



ADMINISTRATION / PERSONNEL COMMITTEE

420 N Front St.

Suttons Bay, MI 49682

Wednesday, February 3, 2021 at 8:10 am

VIA Remote Participation

Electronic Remote Access, in accordance with Public Act 228 of 2020 will be implemented in response to COVID-19 social distancing requirements and Michigan Health and Human Services restrictions of indoor gatherings. 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. Public Comments
Please limit remarks to no more than three (3) minutes or less.
2. Committee Business
 - a. Report VSB-2021-05 Land Division Ordinance Comments
 - b. Report VSB-2021-06 Planning Consultant
3. Status Update – Other Committees
4. Public Comments/Written Communication
5. Committee Member Comments
6. Announcements
7. Adjournment



Topic: Administrative Committee Meeting

Time: Feb 3, 2021 08:10 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/85027306961?pwd=K3BHaUp3Q0JFK1ZSRndGSUI2YTdzdz09>

Meeting ID: 850 2730 6961

Passcode: 417725

One tap mobile

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Dial by your location

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Meeting ID: 850 2730 6961

Passcode: 417725

Find your local number: <https://us02web.zoom.us/j/85027306961>

To: Rob Larrea
Dave Miller

From: Mark Huggard, **Jacobs**

Date: January 28th, 2021

Copy: Kevin Dahl, **Jacobs**
Elizabeth Hart, **Jacobs**

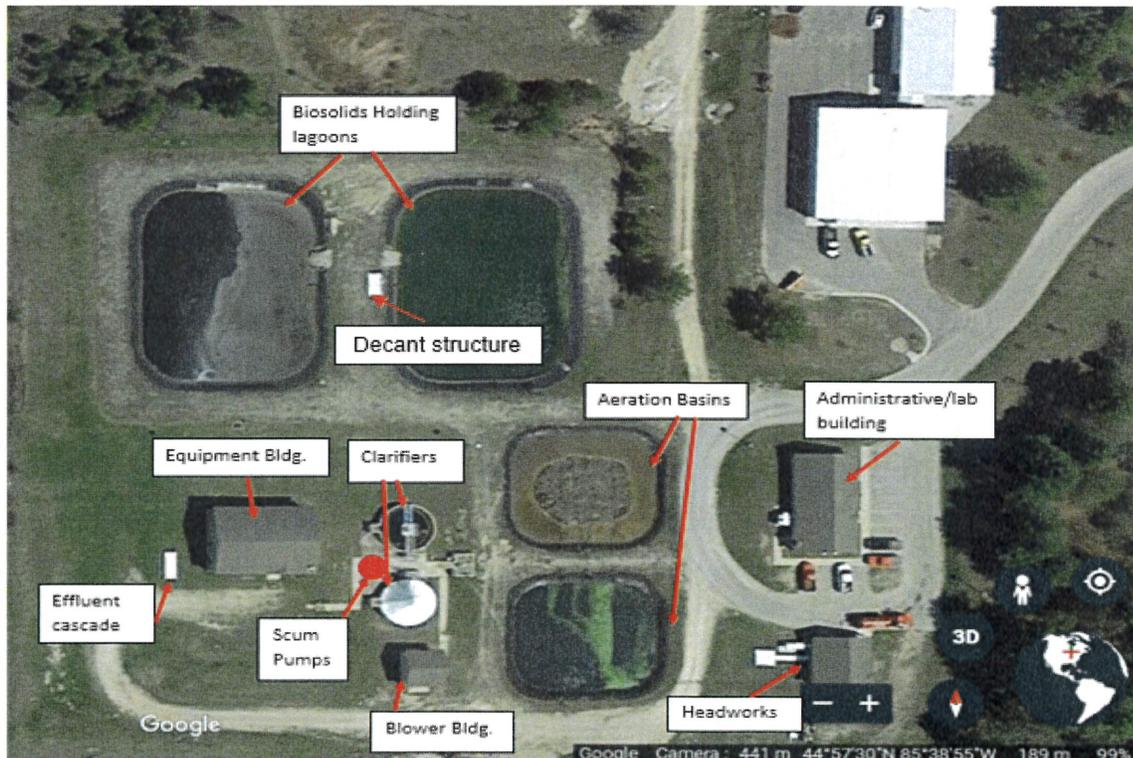
This report describes our activities during the month of January 2021. If there is additional information you would like included in the report, please let us know.

Permit compliance:

Available lab results for the month of January indicate full permit compliance.

Jacobs completed and submitted December’s Discharge Monitoring Report (DMR) to the Michigan Department of Environment, Great Lakes, and Energy (EGLE). The facility was in full compliance.

Treatment Plant Aerial View



Operations:

January Flow Report

Average Influent Flow 2021*	113,914	Gallons per day
Average Influent Flow 2020	184,225	Gallons per day
Total monthly hauled truck waste 2021*	128,832	Gallons
Total monthly hauled truck waste 2020	182,516	Gallons

*Data through January 27th

The headworks building exhaust fan motor was installed and in service on January 27th.

Repaired aeration blower #3 motor was received, installed and placed in service.

The Suttons Bay WWTP is equipped with 5 individual Programmable Logic Controllers (PLCs) controlling different portions of the facility. A PLC is a specialized computer that is programmed to allow various pieces of equipment to perform specific task, essentially the brains of the facility or a specific process. On January 13th, we responded to an equipment building PLC fault. The PLC was reset, and all affected equipment was restarted. A complete plant walk through was conducted to confirm proper operation of all equipment. In the event a PLC fails and cannot be reset, the equipment can still be operated manually to ensure treatment capabilities are maintained. In addition, Jacobs maintains up to date copies of the PLC programs that can be uploaded into a new PLC reducing system downtime and costly reprogramming.

On Sunday January 17th, we responded to a fine screen overload alarm. A large mat of rags was found wrapped around the rake arm shaft. These rags became entangled in the rake arm teeth preventing the comb from removing the debris. We removed the rags and ran a full cycle to confirm the rake arm was running properly.

We replaced the broken hauled truck waste rock trap drain line in the headworks building.

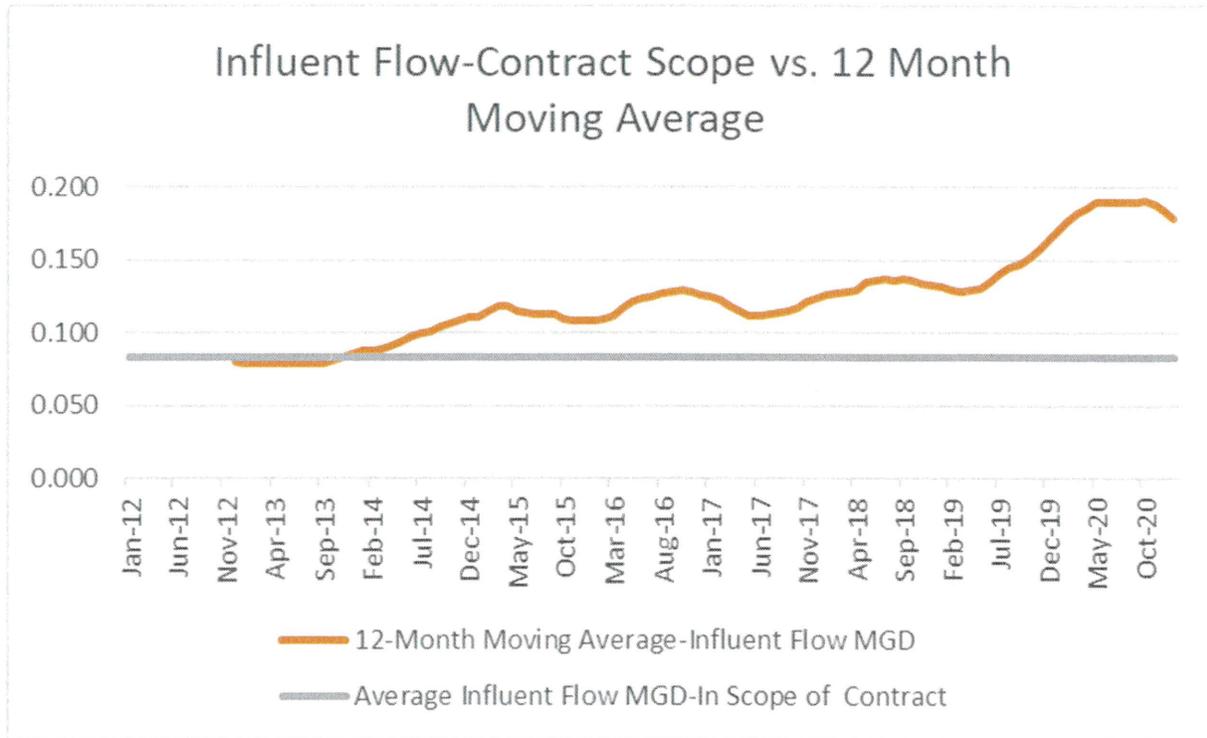
On the Horizon:

- Install an Uninterrupted Power Supply (UPS) on the UV system.
- Installation of the new lower bearing unit for the influent building’s fine screen.
- Investigate the SCADA hauled truck waste flow logs. (Windemuller)
- Cloth disk filter media replacement.
- Resolve decant system failure to run in auto.
- Install SCADA alarm system failure monitoring and phone line monitoring system.
- Replace leaking gasket on RAS pump #2.
- Repair leaking yard valve by clarifiers. (Spring/Summer)
- Machine a new shaft to complete the spare rake comb assembly.

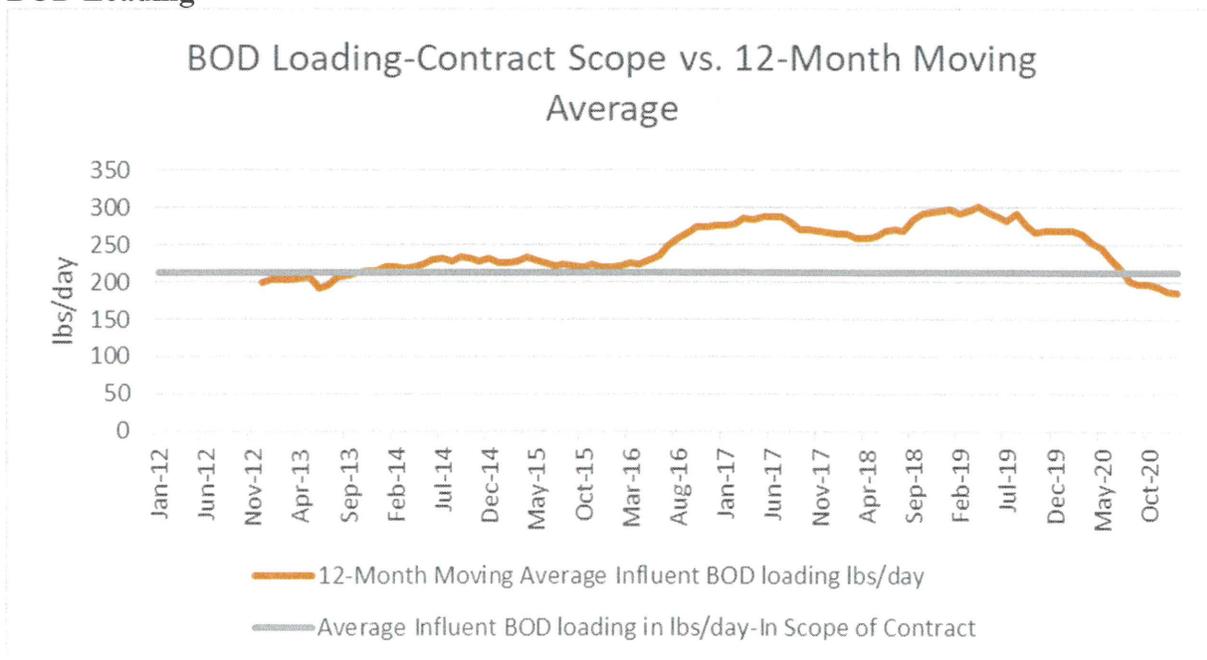
Plant Influent and Effluent Trends

The following graphs illustrate the facility’s influent characteristics encompassed in our scope per Amendment 3 to our 2010 agreement compared to actual influent characteristics. Influent flow characteristics are based on a 12-month moving average.

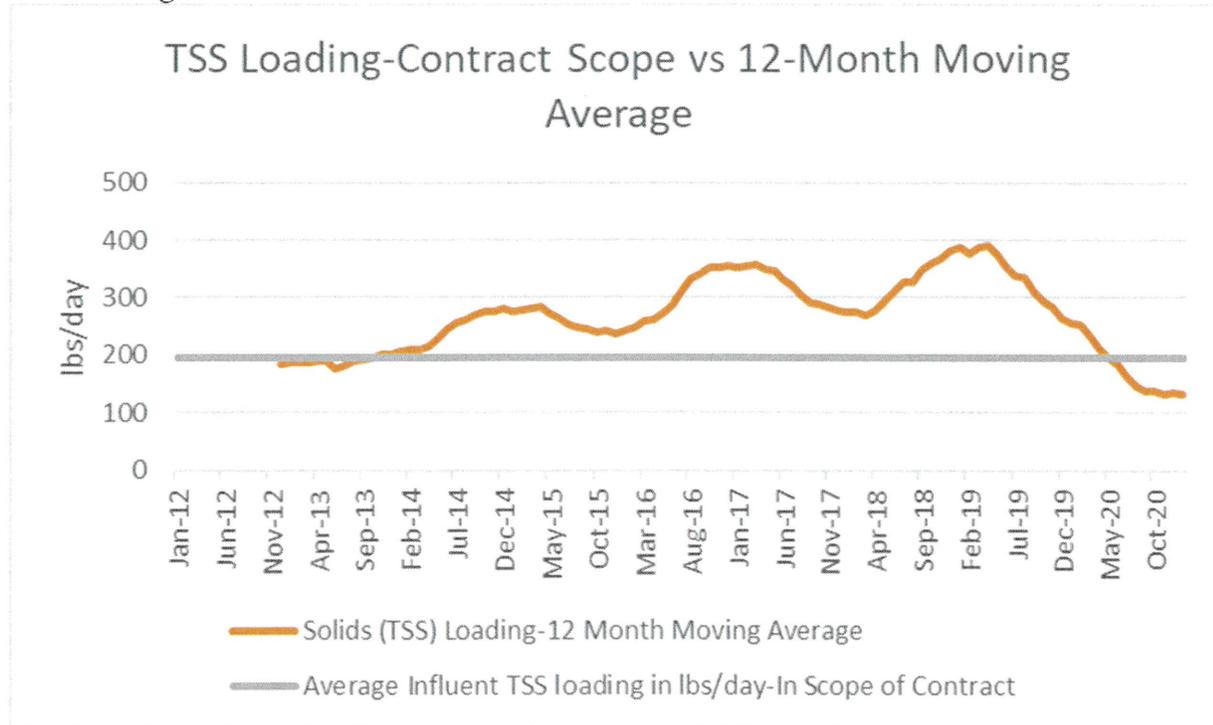
Influent Flow



BOD Loading

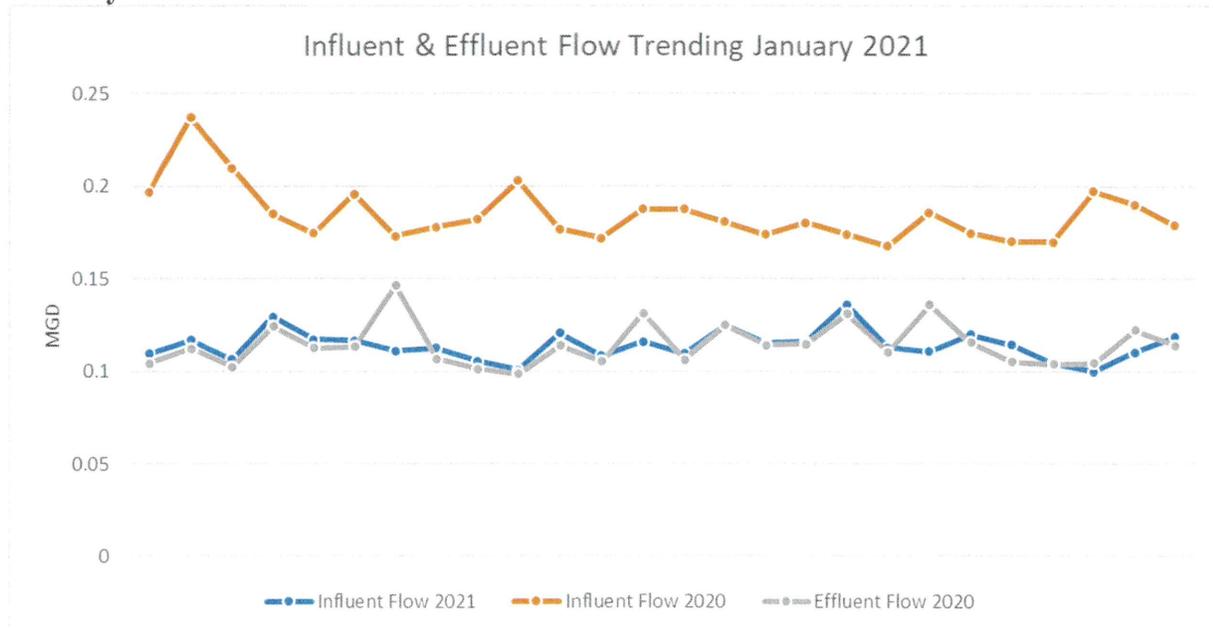


TSS loading



The plant flows graph illustrates the facilities current influent and effluent flow trend for the reporting month and the influent flow for the same month of the previous year. The effluent data graph illustrates the current reporting months effluent permit parameter concentrations, the table below the graph provides the permit limit concentrations for each parameter.

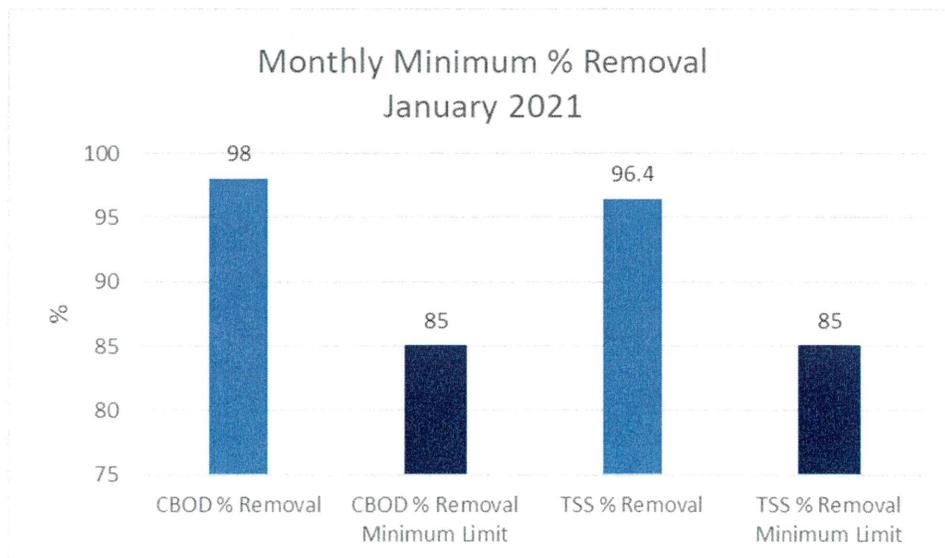
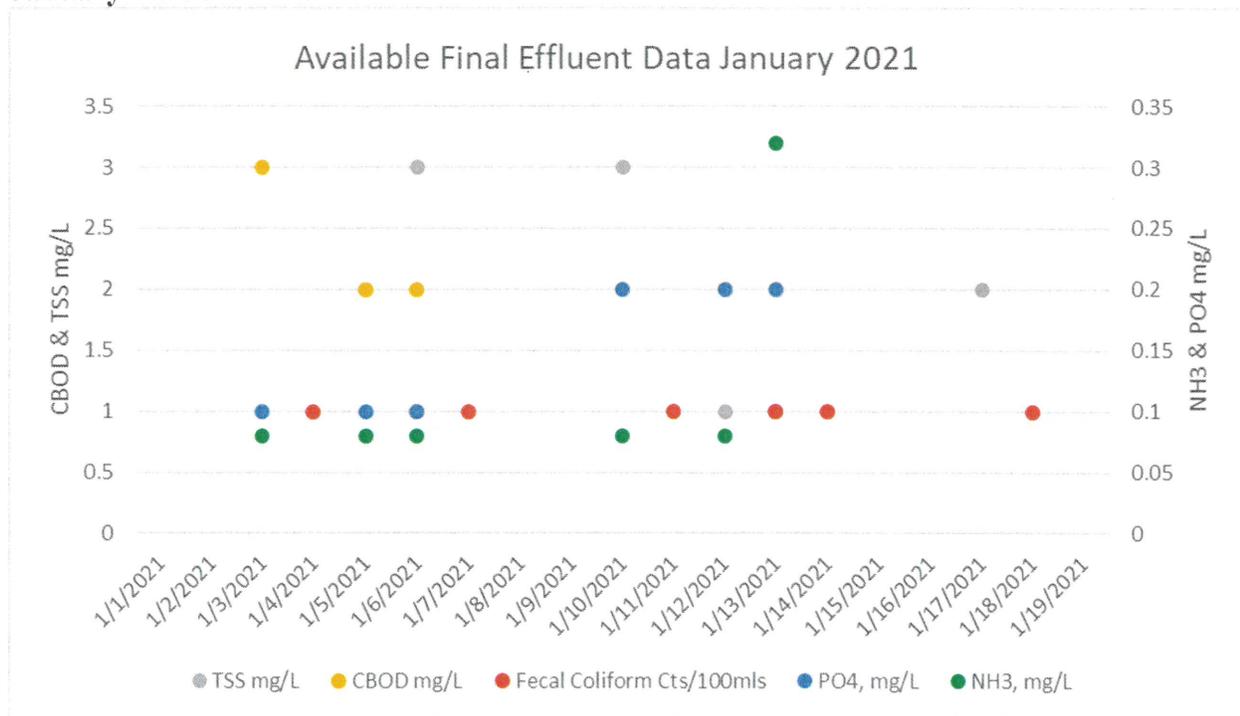
January Plant Flows



NPDES permit limits

Parameters	Monthly average	7-day average
Total Suspended Solids	30 mg/L	45 mg/L
Fecal Coliform	200 counts/100 mls	400 counts/100 mls
Carbonaceous Biochemical Oxygen Demand	25 mg/L	40 mg/L
Total Phosphorus, PO4	0.5 mg/L	No Limit
Ammonia, NH3	Report only, no limit	Report only, no limit
CBOD % Minimum Removal	85%	NA
TSS % Minimum Removal	85%	NA

January Effluent Data



Financial Report

Current Month	Jan-21	Comments
Current Month Repairs	\$ -	
Current Month Repair Labor Hrs	8.00	
Current Month Chemicals	\$ -	
Current Month Utilities	\$ -	
YTD Repairs	\$ -	
Repair Budget Remaining (\$6,000 Limit)	\$ 6,000.00	
YTD Repair Labor Hrs	8.00	
Repair Labor Hrs Remaining (Limit 104 hrs)	\$ 96.00	
YTD Chemicals	\$ -	
Chemical Budget Remaining (\$4,500 Limit)	\$ 4,500.00	
YTD Utilities	\$ -	
Utility Budget Remaining (\$33,000 Limit)	\$ 33,000.00	

Mark Huggard, Jacobs
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 231-922-4922

Elizabeth Hart, Jacobs
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 231-922-4922

Utilities Committee: Updates

1/27/2021

All Water and Sewer assets are in full operational order. However, we have had some instances of clogging of the pumps at the Main Lift Station-Suttons Park. We have used a wrecker to pull the 900lb pumps to remove primarily rags (flushable wipes) and a Tic Tac plastic container. We are setting up some time to pull the pumps out and readjust them to increase performance and prevent clogging by closing the gap between the impeller and wear plate at the base of the pump.

WATER: CCR and EGLE Annual Pumpage reports are completed, EGLE district office is reviewing the CCR for any applicable changes prior to publishing. **(Attachment 1)**

WATER: EGLE has required us to perform PFAS testing of our water system. First sample sets were completed prior to the 2/3/2021 deadline. It is important to note that we have previously tested for this before and had no detection. This is required testing of all systems in Michigan. This testing is very expensive, each test is \$750.00 and both well sites will be tested. Future test scheduling will be determined by EGLE based on the 2/3/2020 results.

SEWER: Cleaning and televising of the Front St. sewer line between Adams to the intersection at M-22. This stretch of pipe is approximately 1000 ft and was completed on 1/21/2021. This was done to re-evaluate the information that was collected during the 2018 SAW grant concerning areas of bad pipe and infiltration into the sewer system. A couple of sample pictures from video. **(Attachment 2)**

SEWER: Manhole inspections along South Shore Drive were completed recently, we have identified 3 with some form of infiltration that need repair. This also correlates with the SAW grant data. A restoration demo was done on 1/21/2021 to seal off infiltration from a manufacturer rep onsite. Rotary driven grout applicator applied to concrete to the walls and floor, followed by a spray on epoxy liner. **(Attachment 3)**

SEWER: We are in the process of evaluating the data and working on pricing for the repair of some gravity mains sections that were discovered during the video inspections. The scope of the project is to protect the integrity of the collections system and prevent infiltration of ground water.

Infiltration causes excess energy consumption, wear on pumps and equipment due to increase pumps starts/run time. Also, the unnecessary need of treating groundwater at the WWTP.

Groundwater has no value to the biological process which needs organic wastes as a food source for energy and for the development of organisms. We will have to devise a proactive approach to tighten up the system, this should also include any sump pumps that may be tied into the system and have them disconnected.



**ANNUAL PUMPAGE/USAGE REPORT FOR
COMMUNITY WATER SUPPLY**

*Issued under authority of 1976 PA 399, as amended, MCL 325.1001 et seq., and its administrative rules.
Failure to submit this form is a violation of the Act and may subject the water supply to enforcement actions.*

Administrative Rule R 325.11504 states in part that "... each Type I public water supply which does not submit a monthly operation report shall submit an annual report ... of water pumpage and water use." Complete this form and return it to the appropriate Michigan Department of Environment, Great Lakes, and Energy district office by March 31 following the year covered by the report. For district office addresses, visit Michigan.gov/EGLE and click on Locations. Add additional sheets as needed.

Water Supply: Village of Suttons Bay WSSN: 6500 County: Leelanau

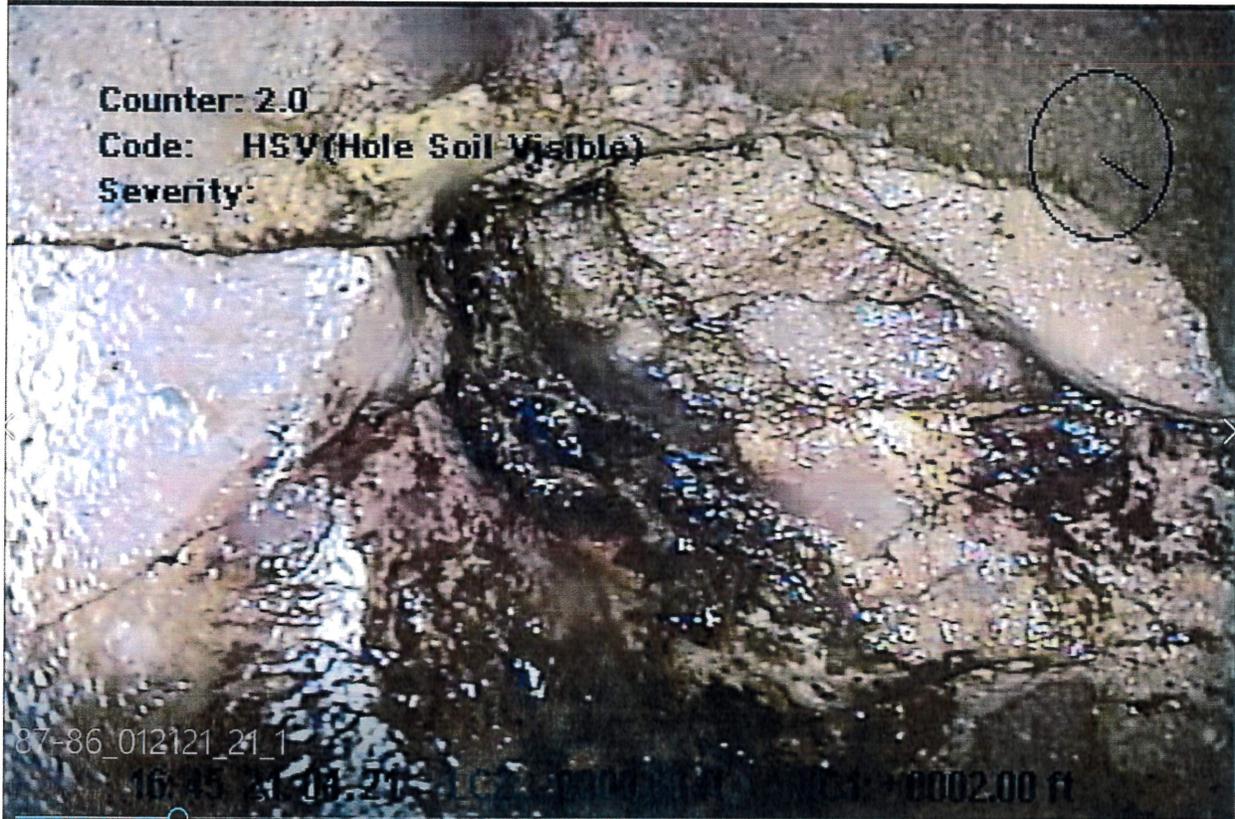
MONTHLY PUMPAGE/USAGE

Calendar Year <u>2020</u>	Well No. <u>1</u> Capacity in gpm <u>230</u>	Well No. <u>2</u> Capacity in gpm <u>183</u>	Well No. <u>3</u> Capacity in gpm <u>146</u>	Well No. <u>4</u> Capacity in gpm <u>206</u>	Total Monthly Pumpage/Usage <input checked="" type="checkbox"/> in million gallons <input type="checkbox"/> in gallons
	JANUARY	1.658		.035	
FEBRUARY		1.558		.024	1.582
MARCH	1.610		.026		1.636
APRIL		1.452		.033	1.485
MAY	2.222		.169		2.391
JUNE		2.735		.421	3.156
JULY	4.513		.567		5.080
AUGUST		3.839		.591	4.430
SEPTEMBER	2.701		.501		3.202
OCTOBER		2.605		.278	2.883
NOVEMBER	1.699		.042		1.741
DECEMBER		1.717		.046	1.763

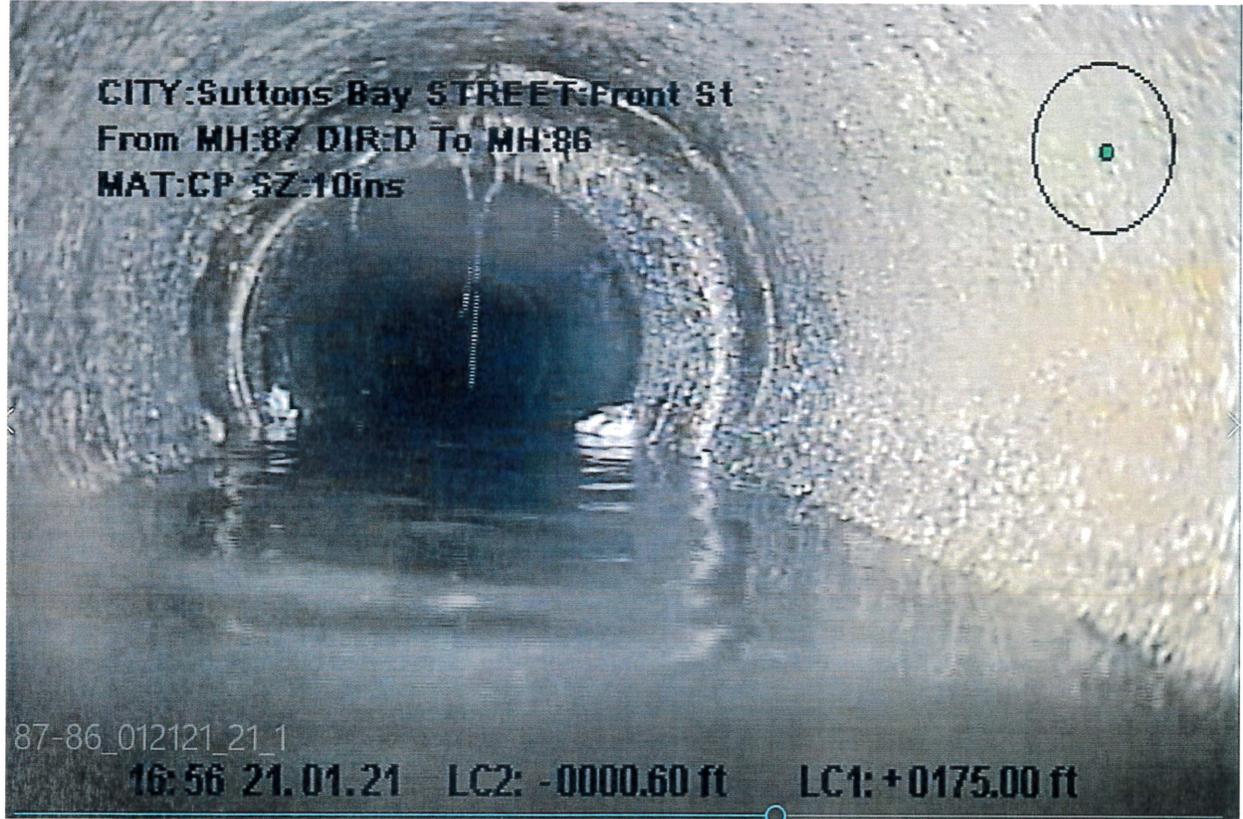
Comments:

	Total Yearly Pumpage/Usage	31.043
	Average Daily Pumpage/Usage (Total Yearly Pumpage / 365)	.085
	Maximum Daily Pumpage And Date	211,658 Pumpage 08/03/2020 Date
	Minimum Daily Pumpage And Date	28,304 Pumpage 02/10/2020 Date

Name/Title: Paul Whiteford Operator in Charge	
Signature:	Date: 01/26/2021



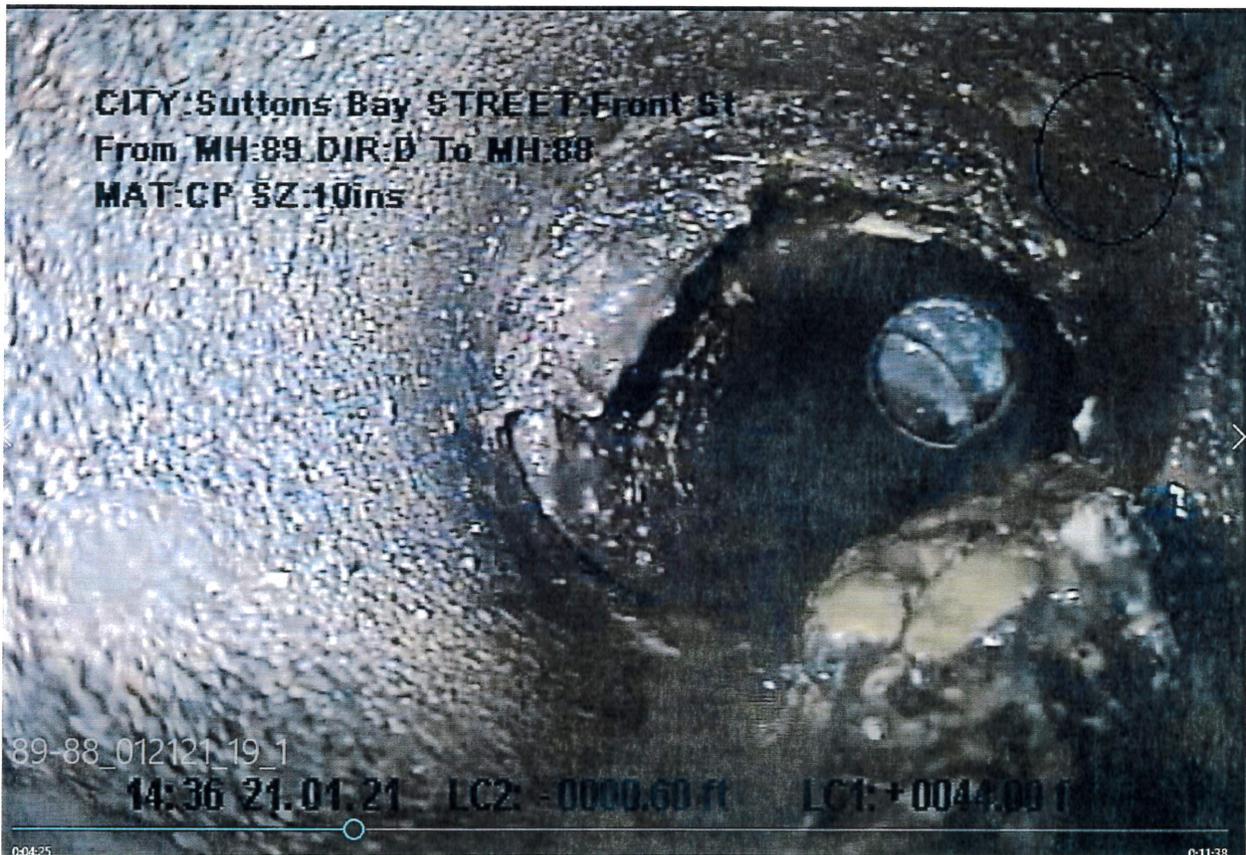
Hole in pipe, exposed soil. Wet from groundwater infiltration. Madison & Front Intersection



Roots suspended from top of broken pipe; streaks of water visible in picture. Behind 5/3rd bank



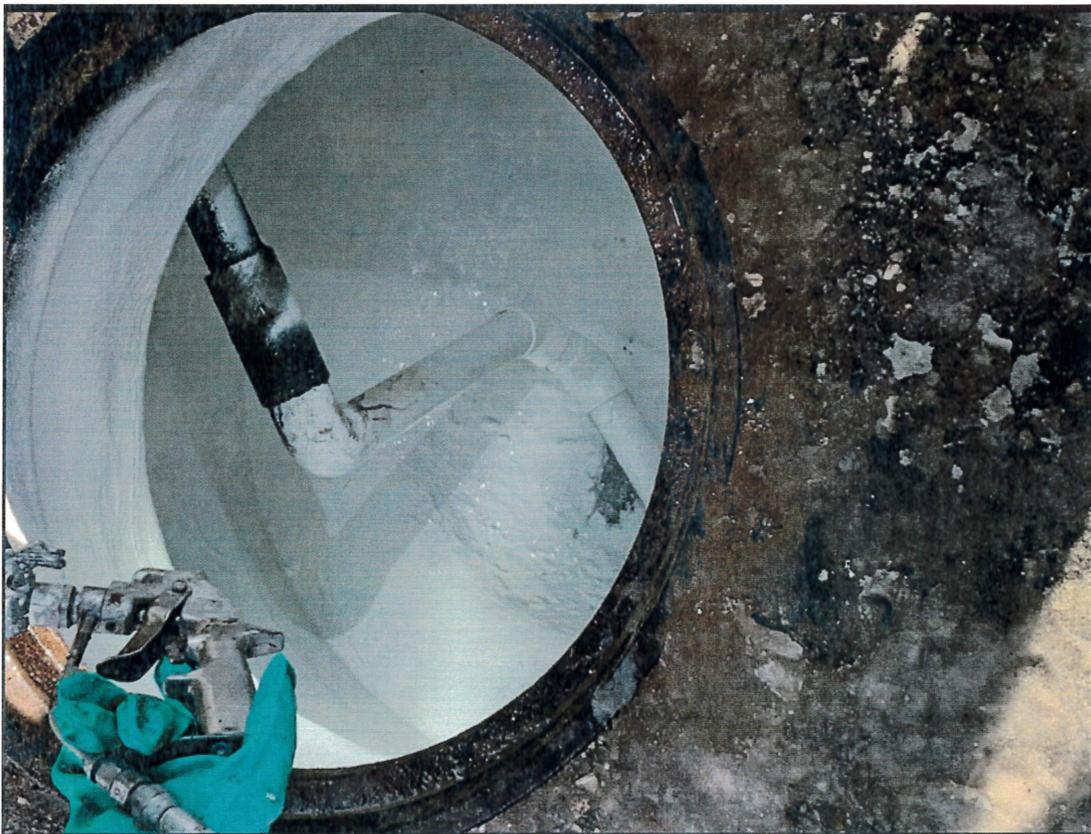
Leaking tap, groundwater streaming in. Behind Bay theater



Leaking tap, groundwater leaking in. Behind the Annex Clothing



Manhole (MHSN 47) S. Shore Drive before grout and epoxy coating, also inline pipe modification.



Final application of product. Completed inlet pipe mod which now directly discharges into pipe channel.

GL NUMBER DESCRIPTION AMENDED BUDGET 2021 YTD BALANCE 01/31/2021 ACTIVITY FOR MONTH 01/31/2021 AVAILABLE BALANCE % BUDGET USED

Fund 101 - General Fund		2021	01/31/2021	01/31/2021	
Revenues					
101-000-402.000	Current Property Taxes	695,000.00	0.00	0.00	695,000.00 0.00
101-000-404.000	Leased Land Tax Revenue	4,000.00	0.00	0.00	4,000.00 0.00
101-000-410.000	Personal Property Tax Revenue	15,000.00	0.00	0.00	15,000.00 0.00
101-000-476.000	Permits and Fees	1,500.00	2,500.00	2,500.00	(1,000.00) 166.67
101-000-566.000	Grant Revenue	1,250.00	0.00	0.00	1,250.00 0.00
101-000-573.000	LOCAL COMMUNITY STABILIZATION	3,000.00	0.00	0.00	3,000.00 0.00
101-000-574.000	State Shared Revenue	50,000.00	0.00	0.00	50,000.00 0.00
101-000-577.000	State Revenue-Liquor	3,000.00	0.00	0.00	3,000.00 0.00
101-000-632.000	Bahle Park Rental	1,200.00	0.00	0.00	1,200.00 0.00
101-000-633.100	Motor Vehicle Leases	108,975.00	0.00	0.00	108,975.00 0.00
101-000-665.000	Interest Earnings	2,800.00	0.00	0.00	2,800.00 0.00
TOTAL REVENUES		885,725.00	2,500.00	2,500.00	883,225.00 0.28

Expenditures					
101	Village Council	26,080.00	0.00	0.00	26,080.00 0.00
171	Village Manager	32,599.00	1,954.16	1,954.16	30,644.84 5.99
215	Village Clerk	10,774.00	581.56	581.56	10,192.44 5.40
253	Treasurer	23,950.00	1,503.19	1,503.19	22,446.81 6.28
265	Village Hall	50,190.00	1,414.09	1,414.09	48,775.91 2.82
345	Police	85,000.00	0.00	0.00	85,000.00 0.00
441	Public Works	121,075.00	3,953.13	3,953.13	117,121.87 3.27
443	Motor Pool Department	93,419.00	3,102.95	3,102.95	90,316.05 3.32
448	Streetlighting	13,500.00	0.00	0.00	13,500.00 0.00
701	Zoning & Planning	52,939.00	2,266.55	2,266.55	50,672.45 4.28
751	Parks & Recreation	120,695.00	6,927.97	6,927.97	113,767.03 5.74
999	Transfers to Other Funds	270,100.00	0.00	0.00	270,100.00 0.00
TOTAL EXPENDITURES		900,321.00	21,703.60	21,703.60	878,617.40 2.41

Fund 101 - General Fund:		2021	01/31/2021	01/31/2021	
TOTAL REVENUES		885,725.00	2,500.00	2,500.00	883,225.00 0.28
TOTAL EXPENDITURES		900,321.00	21,703.60	21,703.60	878,617.40 2.41
NET OF REVENUES & EXPENDITURES		(14,596.00)	(19,203.60)	(19,203.60)	4,607.60 131.57

Fund 202 - Major Street Revenues		2021	01/31/2021	01/31/2021	
202-000-574.000	State Shared Revenue	77,000.00	0.00	0.00	77,000.00 0.00
202-000-665.000	Interest Earnings	500.00	0.00	0.00	500.00 0.00
202-000-691.000	Contributions - Other Funds	70,000.00	0.00	0.00	70,000.00 0.00
202-000-692.000	Contrib fr Gov Units - County	31,000.00	0.00	0.00	31,000.00 0.00
TOTAL REVENUES		178,500.00	0.00	0.00	178,500.00 0.00
Expenditures					
000		239,262.00	3,946.67	3,946.67	235,315.33 1.65
TOTAL EXPENDITURES		239,262.00	3,946.67	3,946.67	235,315.33 1.65

GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 01/31/2021	ACTIVITY FOR MONTH 01/31/2021	AVAILABLE BALANCE	% BDT USED
Fund 202 - Major Street						
	TOTAL REVENUES	178,500.00	0.00	0.00	178,500.00	0.00
	TOTAL EXPENDITURES	239,262.00	3,946.67	3,946.67	235,315.33	1.65
	NET OF REVENUES & EXPENDITURES	(60,762.00)	(3,946.67)	(3,946.67)	(56,815.33)	6.50
Fund 203 - Local Street Fund						
	Revenues					
203-000-574.000	State Shared Revenue	42,000.00	0.00	0.00	42,000.00	0.00
203-000-665.000	Interest Earnings	500.00	0.00	0.00	500.00	0.00
203-000-691.000	Contributions - Other Funds	60,000.00	0.00	0.00	60,000.00	0.00
	TOTAL REVENUES	102,500.00	0.00	0.00	102,500.00	0.00
	Expenditures					
000		158,880.00	3,801.33	3,801.33	155,078.67	2.39
	TOTAL EXPENDITURES	158,880.00	3,801.33	3,801.33	155,078.67	2.39
Fund 203 - Local Street Fund:						
	TOTAL REVENUES	102,500.00	0.00	0.00	102,500.00	0.00
	TOTAL EXPENDITURES	158,880.00	3,801.33	3,801.33	155,078.67	2.39
	NET OF REVENUES & EXPENDITURES	(56,380.00)	(3,801.33)	(3,801.33)	(52,578.67)	6.74
Fund 248 - DDA Fund						
	Revenues					
248-000-665.000	Interest Earnings	5.00	0.00	0.00	5.00	0.00
	TOTAL REVENUES	5.00	0.00	0.00	5.00	0.00
	Expenditures					
000		7,385.00	264.30	264.30	7,120.70	3.58
	TOTAL EXPENDITURES	7,385.00	264.30	264.30	7,120.70	3.58
Fund 248 - DDA Fund:						
	TOTAL REVENUES	5.00	0.00	0.00	5.00	0.00
	TOTAL EXPENDITURES	7,385.00	264.30	264.30	7,120.70	3.58
	NET OF REVENUES & EXPENDITURES	(7,380.00)	(264.30)	(264.30)	(7,115.70)	3.58
Fund 402 - Property Replacement Fund						
	Revenues					
402-000-665.000	Interest Earnings	2,000.00	0.00	0.00	2,000.00	0.00
402-000-691.000	Contributions - Other Funds	176,050.00	0.00	0.00	176,050.00	0.00
	TOTAL REVENUES	178,050.00	0.00	0.00	178,050.00	0.00
	Expenditures					

GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 01/31/2021	ACTIVITY FOR MONTH 01/31/2021	AVAILABLE BALANCE	% BDGT USED
Fund 402 - Property Replacement Fund						
Expenditures		124,200.00	0.00	0.00	124,200.00	0.00
TOTAL EXPENDITURES		124,200.00	0.00	0.00	124,200.00	0.00
Fund 402 - Property Replacement Fund:						
TOTAL REVENUES		178,050.00	0.00	0.00	178,050.00	0.00
TOTAL EXPENDITURES		124,200.00	0.00	0.00	124,200.00	0.00
NET OF REVENUES & EXPENDITURES		53,850.00	0.00	0.00	53,850.00	0.00
Fund 590 - Sewer Fund						
Revenues		5,500.00	0.00	0.00	5,500.00	0.00
590-000-476.000	Permits and Fees	140,000.00	0.00	0.00	140,000.00	0.00
590-000-600.400	Charge for Services	113,800.00	0.00	0.00	113,800.00	0.00
590-000-628.000	RTS Fees	92,000.00	16,029.53	16,029.53	75,970.47	17.42
590-000-629.000	Waste Hauler Fees	163,000.00	0.00	0.00	163,000.00	0.00
590-000-630.000	Capital Charge	1,300.00	0.00	0.00	1,300.00	0.00
590-000-659.000	Penalties	3,000.00	0.00	0.00	3,000.00	0.00
590-000-665.000	Interest Earnings	10,000.00	0.00	0.00	10,000.00	0.00
590-000-691.600	Contributions -Fr GF - Parks	10,000.00	0.00	0.00	10,000.00	0.00
590-000-691.800	Contributions -Fr Marina Fund	5,000.00	0.00	0.00	5,000.00	0.00
590-000-691.900	Contrib - GF - Public Works					
TOTAL REVENUES		543,600.00	16,029.53	16,029.53	527,570.47	2.95
Expenditures		262,410.00	8,406.67	8,406.67	254,003.33	3.20
537	Sewer Fund - Collection	539,629.00	17,854.83	17,854.83	521,774.17	3.31
538	Sewer - Plant					
TOTAL EXPENDITURES		802,039.00	26,261.50	26,261.50	775,777.50	3.27
Fund 590 - Sewer Fund:						
TOTAL REVENUES		543,600.00	16,029.53	16,029.53	527,570.47	2.95
TOTAL EXPENDITURES		802,039.00	26,261.50	26,261.50	775,777.50	3.27
NET OF REVENUES & EXPENDITURES		(258,439.00)	(10,231.97)	(10,231.97)	(248,207.03)	3.96
Fund 591 - Water Fund						
Revenues		500.00	0.00	0.00	500.00	0.00
591-000-476.000	Permits and Fees	76,000.00	0.00	0.00	76,000.00	0.00
591-000-600.000	Charge for Services	62,000.00	0.00	0.00	62,000.00	0.00
591-000-628.000	RTS Fees	55,000.00	0.00	0.00	55,000.00	0.00
591-000-630.000	Capital Charge	25,000.00	0.00	0.00	25,000.00	0.00
591-000-633.000	Hydrant Rental	600.00	0.00	0.00	600.00	0.00
591-000-659.000	Penalties	2,000.00	0.00	0.00	2,000.00	0.00
591-000-665.000	Interest Earnings	5,000.00	0.00	0.00	5,000.00	0.00
591-000-691.600	Contributions -Fr GF - Parks	5,000.00	0.00	0.00	5,000.00	0.00
591-000-691.800	Contributions -Fr Marina Fund	1,800.00	0.00	0.00	1,800.00	0.00
591-000-691.900	Contrib - GF - Public Works					

GL NUMBER	DESCRIPTION	2021 AMENDED BUDGET	YTD BALANCE 01/31/2021	ACTIVITY FOR MONTH 01/31/2021	AVAILABLE BALANCE	% BDGT USRD
Fund 591 - Water Fund						
Revenues						
TOTAL REVENUES		232,900.00	0.00	0.00	232,900.00	0.00
Expenditures						
000		264,725.00	10,046.02	10,046.02	254,678.98	3.79
TOTAL EXPENDITURES		264,725.00	10,046.02	10,046.02	254,678.98	3.79
Fund 591 - Water Fund:						
TOTAL REVENUES		232,900.00	0.00	0.00	232,900.00	0.00
TOTAL EXPENDITURES		264,725.00	10,046.02	10,046.02	254,678.98	3.79
NET OF REVENUES & EXPENDITURES		(31,825.00)	(10,046.02)	(10,046.02)	(21,778.98)	31.57
Fund 594 - Marina Fund						
Revenues						
594-000-631.000	Pump cuts	3,200.00	0.00	0.00	3,200.00	0.00
594-000-642.000	Gas Sales	125,000.00	0.00	0.00	125,000.00	0.00
594-000-642.100	Gas Sales - Tax Exempt	1,000.00	0.00	0.00	1,000.00	0.00
594-000-646.000	Sale of Ice	1,000.00	0.00	0.00	1,000.00	0.00
594-000-648.000	Launch Fees	500.00	0.00	0.00	500.00	0.00
594-000-649.000	Waiting List	1,700.00	2,560.00	2,560.00	(860.00)	150.59
594-000-653.000	Transient Fees	65,000.00	0.00	0.00	65,000.00	0.00
594-000-653.100	Marina Day Use	1,500.00	0.00	0.00	1,500.00	0.00
594-000-654.000	Slip Fees	272,000.00	270,805.00	270,805.00	1,195.00	99.56
594-000-665.000	Interest Earnings	4,000.00	0.00	0.00	4,000.00	0.00
594-000-695.000	Miscellaneous Income	0.00	1.50	1.50	(1.50)	100.00
TOTAL REVENUES		474,900.00	273,366.50	273,366.50	201,533.50	57.56
Expenditures						
000		658,543.00	30,926.85	30,926.85	627,616.15	4.70
TOTAL EXPENDITURES		658,543.00	30,926.85	30,926.85	627,616.15	4.70
Fund 594 - Marina Fund:						
TOTAL REVENUES		474,900.00	273,366.50	273,366.50	201,533.50	57.56
TOTAL EXPENDITURES		658,543.00	30,926.85	30,926.85	627,616.15	4.70
NET OF REVENUES & EXPENDITURES		(183,643.00)	242,439.65	242,439.65	(426,082.65)	132.02
TOTAL REVENUES - ALL FUNDS		2,596,180.00	291,896.03	291,896.03	2,304,283.97	11.24
TOTAL EXPENDITURES - ALL FUNDS		3,155,355.00	96,950.27	96,950.27	3,058,404.73	3.07
NET OF REVENUES & EXPENDITURES		(559,175.00)	194,945.76	194,945.76	(754,120.76)	34.86

		VILLAGE OF SUTTONS BAY REPORT VSB -2021- 05	
Prepared:	January 26, 2021	Pages:	1 of 1
Meeting:	February 3, 2021	Attachments:	<input type="checkbox"/>
Subject:	LDO – Comments Addressed		

PURPOSE

The proposed Land Division Ordinance (LDO) was reviewed and scheduled for a public hearing in 2020. The Ordinance, as with numerous other items, fell victim to the pandemic. The Ordinance was reintroduced to the Village Council at their January 2021 meeting (VSB-2021-04).

During the introduction and request for public hearing there were numerous procedural requests made by way of public comment. I have addressed those comments in this report and further reached out to the assessor, who is a part of the review committee, for comments on the LDO.

The assessor’s input was very productive and all comments were made with the Village’s best interest in mind. All suggested changes, although minor, have been made and further strengthen the ordinance while adding clarification for the applicant. Thank you!

Although I am recommending the ordinance remain as written (with the recommendations from the Assessor) , the VC requested that the comments made at the January 19, 2021 meeting be addressed. The comments made follow the yellow highlight. The ordinance language in question is in blue, and Staff comment follows in black font.

COMMENT #1

Page 3, Section VI, first paragraph: Applicant shall file all of the following with the Village Zoning Administrator (remove Township Assessor).

Proposed Ordinance

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.

STAFF COMMENT

A Land Division is a duty of the assessor. Section 560.109 of the PA 288 of 1967, being the Land Division Act Sec. 109.(1) states:

A municipality shall approve or disapprove a proposed division within 45 days after the filing of a complete application for the proposed division with the assessor or other municipally designated official. It further states: The assessor or other municipally designated official, or the county official, having authority to approve or disapprove a proposed division....

COMMITTEE DISCUSSION

The township assessor serves as the village assessor, not as a separate contracted assessor, therefore I would recommend allowing the assessor to continue to fulfill their duties. From an efficiency stand point, consideration to employee work schedules would be appropriate. In this case, the township assessor generally works on Thursday's while the village zoning administrator (ZA) works on Fridays, therefore there is the potential of prolonging the applicant by an additional week. Although I am not clear on the reasoning behind this desired change, **we can certainly change the application procedure if so desired.**

COMMENT #2

Page 4, paragraph I; eliminate or abbreviate this paragraph...since the zoning administrator reviews these things anyway...

Proposed Ordinance

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.

STAFF COMMENT

The zoning administrator is a part of the committee for the purpose of reviewing applicable zoning standards at the land division level. **This section is one of the most important sections of the Ordinance and will remain.**

COMMENT #3

Page 6, paragraph C; change to: The Village of Suttons Bay shall maintain an official record (instead of the Assessor)...

Proposed Ordinance

The Assessor or designee shall maintain an official record of all approved and accomplished land division and boundary adjustments.

STAFF COMMENT

The Assessor is the primary approval authority on land divisions; therefore, Section 7 C is drafted in a manner that reflects Section 560.109 of the law, which states in part:

"The assessor or other municipally designated official, or the county official, having authority to approve or disapprove a proposed division..."

The assessor is the default keeper of the official record; however, we will also keep a copy at the Village office in the respective property file.

COMMENT #4

The ordinance should add an appeal process.

STAFF COMMENT

COMMITTEE DISCUSSION

The appeal process is circuit court. Land divisions either meet or do not meet the ordinance. An appeal process prior to circuit court is not necessary or recommended.

CONCLUSION

The township assessor is by default the village assessor; therefore, a land division application is to be reviewed by the assessor (whose office is at the township), and village staff. Being that we have conflicting office hours, it is important that we create a process that works for everyone involved in the *review*. This ordinance, is intended to streamline the process for the applicant by working in a more efficient manner with the assessor. As stated previously in the Ordinance my recommendation is to move forward with the LDO as written.



VILLAGE OF SUTTONS BAY
LEELANAU COUNTY, MICHIGAN

ORDINANCE NO. 1 of 2021

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 existing 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 existing 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, out lot 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 in its entirety 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, public /private utilities, 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:
- i. 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
 - ii. 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, out lot 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 be recognized as to be in violation in the legal description, 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. 2 of 2014 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 effective twenty (20) days following the publication of the Ordinance or a synopsis of the Ordinance in a newspaper of general circulation in the Village.

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 16th day of March 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:

		<h2 style="margin: 0;">VILLAGE OF SUTTONS BAY</h2> <h3 style="margin: 0;">REPORT VSB -2021- 06</h3>	
Prepared:	January 26, 2021	Pages:	1 of 1
Meeting:	February 3, 2021	Attachments:	<input type="checkbox"/>
Subject:	Planning Consultant(s)		

PURPOSE

To inform the committee on the reinstatement of the Village Planner position, by way of consultants.

STAFF COMMENT

I have been in numerous discussions and ongoing negotiations with a certified planner who has extensive experience in guiding planning commissions. This individual will assist with ordinance revisions and various other planning duties. I have worked with this individual over the years and confident on their ability to assist us moving forward.

We will not concentrate all efforts on this individual, rather, we will be utilizing additional planners for specific tasks while catering to their strengths. In this case, the planning consultant will help lead the planning commission with zoning ordinance amendments, applications and prioritization of tasks. They will be contracted and paid an hourly consulting fee for their time. Should an individual/applicant request a study or other time-consuming task that requires the consultants time, the applicant will be required to submit an escrow to cover the cost of our consultant or another consultant. This is a common practice in communities large and small throughout Michigan.

CONCLUSION

The Village is tasked with drafting a new marina plan and master plan this year, finalizing the parks plan and updating the zoning ordinance to a more user friendly and flexible document. Although it is not likely all these tasks will be completed in 2021, they are certainly needed and are viewed as high priority tasks.

It is important that the consultant is used in a manner that is efficient and productive. All requested planning commission tasks will be evaluated and prioritized. It is common for planning commissions to request various tasks of consultants as they would from Staff. Being that the consultant is paid on an hourly rate, I will be charged with prioritizing their tasks, and providing the guidance they need to stay on task as we address the many planning projects ahead.

ACTION REQUESTED

Discussion.