



VILLAGE OF SUTTONS BAY
REMOTE Village Council Meeting
Village Hall
420 N. Front Street
Suttons Bay, MI 49682 at 5:30pm
July 20, 2020
Agenda

1. Regular Meeting Called to Order
2. Roll Call
3. Review and Approval of the Agenda – Conflict of Interest
4. Consent Agenda
 - a. Approval of Minutes – June 15, 2020
 - b. Payment of Invoices
5. Public Comment / Communication and Reports (please limit to no more than three (3) minutes)
6. Unfinished Business
7. New Business
 - a. Report VSB-2020-35 Covid-19 Plan
 - b. Report VSB-2020-36 Elm Street Discussion
 - c. Report VSB-2020-37 Fireworks Ordinance
 - d. Report VSB-2020-38 Marina Pedestrian Bridge
8. Special Committee Reports/Staff Reports (Verbal)
9. Good of the Order (Council Member Comments)
10. Manager's Report (verbal)
11. Public Comment (please limit to no more than three (3) minutes)
12. Adjournment



VILLAGE OF SUTTONS BAY
VILLAGE COUNCIL REGULAR MEETING
MINUTES OF JUNE 15, 2020

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

Present: Bahle, Case, Christensen, Lutke and Suppes

Absent: Long and Newcomb

Staff present: Fay, Larrea and Miller

Approval of Agenda – Conflict of Interest

Case moved, Christensen seconded, CARRIED, to approve the Agenda as presented, by an affirmative, unanimous, roll call vote. Ayes: 5, No: 0.

Consent Agenda

Bahle moved, Case seconded, CARRIED, to approve the Consent agenda as presented. The Village Council Regular meeting minutes of May 18, 2020 and the Village Council Special meeting minutes of May 26, 2020 submitted by Fay, are approved. The minutes can be found in this meeting packet. The Payment of Invoices submitted by Treasurer DeVol are approved. The invoice report can be found in this meeting packet. Ayes: 5, No: 0.

Public Comment/Communication and Reports

Frank Smith stated the downtown area looks good. Smith presented an idea for consideration, of removable planters placed in front of businesses, perhaps decorated and sponsored by businesses, as a way to add greenery and beautification to the downtown area. Larrea stated the idea will be placed on the July, Committee of the Whole agenda. The current planters are maintained by the Garden Club.

Report VSB-2020-20 Amend #1 to the Village Zoning Map

Bahle moved, Case seconded, CARRIED, that properties as described in Report VSB-2020-20 and being made a part of this motion be rezoned to CB-Central Business District and the Village Zoning Map be amended to reflect the same, by an affirmative unanimous roll call vote. Ayes: 5, No: 0.

Good of the Order

Suppes stated the Village Zoning Map amendment was previously recommended by the Planning Commission. Christensen thanked staff for their efforts on the streetscape project. Case also thanked staff for their work during the streetscape project, noting some curb damage, and requested the streets be cleaned. Case expressed concern about people falling into the rain gardens and believes that four gardens need taped or coned off, specifically Madison and St. Joseph, and Adams and St. Joseph. Case asked when the Zoom meetings would end; Larrea

stated likely by July. Lutke also stated staff did a really good job on the project, and thanked staff for hanging in there.

Manager's Report

Larrea stated a final walk through occurred with the Engineer and MDOT, Larrea, Miller, and Whiteford, relative to the TAP Grant project. The following issues were noted:

- Concrete sidewalks in areas need cut over, including around rain gardens.
- Patch jobs not quite satisfactory in areas.
- A curb already has a crack in it.
- Paving: Some hand patching is not quite adequate, sunken in.
- Puddling in some paved areas.
- Leaning light pole.
- Restoration in areas not quite up to par; will work with the homeowners.
- Streets not cleaned well. KAL assisted with street cleaning short term, and further cleaning will be done by another company.
- Rain gardens are too deep. Larrea contacted Sarah U'Ren for assistance in filling in the raingardens and cleaning them up.

Larrea stated payment will be held until the list is taken care of.

Larrea stated an issue of shoreline protection noting 20 feet of shoreline has been lost. The Village is working with a new product that could provide short term relief.

A surveyor will be on site on Broadway Street later this week as a preliminary to getting necessary easements.

The Village offices will open back up in approximately two weeks

The meeting adjourned at 5:50 p.m.

Meeting minutes submitted by Shar Fay, Village Clerk.

Check Date	Check	Vendor	Vendor Name	Invoice Vendor	Description	Amount	S
Bank GEN FIFTH THIRD CHECKING							
Check Type: Paper Check							
06/19/2020	44409	COUTURIER	LESLIE COUTURIER	LESLIE COUTURIER	ZON ADMIN CONTRACT - JUNE 2020 &	530.00	0
06/19/2020	44410	KALEX	KAL EXCAVATING CO	KAL EXCAVATING CO	WATERMAIN, HYDRANT, REPAIR - NEAR	17,091.76	0
06/19/2020	44411	006	CONSUMERS ENERGY	CONSUMERS ENERGY	1000 2869 2547, SERV THRU 5/31, 1	177.88	0
06/19/2020	44412	CONCRETE	THE CONCRETE SERVICE, INC	THE CONCRETE SERVICE, INC	320 -PYZIQUE WALL SYSTEM , WALL A	737.45	0
06/19/2020	44413	DEMOULPIED	JIM DEMOULPIED	JIM DEMOULPIED	BRINE 2000 GAL @ \$440 PER 1,000	880.00	0
06/19/2020	44414	GT JANITOR	KSS ENTERPRISES	KSS ENTERPRISES	12 CS, 100 PER CASE LINERS- PARK	322.15	0
06/19/2020	44415	KALEX	KAL EXCAVATING CO	KAL EXCAVATING CO	JOB 6879 - WATER REPAIR & INSTALL	5,315.72	0
06/19/2020	44416	LANS SUPPL	LANSING SANITARY SUPPLY, I	LANSING SANITARY SUPPLY, I	ACCT VILLA220 - CLEANER, TOWELS,	790.34	0
06/19/2020	44417	NETLINK	NETLINK BUSINESS SOLUTIONS	NETLINK BUSINESS SOLUTIONS	COPIER - 3 MO MAINT AGREE -WWTP	116.00	0
06/19/2020	44418	NETLINK	NETLINK BUSINESS SOLUTIONS	NETLINK BUSINESS SOLUTIONS	COPIER - 3 MO MAINT AGREE - VIL H	444.24	0
06/19/2020	44419	TC COATING	TRAVERSE CITY COATINGS	TRAVERSE CITY COATINGS	EPOXY -FLOORS & CEILINGS -PUBLIC	1,510.00	0
06/19/2020	44420	TC COATING	TRAVERSE CITY COATINGS	TRAVERSE CITY COATINGS	EPOXY - S SHORE BATHROOMS	725.00	0
06/19/2020	44421	TC COATING	TRAVERSE CITY COATINGS	TRAVERSE CITY COATINGS	MARINA BATHROOMS AND SHOWERS FLOO	3,055.00	0
06/19/2020	44422	FOUR SEASON	FOUR SEASON NURSERY	FOUR SEASON NURSERY	PLANTS FOR MARINA - EROSION	153.60	0
06/30/2020	44423	MAPLERIVER	MAPLE RIVER DIRECT MAIL	MAPLE RIVER DIRECT MAIL	ESTIMATED POSTAGE FOR TAX MAILIN	230.00	0
06/30/2020	44424	BCBS OF MI	BLUE CROSS BLUE SHIELD OF	BLUE CROSS BLUE SHIELD OF	GR 007015354710 0001, JULY 2020 P	323.41	0
06/30/2020	44425	MISC	DTE ENERGY	DTE ENERGY	INSTALLATION FEE GAS SERVICE -PS	4,624.00	0
06/30/2020	44426	MISC	DTE ENERGY	DTE ENERGY	INSTALL FEE -GAS SERV LINE - PS S	418.00	0
07/09/2020	44427	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	1380.3 GAL REC 90 @ 1.967	3,430.05	0
07/09/2020	44428	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	1046.2 GAL REC 90 @ 2.077	2,714.89	0
07/09/2020	44429	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	862.8 GAL REC 90 @ 2.127	2,282.12	0
07/09/2020	44430	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	1615.1 GAL REC 90 @ 2.127	4,271.94	0
07/09/2020	44431	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	1485.4 GAL REC 90 @ 2.127	3,954.14	0
07/09/2020	44432	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	1644.4 GAL REC 90 @ 2.197	4,495.80	0
07/09/2020	44433	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	1143.2 GAL REC 90 @ 2.197	3,123.22	0
07/09/2020	44434	BAYSHORE	BAYSHORE OIL & PROPANE	BAYSHORE OIL & PROPANE	1133 GAL REC 90 @ 2.197	3,095.35	0
07/09/2020	44435	ELM	ELMER'S	ELMER'S	MARINA DOCK JOB 490012- FINAL, CU	32,842.18	0
07/09/2020	44436	ROAD	LEELANAU CTY ROAD COMMISSI	LEELANAU CTY ROAD COMMISSI	NO-LEAD/DIESEL FUEL - DPW - JUNE	626.13	0
07/16/2020	44437	029	NORTHERN BUILDING SUPPLY,	NORTHERN BUILDING SUPPLY,	ACCT VIL 10, SUPPLIES THRU 6/25/2	1,742.61	0
07/16/2020	44438	CENTURY-EQ	CENTURYLINK	CENTURYLINK	ACCT 89115093 - SERV THRU 6/19/20	143.40	0
07/16/2020	44439	COUTURIER	LESLIE COUTURIER	LESLIE COUTURIER	ZONING ADMIN AGREEMENT - JULY 202	480.00	0
07/16/2020	44440	GOOD NATUR	GOOD NATURE GARDENS, INC	GOOD NATURE GARDENS, INC	PLANT MATERIAL FOR VILLAGE HALL	180.00	0
07/16/2020	44441	MISC	STRAIN ELECTRIC CO	STRAIN ELECTRIC CO	INSTALL 3 EXTRA HANDHOLES & 20' E	3,085.80	0
07/16/2020	44442	TOP LINE	TOP LINE ELECTRIC, LLC	TOP LINE ELECTRIC, LLC	146 S SHORE DR - FOR CAMERA INSTA	550.00	0
Total Paper Check:						104,462.18	

GEN TOTALS:

Total of 34 Disbursements:

104,462.18



Zoning@suttonsbayvillage.org

231-271-3051

LETTER OF VIOLATION

June 19, 2020

Habitat for Humanity GT Region
PO BOX 5412
Traverse City MI 49696

RE: Dilapidated Structure/Noxious Weeds
Property #: 043-766-085-50/412 W. Madison
The Village of Suttons Bay

Dear Habitat for Humanity:

This letter is to inform you that the Zoning Department has received complaints concerning the state of the structure and grounds located at 112 W. Madison. Specifically; the grass has grown very long and the weeds are out of control.

With that being said, please address this by contacting me, within seven (7) days at the office of zoning, 231-271-3051 or by email at zoning@suttonsbayvillage.org, to discuss the issue. This will allow you to avoid further enforcement action.

Often individuals are unaware of the regulations in the Village pertaining to noxious weeds and that is why I am informing you of this rather than issuing a ticket for the violation. We would rather help you understand the ordinances at first and gain your cooperation while providing ample time to resolve the issue.

Thank you for your understanding and cooperation in this matter.

Sincerely,

A handwritten signature in black ink that reads "Leslie Couturier".

Leslie Couturier, MiCZA
Village of Suttons Bay
Zoning Department



From: jmooney@cavanproud.com
Sent: Thursday, June 18, 2020 9:15 AM
To: suttonsbay@suttonsbayvillage.org
Subject: Kudos


Hello Suttons Bay,

My wife and I returned last night from a short visit to the Leelanau Peninsula; a trip we make at least once a year. While we have many favorite stops along the way, without question our most cherished destination is Suttons Bay.

We were completely blown away with how fantastic Main Street looked this year. Along with your new sidewalks, it looked like you had convinced every business to add a fresh coat of paint making the town shine like no other visit. It was truly amazing.

Congrats on that success. Suttons Bay is the jewel of the Leelanau Peninsula shining ever so bright this year. You have much to be proud of the way the village looks these days!

Jim Mooney
2553 Calaveras Drive
Valparaiso, IN 46385
219.617.8229

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2020- 35	
Prepared:	7-14-20	Pages:	1 of 1
Meeting:	7-20-20	Attachments:	<input checked="checked" type="checkbox"/>
Subject:	COVID -19 Preparedness & Response Plan		

PURPOSE

To formally adopt the Village of Suttons Bay COVID-19 Preparedness and Response Plan.

STAFF COMMENTS

The attached Preparedness and Response Plan will serve as the villages COVID-19 administrative guide. The document is intended to outline protective measures, ensure self-monitoring, social distancing and guidance for employees working during the Pandemic. The plan also outlines safety requirements to be followed by employees and visitors of the village hall upon opening to the public.

This plan is intended to be a working document and will be modified as best practices emerge for combating the COVID-19 virus.

REQUESTED ACTION

A motion for consideration has been provided below:

MOTION TO Adopt the 2020 COVID-19 Preparedness and Response Plan



VILLAGE OF SUTTONS BAY
COVID-19
PREPAREDNESS AND RESPONSE PLAN

SECTION 1 - OVERVIEW

1) INTRODUCTION

The novel coronavirus ("COVID-19") **pandemic** is a respiratory infection that has spread throughout the United States, including Michigan, bringing thousands of deaths, resulting in tens of thousands of confirmed cases, and deeply disrupting this state's economy, homes, educational, civic, social, and religious institutions.¹ At this time, there is **no known vaccine** to treat COVID-19 and Executive Orders issued by the Governor require governmental agencies that remain open for in-person work to develop a COVID-19 preparedness and response plan consistent with recommendations in Guidance on Preparing Workplaces for COVID-19, developed by the Occupational Health and Safety Administration ("OSHA").²

The Department of Labor ("DOL") and OSHA have stated that it is important to plan now for potential COVID-19 outbreaks in order to reduce the impact of these outbreaks at the workplace. Pursuant to Executive Order 2020-114, the Village of Suttons Bay ("Village") has adopted this Preparedness and Response Plan ("Plan") to promote the health, safety and general welfare of its employees and public offices in order to reduce the impact of COVID-19 infections at the workplace.

This Plan designates **the Village Manager (or his designee) as the Village's Workplace Coordinator** to oversee and implement the policies of this Plan. The Village Manager, shall designate an alternate to act as back-up Workplace Coordinator if the Village Manager is absent, sick or otherwise unavailable to oversee and implement the policies of this Plan. The Village Manager may appoint such others as Workplace Coordinator, as needed.

2) SYMPTOMS OF COVID-19:

Village Staff shall familiarize themselves with the symptoms for COVID-19 for self-monitoring purposes. Any employee experiencing COVID-19 symptoms should immediately inform the **Village Manager** and go home. The Centers for Disease Control and Prevention ("CDC") describes symptoms for COVID-19 to include:

Cough	Shortness of breath or difficult breathing
Fever	Muscle pain
Chills	Nausea, vomiting, or diarrhea ³
Sore Throat	Congestion or runny nose
Headache	New loss of taste or smell

¹ EO 2020-97.

² EO 2020-97. See paragraph 1(a).

³ <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/symptoms.html>

SECTION 2 PREVENTION

1) PREVENTATIVE MEASURES

- a) All employees may **work remotely** to the extent that they can.
- b) **Daily screening** for workers
- c) Employees who are sick must **stay home**.
- d) Pursuant to Executive Order 2020-114, any employee or contractor entering the workplace is required to **answer a questionnaire** covering the symptoms and suspected or confirmed exposure to people with possible COVID-19 contact or infections.

2) WORKPLACE COORDINATOR

The Village Manager or designee shall provide a **questionnaire** to every worker or contractor entering the Village work place, that asks the following questions:

- a. Are you feeling sick?
- b. Are you experiencing any COVID-19 symptoms?
- c. In the past 72 hours did you have a fever?
- d. Have you been exposed to anyone who is a suspected case or confirmed case of COVID-19?

3) EXPOSURE

Any employee or contractor entering the Village work place who answers “**yes**” to any of the questions above, shall be sent home and may not return to work until the provisions of Section 4, “Sick Employees Returning to Work” are satisfied.

4) SELF-MONITORING

Employees must monitor themselves and **self-report** if they are exposed to COVID-19 and/or are experiencing any symptoms. Employees experiencing COVID-19 symptoms shall leave work immediately. Employees shall immediately disclose to the Village Manager if s/he was exposed to COVID-19. Any employee who knowingly comes in contact with COVID-19 or is experiencing COVID-19 symptoms must inform his/her employer immediately.

5) SOCIAL DISTANCING

Employees shall comply with **social distancing standards** defined by the Centers for Disease Control and Prevention (“CDC”). The CDC defines “social distancing” to mean keeping space between yourself and other people outside your home.⁴ Employees are required to stay at least **six (6)** feet away from other people and **shall not gather in groups** where social distancing standards cannot be satisfied. Ground markings, signs, and barriers will be installed to direct and remind employees as appropriate.

⁴ <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

SECTION 3 FACILITIES

1) INCREASED FACILITY CLEANING AND DISINFECTION

- a) The spread of COVID-19 occurs most frequently between people who are in close proximity to each other (less than 6 feet).⁵ The Village shall provide and ensure sufficient **hand cleaners, disinfecting supplies and sanitizers**.
- b) Employees are required to clean and **disinfect *their workspaces daily***.
- c) In the event of a positive COVID-19 case, extra measures shall be taken to clean and disinfect the premises before employees are allowed to return, including disinfection of every surface, especially public area and those surrounding the workspace of the infected employee.

2) PROPER WORKPLACE HYGIENE ETIQUETTE

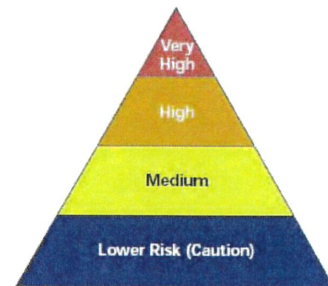
- a) Employees must **wash hands** regularly with soap and water for at least 20 seconds and use alcohol-based hand sanitizers when available.
- b) Employees are **prohibited** from using a co-workers' telephones, workspaces or other personal items unless sanitized. Employees must disinfect their workspaces daily.

3) CLASSIFYING DEPARTMENT RISKS

- a) The Village Manager shall examine every department and employee's job description according to the **worker exposure risk** to COVID-19 pursuant to the Occupation Risk Pyramid developed by OSHA.
- b) The Village will provide the appropriate **Personal Protection Equipment** to employees based on the individual occupational risk.

4) PERSONAL PROTECTION EQUIPMENT ("PPE")

Employees are encouraged to wear PPE to prevent exposure to contaminated surfaces. **PPE includes gloves, protective eyewear, face shields, masks and respirators. PPE will be provided to workers who are at greater risk to exposure.** Executive Order 2020-114 states that employees are required to wear masks where the work environment is such that they cannot consistently maintain six (6) feet of separation from other people.



5) TRAVEL

All **employee travel may be restricted** unless that travel is essential to the conducting Village business. The Village encourages all employees to use PPE while using public transportation to travel to and from the Village office.

⁵ https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cleaning-disinfection.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fprepare%2Fcleaning-disinfection.html

SECTION 4 SUSPECTED OR CONFIRMED COVID-19 CASES.

2) SUSPECTED EXPOSURE

A Suspected COVID-19 Case means an employee who experiences **COVID-19 symptoms** or was exposed to COVID-19.

- a) An employee who experiences COVID-19 symptoms or has been exposed to an infected person shall immediately **notify the Village Manager**.
- b) The infected employee's **name shall remain confidential** and the Village Manager shall inform all employees or workers who came in contact with the infected person that they might have been exposed to COVID-19.
- c) Employees who experience COVID-19 symptoms or become sick **must go home** immediately.
- d) The Workplace Coordinator shall ensure the infected employee's workspace and any other area s/he came in contact with is thoroughly **disinfected and cleaned**.
- e) An employee who is a "Suspected of COVID-19 Case" may return to work once the provisions of Section 4 (4) Returning to Work, of this Plan are satisfied.

3) CONFIRMED EXPOSURE

A Confirmed COVID-19 Case means an employee who has tested positive for COVID-19.

- a) Any employee who **tests positive** for COVID-19 shall inform the Workplace Coordinator immediately and must go home immediately. They shall not return until they are no longer infectious according to CDC guidelines.
- b) An employee who is a "Confirmed COVID-19 Case" shall immediately disclose the names of other **employees or workers** s/he came in contact with during the past 14 days to the Workplace Coordinator.
- c) The **infected employee's name shall remain confidential** and the Workplace Coordinator shall inform all employees or workers who came in contact with the infected person that they might have been exposed to COVID-19.
 - i) The Workplace Coordinator shall notify the **public health department** of the infection within 24 hours.
- d) The Workplace Coordinator shall ensure the **infected employee's workspace** and any other area s/he came in contact with is thoroughly disinfected and cleaned.
- e) An employee who is a "Confirmed COVID-19 Case" may return to work once the provisions of **Section 4 (4) Returning to Work**, of this Plan are satisfied.

4) RETURNING TO WORK.

This Plan adopts recommendations from the CDC regarding when an **employee may return to work** if s/he is a suspected or confirmed case of COVID-19. The CDC has developed two acceptable strategies to help determine when an employee with a suspected or confirmed case of COVID-19 may return to work⁶. The Village Manager may require steps in both a & b below to be satisfied prior to returning to work.

- a) Symptom-based Strategy: Employee will be excluded from work until:
 - i) at least **three (3) days or seventy-two (72 hours)** have passed since the employee has recovered, defined by resolution of fever without the use of fever reducing medications and improvement in respiratory symptoms such as cough or shortness of breath; and,

⁶ <https://www.cdc.gov/coronavirus/2019-ncov/hcp/return-to-work.html>

- ii) at least **10 days** have passed since symptoms first appeared.⁷
- b) Test-Based Strategy: **Employee will be excluded from work until:**
 - i) **resolution of fever** without the use of fever-reducing medications, and improvement in respiratory symptoms such as cough or shortness of breath; and
 - ii) **a negative result** of an FDA Emergency Use Authorized COVID-19 molecular assay for detection of SARS-CoV-2 RNA from at least **two consecutive respiratory specimens collected ≥24 hours apart**.⁸

SECTION 5 OFFICE CRITERIA

1) INDOOR ACCESS LIMITATIONS

The following precautions shall be incorporated to protect employees working inside of the Village office:

- a) External doors shall remain locked with limited to **no entry for non-employees** until deemed appropriate.
- b) The Village office will assign entry and exit points where appropriate.
- c) The **drinking fountain** shall be decommissioned within the office / Village Hall.
- d) **Drop box** use for payment receiving is mandatory.
- e) **Signs** regarding proper personal hygiene shall be posted.

2) INDOOR ACCESS MEASURES

The following precautions shall be incorporated to protect employees upon visitor entry to the Village office:

- a) **Limited entry** to one person / family into the Village office entryway **may** be permitted, when deemed acceptable.
- b) Internal customer visits (including contractors) must participate in **answering health questions** and signing in through an employee designated entrance.
- c) **Visual spacing markers** to denote 6 feet of space for those waiting in line.
- d) All visitors are required to **wear face coverings**; so long as they can be medically tolerated.
- e) **Meetings or gatherings** where social distance measures of 6 feet cannot be observed, are prohibited.
- f) Employees shall be notified if the Village discovers any visitors have tested positive for COVID-19.
- g) If appointments are made or deemed necessary, confirm health status with customer/client ahead of time.
- h) Use of **face masks and hand sanitizer** is required when meeting with the public.

3) DPW PREVENTION MEASURES

The following precautions shall apply to all employees working outside of the Village office:

- a) All DPW employees shall follow DPW Guidelines set forth in the COVID-19 daily screening app.
- b) Village provided PPE will be used by all employees, such as gloves, goggles, and face coverings appropriate for the activity being performed.
- c) In person interaction between employees and the public shall be limited, and only if social distancing can be observed.
- d) Tools and equipment shall be thoroughly disinfected after each use and daily/routine cleaning of company vehicle is required.

⁷ *Id.*

⁸ *Id.*

- e) NO on-site visits to customers without first determining health concerns within the customer's household. Ask health questions!!
- f) To the extent possible, each person is to travel to job sites/task individually in their own company vehicle or in a manner that meets the intent of this section.
- g) Maintain PPE in each company vehicle.
- h) All gatherings where social distance measures of 6 feet cannot be observed are prohibited.
- i) Daily inspections of lift stations is required. Take appropriate action immediately if needed.
- j) Keep an eye on the water system pump hours, tracking trends in usage is important. We need to make sure that there is an adequate clean water supply for the village.

SECTION 6 EMPLOYEE RIGHTS

The Families First Coronavirus Response Act ("FFCRA") requires the Village to provide employees with paid sick leave or expanded family and medical leave for certain reasons related to COVID-19.⁹

- 1) EMPLOYEES ARE ENTITLED TO THE FOLLOWING BENEFITS PROVIDED BY THE FFCRA:
 - a) Two weeks (up to 80 hours) of paid sick leave at the employee's regular rate of pay where the employee is unable to work because the employee is quarantined (pursuant to Federal, State, or local government order or advice of a health care provider), and/or experiencing COVID-19 symptoms and seeking a medical diagnosis; or
 - b) Two weeks (up to 80 hours) of paid sick leave at two-thirds the employee's regular rate of pay because the employee is unable to work because of a bona fide need to care for an individual subject to quarantine (pursuant to Federal, State, or local government order or advice of a health care provider), or to care for a child (under 18 years of age) whose school or child care provider is closed or unavailable for reasons related to COVID-19, and/or the employee is experiencing a substantially similar condition as specified by the Secretary of Health and Human Services, in consultation with the Secretaries of the Treasury and Labor; and
 - c) Up to an additional 10 weeks of paid expanded family and medical leave at two-thirds the employee's regular rate of pay where an employee, who has been employed for at least 30 calendar days, is unable to work due to a bona fide need for leave to care for a child whose school or child care provider is closed or unavailable for reasons related to COVID-19.¹⁰
 - d) An employee may choose to substitute any accrued vacation leave, personal leave or medical/sick leave for the first two weeks of partial paid leave.¹¹ Although notice of leave is not required, employees are encouraged to inform the Workplace Coordinator if leave is foreseeable.

2) QUALIFIED REASONS FOR LEAVE

The FFCRA provides the following qualifying reasons for leave:

- a) Is subject to a Federal, State, or local quarantine or isolation order related to COVID-19;
- b) Has been advised by a health care provider to self-quarantine related to COVID-19;
- c) Is experiencing COVID-19 symptoms and is seeking a medical diagnosis;
- d) Is caring for an individual subject to an order described in (1) or self-quarantine as described in (2);
- e) Is caring for a child whose school or place of care is closed (or child care provider is unavailable) for reasons related to COVID-19; or
- f) Is experiencing any other substantially-similar condition specified by the Secretary of Health and

⁹ <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave>

¹⁰ *Id.*

¹¹ *Id.* See also, FFCRA, Section 110. Public Health Emergency Leave, sub-section (b)(1)(B).

Human Services, in consultation with the Secretaries of Labor and Treasury.¹²

3) DURATION OF LEAVE

The FFCRA provides the following durations for leave:

- a) For reasons identified in Section 6 (2) above, **being a - d and f**: A full-time employee is eligible for 80 hours of leave, and a part-time employee is eligible for the number of hours of leave that the employee works on average over a two-week period.¹³
- b) For reasons identified in Section 6 (2) above, **being reason (e)**: A full-time employee is eligible for up to 12 weeks of leave (two weeks of paid sick leave followed by up to 10 weeks of paid expanded family & medical leave) at 40 hours a week, and a part-time employee is eligible for leave for the number of hours that the employee is normally scheduled to work over that period.¹⁴


4) CALCULATION OF PAY.

- a) For leave reasons (a), (b), or (c): employees taking leave are entitled to pay at either their regular rate or the applicable minimum wage, whichever is higher, up to \$511 per day and \$5,110 in the aggregate (over a 2-week period).²¹
- b) **For leave reasons (d) or (f)**: employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$2,000 in the aggregate (over a 2-week period).²²
- c) **For leave reason (e)**: employees taking leave are entitled to pay at 2/3 their regular rate or 2/3 the applicable minimum wage, whichever is higher, up to \$200 per day and \$12,000 in the aggregate (over a 12-week period).²³

¹² <https://www.dol.gov/agencies/whd/pandemic/ffcra-employee-paid-leave#>; see also, FFCRA Section 5102(a)-(6).

¹³ *Id.* See also, FFCRA Section 5102(b) Duration of Sick Paid Sick Time, sub-paragraphs (2)(A) and (B).

¹⁴ *Id.*

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2020- 36	
Prepared:	July 1, 2020	Pages:	1 of 1
Meeting:	July 8, 2020	Attachments:	<input type="checkbox"/>
Subject:	Elm Street Discussion		

PURPOSE

To discuss the formation of a sub-committee for Elm Street

STAFF COMMENTS

Over the past several months, the poor condition of Elm Street has become a topic of frustration for both Village and County residents who travel the roadway. I am unaware of the history of this roadway or why a fix has been prolonged, but it is time to move forward.


As we have mentioned in the past, we are not eligible for the consideration of Rural Task Force funding for another couple of years. However, I understand there is a small group that would like to create a sub-committee of sorts to assist in identifying non-taskforce funds that may be available to our community. Identifying funding mechanisms would allow us to strategize on how to secure funding opportunities while we wait for RTF consideration.

This is a positive change and a part of what we are working towards as a community. There is a lot of underutilized knowledge in our community that we could benefit from. To see an initiative, or even an interest start to develop is encouraging and should be embraced. We are fortunate to have people interested in such a task and hope to see more of this in the future.

A VC member (Mike Long) has voiced his willingness to participate and report back to Staff and the VC with updates. The General Service committee supports this plan.

ACTION REQUESTED

Discussion – No motion or action is required

		VILLAGE OF SUTTONS BAY	
		REPORT VSB -2020- 37	
Prepared:	July 14, 2020	Pages:	1 of 1
Meeting:	July 20, 2020	Attachments:	<input checked="checked" type="checkbox"/>
Subject:	Consumer Firework's Ordinance Amendment		

PURPOSE

To amend the Consumer Firework Ordinance to comply with recent legislative amendments.

STAFF COMMENTS

The Legislature, with House Bill 5939, amended the statute that allows for municipalities to govern the use of consumer fireworks in their community. The first, amending Section 4 which reduces the number of days one can shoot off unrestricted fireworks from 30 days to 12.

The second, by increasing the fines for those who violate the Ordinance from \$500 to \$1000. The additional \$500 is for the local law enforcement agency responsible for enforcing the Ordinance.

The final change that staff is recommending and the Administrative Committee has supported, is providing a definition for Display Fireworks. By adding the definition, we can distinguish between "consumers fireworks" usually set off by non- professionals (you and I) and Display fireworks (public fireworks organized by professionals). Display fireworks go through a permitting process and the forms must be provided by the Michigan Department of Licensing and Regulatory Affairs (LARA) bureau of Fire Services.

ACTION REQUESTED

A motion for consideration has been provided below.

MOTION TO - Adopt Amendment 1 to Ordinance 3 of 2013 for the reasons stated in Report VSB-2020-37 and being made a part of this motion.



Village of Suttons Bay
420 N Front Street
P O Box 395
Suttons Bay, MI 49682
231.271.3051

suttonsbay@suttonsbayvillage.org

The attached Consumer Firework Ordinance provides for the following amendments:

Amended the Dates: Section 4

The ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.:

- December 31 until 1 a.m. on January 1;
- The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days;
- June 29 to July 4 until 11:45 p.m. on each of those days;
- July 5, if that date is a Friday or Saturday, until 11:45 p.m.; and
- The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

Increased the fine for each violation: Section 5

An ordinance **shall** impose a civil fine of \$1,000 for each violation and provide for the remittance of \$500 of the fine to the local law enforcement agency responsible for enforcing the ordinance.

Added Display Fireworks Definition: To distinguish between Consumer Fireworks and Display Fireworks:

NOTE: Display Fireworks Cities, villages, and townships are responsible, under Michigan law (MCL 28.466), for issuing permits for display fireworks" and articles pyrotechnic (e.g. professional displays during concerts or shows). Fireworks application and permit forms are provided only to the city, village, or township (the local permitting authority), and are available only from the Michigan Department of Licensing and Regulatory Affairs (LARA) Bureau of Fire Services at (517) 241-0691.



Village of Suttons Bay
Consumer Fireworks Ordinance
3 of 2013
As Amended

An ordinance pursuant to act 256 of the public acts of 2011, as amended, and pursuant to act 3 of the public acts of 1895, as amended, to prohibit the ignition, discharge, and use of consumer fireworks within the village on days other than the day preceding, the day of, or the day after a national holiday, to prohibit the ignition, discharge, and use of consumer fireworks within the village between 1 a.m. and 8 a.m. on the day preceding, the day of, and the day after a national holiday, and to provide penalties for violations thereof

The Village of Suttons Bay Ordains:

Section 1. FINDINGS.

The Suttons Bay Village Council makes the following findings: Public Act 3 of 1895 authorizes The Village of Suttons Bay to enact ordinances that regulate the public health, safety and general welfare of persons and property. Public Act 256 of 2011, as amended (MCL 28.451, *et seq.*) authorizes the Village of Suttons Bay to enact an ordinance regulating the ignition, discharge, and use of consumer fireworks. The Suttons Bay Village Council hereby finds that an ordinance prohibiting the ignition, discharge, and use of consumer fireworks, to the extent allowed by Public Act 256 of 2011, as amended, is in the interest of public health, safety and general welfare of persons and property within the Village of Suttons Bay.

Section 2. TITLE.

This Ordinance shall be known as the Village of Suttons Bay Consumer Fireworks Ordinance.

Section 3. DEFINITIONS. As used in this Ordinance,

"Consumer fireworks" means fireworks devices that are designed to produce visible effects by combustion, that are required to comply with the construction, chemical composition, and labeling regulations promulgated by the United States consumer product safety commission under 16 CFR parts 1500 and 1507, and that are listed in APA standard 87-1, 3.1.2, 3.1.3, or 3.5. Consumer fireworks does not include low- impact fireworks.

"Low-impact fireworks" means ground and handheld sparkling devices as that phrase is defined under APA standard 87-1, 3.1, 3.1.1.1 to 3.1.1.8, and 3.5.

Do we want to add "*Display fireworks means large fireworks devices that are explosive materials intended for use in fireworks displays and designed to produce visible or audible effects by combustion, deflagration, or*

detonation, as provided in 27 CFR 555.11, 49 CFR 172, and APA standard 87-1, 4.1."

"National holiday" means those days specified as a national holiday in 5 USC 6103, being: New Year's Day (January 1); ~~Martin Luther King, Jr. Day (third Monday in January); Washington's Birthday (third Monday in February);~~ Memorial Day (last Monday in May); Independence Day (July 4); Labor Day (first Monday in September); ~~Columbus Day (second Monday in October); Veterans Day (November 11); Thanksgiving Day (fourth Thursday in November); and Christmas Day (December 25).~~

"Person" means an individual, agent, association, charitable organization, company, limited liability company, corporation, labor organization, legal representative, partnership, unincorporated organization, or any other legal or commercial entity.

SECTION 4. IGNITION, DISCHARGE, AND USE OF CONSUMER FIREWORKS.

- (a). *Except as provided in this section, no person shall ignite, discharge, or use consumer fireworks within the Village of Suttons Bay on any day that is not ~~the day preceding, the day of, or the day after a national holiday~~ listed in Section B below:*
- (b). *No person shall ignite, discharge, or use consumer fireworks within the Village of Suttons Bay between the hours of 1 a.m. and 8 a.m. on the day preceding, the day of, and the day after a national holiday. A person may ignite, discharge, or use consumer fireworks on the following days during the following hours:*
- *December 31.*
 - *January 1 between 12 midnight and 1 a.m.*
 - *The Saturday immediately preceding Memorial Day until 11:30 p.m.*
 - *The Friday and Saturday preceding July 4 until 11:30 p.m.*
 - *June 30 until 11:30 p.m. if July 4 is a Saturday or Sunday.*
 - *July 1 to July 4 until 11:30 p.m.*
 - *The Saturday immediately preceding Labor Day until 11:30 p.m.*

SECTION 5. PENALTY/CIVIL INFRACTION.

Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws, and shall be subject to a fine of not more than ~~Five Hundred and 00/100 (\$500.00)~~ *One Thousand Dollars and 00/100 (\$1,000.00)* Dollars. *(The New law increases the fine and states that The Ordinance must provide for the remittance of \$500 of the fine collected under this Ordinance to the local law enforcement agency responsible for enforcing the Ordinance).* *Five Hundred Dollars of each fine collected will be remitted to the local law enforcement agency responsible for enforcement of the Ordinance.* Each day this Ordinance is violated shall be considered as a separate violation.

SECTION 6. ENFORCEMENT.

The Village Manager, other persons designated by the Village Council, and officers of the Suttons Bay

Police Department are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.

SECTION 7. NUISANCE.

A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.

SECTION 8. INJUNCTIVE RELIEF.

In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Village may initiate proceedings in the Circuit Court to abate or eliminate the nuisance per se or any other violation of this Ordinance.

SECTION 9. VALIDITY.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance, which can be given effect without the invalid portion or application.

SECTION 10. EFFECTIVE DATE.


This Ordinance shall become effective twenty (20) days after its enactment.

Dated:

VILLAGE OF SUTTONS BAY

By: _____
Steve Lutke, President

By: _____
Shar Fay, Clerk

		VILLAGE OF SUTTONS BAY	
		Marina Report VSB - 2020-38	
Prepared:	7-15-20	Pages:	1 of 1
Meeting:	7-20-20	Attachments:	<input type="checkbox"/>
Subject:	Marina Pedestrian Bridge		

PURPOSE

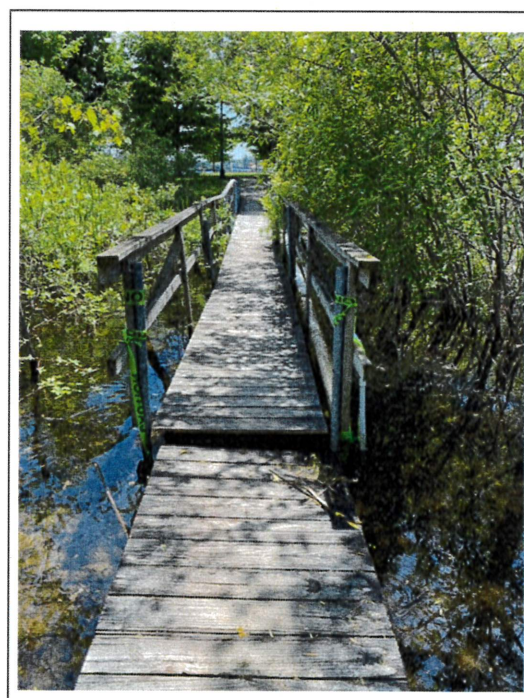
To discuss the recommendation by the Marina Committee to remove the Marina pedestrian bridge.

OVERVIEW

As we witness an unprecedented rise in lake levels, the effects of the high-water levels, and seiches has created a series on unique issues for our marina infrastructure. The pedestrian bridge, located between the coal dock area and marina has become a safety issue that requires addressing. Following the Admin meeting, we walked down to the bridge to find that it was mostly underwater and the caution tape was missing (again). Staff erected plywood to completely block access to the bridge, which is now closed and barricaded.

STAFF COMMENTS

The two pictures were taken last week when the water was lower than usual. Although the bridge can be seen in its entirety, it is common to see the bridge completely submerged. The bridge can now be observed dislodging from the structure supports. It is the opinion of the Harbor Master, marina committee and Staff that this bridge has become a safety hazard and warrants removal.



ACTION REQUESTED

MOTION TO RECOMMEND removing the marina pedestrian bridge due to the safety concerns outlined in Report VSB-2020-38 and being made a part of this motion.