owner or agent refuses to comply with the requirements set forth in the notice, the enforcing officer shall cause to be posted at each entrance of the structure a placard bearing the words: **Do not enter. This Structure is Unsafe and its Use or Occupancy has been Prohibited by the Village of Suttons Bay.**

4. Removal of Placard

The Village enforcing officer shall remove the placard whenever the structure has been made safe. It shall be unlawful for any person to deface or remove a placard without the approval of the Village.

5. Prohibited Use

It shall be unlawful for any person to occupy a placarded structure or part thereof, or for any owner or any person responsible for the structure to allow anyone to occupy the placarded structure.

SECTION 6 - EMERGENCY MEASURES

When in the opinion of the Village enforcing officer, there is an actual and immediate danger of failure or collapse of a structure or any part of a structure which would endanger life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, the Village enforcing officer, or designee, is hereby authorized and empowered to order and require the occupants to vacate the structure immediately and the provisions of this Ordinance relating to notice are not applicable. The Village enforcing officer, shall cause to be posted at each entrance to the structure a notice reading as follows:

Do not enter. This Building is Unsafe and its Use or Occupancy has been Prohibited by the Village of Suttons Bay.

SECTION 7 – TEMPORARY SAFEGUARDS

When, in the opinion of the Village Manager, or his designee, there is an actual and immediate danger of collapse or failure of a structure or any part of a structure which would endanger life, or when any structure or a part of a structure has fallen and life is endangered by the occupation of the structure, the Village Manager, or his designee, may cause the necessary work to be done to make the structure or part of the structure temporarily safe. The cost of making the structure or any part of the structure temporarily safe shall be a lien against the real property and shall be reported to the assessor, who shall assess the costs against the property on which the structure is located.

SECTION 8 – COMMENCEMENT OF LEGAL PROCEEDINGS.

1. In addition to the penalties prescribed in Section 9, if the owner or his agent refuses to abide by the requirements set forth in the notice of unsafe structure, the Village Council may, by resolution, authorize the Village attorney to initiate the appropriate legal proceedings to enjoin or abate the nuisance per se or any other violation of this Ordinance. If a Court of competent jurisdiction finds the owner or occupant of a building or structure in violation of this Ordinance, the Village may, in addition to requesting the Court to order the owner or occupant to demolish the unsafe structure and remove it from the property or to repair the unsafe structure to make it safe, request authorization for the Village to demolish the unsafe structure and remove it from the property or to repair the unsafe structure to make it safe. In the event that the Court authorizes the Village to demolish or repair the unsafe structure, the cost of demolishing or repairing the structure shall be a lien against the real property and shall be reported to the property assessor, who shall assess the cost against the property on which the structure is located.
2. In any action to enjoin or abate a violation of this Ordinance or a nuisance per se, it shall be presumed that an unsafe structure shall be ordered to be demolished in the event that the cost to repair exceeds 100 percent of the true cash value of the structure as reflected on the Village assessment tax rolls in effect prior to the unsafe structure becoming an unsafe structure.


3. Subsection (2) shall not apply to a where a structure is unsafe as a result of an event beyond the control of the owner, such as fire, windstorm, tornado, flood or other Act of God. If the structure has become unsafe because of an event beyond the control of the owner, the owner shall be given reasonable time within which to make repairs. If the owner does not make the repairs within the designated time, then the structure may be demolished by the Village and the cost of demolishing the structure shall be a lien against the real property and shall be assessed on the property on which the structure is located.

SECTION 9 – CIVIL INFRACTION,

Any person who violates any provision of this ordinance shall be responsible for a municipal civil infraction defined in Revised Judicature Act 236 of 1961 and shall be subject to a fine as established by the 86th District Court of not less than one-hundred (\$100) Dollars and not more than Five Hundred (\$500.00) Dollars. Each day that a violation continues to exist shall constitute a separate offense.

SECTION 11 – EFFECTIVE DATE

This Ordinance shall be effective on the date of publication.

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2021- 52	
Prepared:	September 1, 2021	Pages:	1 of 1
Meeting:	September 8, 2021	Attachments:	<input type="checkbox"/>
Subject:	Banner Policy		

OVERVIEW

As a part of the TAP project, the downtown light poles were replaced with smaller more modern light poles that feature banner arms. Being that these light poles are located on a highway, and within our downtown, it is important to consider some sort of policy regulating their use.

At the VC meeting, held on April 19, 2021, a draft banner policy was provided to the VC for questions and comments. At that time, the VC requested that the attorney review the policy to ensure we are in compliance with rulings associated with signage and their regulation. Prior to sending it to the attorney, I reached out to other communities to understand the issues, if any, they have encountered. Following discussions and further evaluation of our community, the intent of banner poles, and catering a policy to four light poles, I think we need to consider a new approach.

We should continue to utilize the banner poles to convey a message to our residents, visitors and anyone who travels our downtown. We currently have control of the message and we can ensure the message being conveyed is appropriate for our community. By not allowing others to use them, we eliminate the risk of a challenge or a message prominently displayed downtown that may not be supported by the community itself.

Perhaps we should consider ordering additional Village of Suttons Bay Banners that can be changed out to reflect the seasons, graduation, or any other message we want to convey to the public. By doing so, we are providing a community benefit without having to subject ourselves to potential challenges.

CONCLUSION

My recommendation is to keep control of the banner poles and use them to support our community without concern or controversy. However, if the Committee and VC feel a policy is in order to allow their use, we can send the draft to the attorney and stay the course.

ACTION REQUESTED

Discussion is requested.