

CITY OF BRIGHTON
CITY COUNCIL MEETING
CITY HALL
May 2, 2013

Regular Blue Sky: 7:00 p.m.: Review of Agenda Items for this evening's meeting

REGULAR SESSION - 7:30 P.M.

1. Call to order
2. Pledge of Allegiance
3. Roll Call
4. Consider approval of the Agenda
5. Approval of minutes: [Regular Meeting of April 18th](#)
6. Mayor's Reading of Citizen Inquiries received since the last City Council Meeting
 - 6a. Report from the City Attorney with advice regarding a Citizen Inquiry presented at the 04/18/13 Council Meeting
7. Call to the Public

Consent Agenda

8. Receive and approve a [Quarterly Investment Report](#) from the Finance Director
9. Approval of staff-recommended [bid award for a new janitorial services contract](#)
10. Approval of a staff-recommended [civic event application for Swingfusion](#)
11. Approval of a staff-recommended [civic event application for the Walk to end Alzheimer's](#)
12. Approval of a staff recommendation to [discontinue accepting postmarks as consideration for on-time property tax payments](#)
13. Consider approval of a cancellation of the first City Council Meeting of July due to the July 4th holiday

Policy Development & Customer Communications' action item

14. Consider approval of a [resolution to adopt the City Budget for Fiscal Year 13-14](#)
15. Receive status report regarding work on a [proposed Residential Rental Inspection Program and related ordinance](#)

Other Business

16. Information for City Customers
17. Receive updates from Council Member Liaisons to other Boards and Commissions
18. Call to the Public
19. Adjournment

MINUTES OF THE MEETING OF THE CITY COUNCIL OF BRIGHTON
HELD ON APRIL 18, 2013 AT THE BRIGHTON CITY HALL
200 N. 1ST STREET, BRIGHTON, MICHIGAN

BLUE SKY SESSION

The Council conducted a Blue Sky Session at 6:00 p.m. Present were Mayor Muzzin, Mayor Pro-Tem Cooper, Councilmembers Bohn, Bandkau, Schillinger, Roblee and Pipoly. The Council received a field demonstration of the new Sewer Line Inspection Camera Equipment, and then reviewed the evening's agenda.

REGULAR SESSION

Mayor Muzzin called the regular meeting to order at 7:35 p.m. Following the Pledge of Allegiance, the roll was called, there being present were Mayor Muzzin, Mayor Pro-Tem Cooper, Councilmembers Bandkau, Schillinger, Pipoly, Roblee and Bohn. Also in attendance were Attorney Paul Burns, Staff members Dana Foster, Matt Schindewolf, Kelly Hanna, Jennifer Burke, Diana Lowe and Tom Wightman and an audience of 46. Press and Media included Tom Tolen of WHMI.

AGENDA APPROVAL

It was moved Mayor Pro-Tem Cooper, seconded by Bandkau to approve the agenda as amended. Delete item #14, Janitorial Services Contract and item #19 Residential Rental Inspection Program. Motion passed 7-0.

MINUTES APPROVAL

It was moved by Mayor Pro-Tem Cooper seconded by Pipoly to approve the corrected Regular Meeting minutes of April 4, 2013 as presented. Motion passed 7-0.

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to approve the Budget Worksession minutes of March 25, 26 & 27 2013 as presented. Motion passed 7-0.

CITIZEN INQUIRIES

Mayor Muzzin read an inquiry from Susan Walters-Steinacker, the City's liability insurance policy lists BMH Realty, owned by Mike Corrigan and Nordic Realty, owned by attorney Neil Neilson as additional interest's names. 1)Please explain the involvement of these businesses to the city relating to needed insurance coverage. 2)Please explain any and all costs related to their insurance coverage.

Mayor Muzzin stated BMH Realty, owned by Mike Corrigan, was originally part of the listing of Additional Insured's because BMH Realty owned property and a structure that our police were using at a past point in time for tactical training. City staff has recently instructed our Insurance Carrier to remove it from our listings of additional insured's because our Police are no longer using the subject property. Nordic Realty, owned by Mr. Neil Neilson, is on our list of additional insured's because it is property that our City police use for firearms range training. Neither of these properties cost the City any additional money to have as part of our list of additional insured's and do not cost any money to the City to add additional insured whenever we need to do so for any purpose.

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Mayor Muzzin read an inquiry from Jeff Neubacher requesting Council to support a petition to condemn Federal outreach and infringement upon the Right of the Individual to Keep and Bear Arms, urge immediate passage of PA House Bill 357 and reserve the right of the City to take measures necessary to prevent enforcement of Federal acts regarding the right of the individual to keep and bear arms.

It was moved by Councilmember Bandkau, seconded by Pipoly to have the City Attorney review the proposed petition for a response at the next meeting. Motion passed 7-0.

PROCLAMATION HONORING THE BRIGHTON HIGH SCHOOL HOCKEY TEAM

Mayor Muzzin read a Proclamation for the Brighton High School Hockey Team recognizing them as the 2013 State Champions.

The Hockey Team Captains stated there were many challenges for them to become the 2013 Champions and the credited their community for their success.

POLICE DEPARTMENTS OFFICER OF THE YEAR AWARD

Police Chief, Tom Wightman presented the Police Department Officer of the Year Award to Brent Pirochta. He stated this is the second time he has been chosen for this award and has given outstanding service to the Police Department and the community.

RECOGNITION OF A CITY EMPLOYEE'S RETIREMENT

City Manager, Dana Foster read a Proclamation for David Letzring and his retirement from the Wastewater Treatment Plant, Department of Public Services and years of service to the City of Brighton.

Dave Letzring recognized and thanked all of his fellow employees, City Council and Staff.

CALL TO THE PUBLIC

Mayor Muzzin opened the Call to the Public at 7:58 p.m. The following comments were heard:

Chuck Ishlighter, Howell, thanked the Council for their consideration to his previously submitted petition.

Steve Monet stated the 11th Annual Gleaner's Fill the Gazebo Food Drive will be held May 4, 2013 from 10:00 a.m. to 2:00 p.m. He thanked the community for the success of this food drive.

Edwin Nyhus, Brighton, discussed the cost of rubbish pick-up. He stated he appreciates the support the Council gives to public safety. He asked the Council to stay focused on public safety.

Hearing no further comment, the Call to the Public was closed at 8:08 p.m.

CONSENT AGENDA

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to approve the Consent Agenda. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

The following items were approved:

1. Approved the A Taste of Brighton Civic Event.
2. Approved the BAFD 5K Run/Walk Civic Event.
3. Awarded the Challis Water Plan Iron-removal Filtration Tanks repainting to Quality Maintenance Contractors, Inc. in the amount of \$45,000.00.
4. Approved Resolution 13-06, Recommending State LCC approval of a liquor license transfer from Pizza Hut, Inc. at 8300 W. Grand River in Brighton Township to Great Dane Ventures, Inc., at 423 W. Main Street including change in classification of license from Tavern to Class C.
5. Approved an intergovernmental agreement with Hamburg Township for the transfer of ownership of taser equipment to the Brighton Police Department.

FIREWORKS ORDINANCE AMENDMENTS PUBLIC HEARING AND SECOND READING

Mayor Muzzin opened the Public Hearing for the proposed Fireworks Ordinance amendments at 8:10 p.m. Hearing no comment, the Public Hearing was closed.

It was moved by Mayor Pro-Tem Cooper, seconded by Pipoly to approve Ordinance 563, Fireworks Ordinance Amendments, to Chapter 54, Article V, Division 1, Section 54-121, Discharge of fireworks. A roll call vote was taken. Yes: Schillinger, Bohn, Cooper, Muzzin, Bandkau, Roblee, Pipoly. No: none. Motion passed 7-0.

FISCAL YEAR 13-14 CITY BUDGET PUBLIC HEARING

City Manager, Dana Foster gave a PowerPoint presentation regarding the proposed Fiscal Year 13-14 City Budget. He highlighted the Budget Baseline Forecast, Changes from the City Manager Proposed Budget of March 21, 2013 to the City Council's proposed Budget and How the City Council Proposed Budget affect Millage Rates and User Fees.

Mayor Muzzin read a letter he wrote in response to "Who started budget brouhaha?" guest column in Sunday's April 14, 2013 newspaper into the record regarding the DDA Fund budget.

Mayor Muzzin opened the Public Hearing for the proposed Fiscal Year 13-14 City Budget at 8:40 p.m. The following comments were heard:

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Pat Cole discussed the extension of the Refuse Collection fees, the Headlee Override Millage, the possibility of a reduction in the refuse user fee and making it part of the property tax.

It was moved by Councilmember Bohn, seconded by Bandkau to grant Pat Cole three additional minutes for the Public Hearing. Motion passed 7-0.

Pat Cole continued to discuss the Headlee override, Refuse Tax, Rental homes, fixed incomes and to consider both rich and poor when deciding the budget.

City Manager, Dana Foster stated the proposed budget does not include his phased-in Headlee override proposal.

Hearing no further comment, Mayor Muzzin closed the Public Hearing at 8:50 p.m.

The Council discussed the proposed budget, user fees, the last City Service Survey, the importance of Public Safety and utilities, Civic Events and overtime.

Mayor Muzzin read a letter from Susan Walters-Steinacker for the Public Hearing for the City's proposed City Budget for Fiscal Year 13-14. She discussed the burden of debts on the residential tax payers, Headlee Lid Override, snow removal, trash pick-up fees, conserving cash for the DDA Fund and asked Council to take the budget back to the drawing board to spread the needs and wants of the City evenly between business, industry and residents.

City Manager, Dana Foster discussed a Headlee Lid Override not to go to the Charter lid all at once. He stated he evaluates staffing needs on an on going basis. He thanked all Council and Staff for all of the input for the budget.

CITY CUSTOMER INFORMATION

Police Chief, Tom Wightman stated that the Police Department will participate in a Take Back Drug Program for expired or unused prescriptions on April 27, 2013.

City Clerk, Diana Lowe stated the deadline to accept nominating petitions for City Council is May 14, 2013 at 4:00 p.m.

City Manager, Dana Foster discussed the Imagination Station Clean-up day and thanked the over 70 volunteers.

Mayor Muzzin also thanked all volunteers for their hard work on the Imagination Station Clean-up Day.

Councilmember Roblee stated Renee Pettengill asked her to thank Dana Foster and Matt Schindewolf for the changes to the pavilion restroom and that Renee coordinated the repainting of them.

Mayor Pro-Tem Cooper gave a SELCRA update stating the playing fields are being rebuilt to make them better for the users.

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Councilmember Bandkau stated they are moving forward on the Brighton Veteran's Memorial. She thanked the business owners for coming to the last City Council meeting and voiced their support for the DDA. She stated it is not Council's intent to eliminate the DDA.

Councilmember Roblee stated she will be speaking with Lauri French on April 29, 2013 at the 2013 Building Michigan Communities Conference. regarding Envision Brighton.

Mayor Muzzin read a letter from Ken Schmenk, Hightree Court, thanking the Assessors Department for lowering his taxes.

Mayor Muzzin gave condolences to Lauri French and her family for the passing of her sister Kathleen O'Brien.

Mayor Muzzin gave a Brighton Area Fire Authority update and he stated he will provide their compensation manual to City Council. He also gave a DDA update.

CALL TO THE PUBLIC

Mayor Muzzin gave a Call to the Public at 9:42 p.m. The following comment was heard:

Pat Cole, Brighton City, asked why Council has not addressed Dana Foster's refuse tax being rolled into Headlee Override? She stated the five minute limit should be enforced at all future Public Hearings and she was distracted by Mayor Pro-Tem Cooper holding his fingers up to tell her how much time she had left.

Mayor Pro-Tem Cooper stated he does this as a courtesy for speakers not to go over their time limit.

Mayor Muzzin stated the Headlee Override was not addressed because it is not part of the Fiscal Year 13-14 budget.

Hearing no further comment, Mayor Muzzin closed the Call to the Public at 9:47 p.m.

ADJOURNMENT

It was moved by Mayor Pro-Tem Cooper, seconded by Bandkau to adjourn the meeting at 9:47 p.m. Motion passed 7-0.

Diana Lowe, City Clerk

Jim Muzzin, Mayor

MEMORANDUM

To: Dana Foster, City Manager

From: Kelly Hanna, Finance Director



Date: April 16, 2013

Subject: The City's Quarterly Investment Report as of March 31, 2013

Attached you will find the City's Quarterly Investment Report as of March 31, 2013.

In comparison to the quarter ended December 31, 2012, the City's total investment/bank balance has decreased by \$2,264,591 or 31% to \$5,049,078, which is generally indicative of the fact that the majority of the City's tax revenue levied is collected in the first quarter of the fiscal year, while expenditures are relatively more constant throughout the year. In comparison to the same quarter a year ago, i.e., the quarter ended March 31, 2012, the City's total investment/bank balance has increased by \$623,481 or 14%. This is reflective of projected higher ending fund balances.

In comparison to the quarter ended December 31, 2012, the City's average rate of return on investments increased slightly from 0.41% to 0.43%. The increase is reflective of increased funds in interest earning accounts. The City continues to earn more than the benchmark 3-month Treasury Bill Rate and Fed Funds Rate.

Since December 31, 2012, the City's investment in FDIC insured CD's decreased by \$900,324. The City's collateralized deposits/investments with JP Morgan Chase Bank totaled approximately \$979,245 or approximately 19% of the City's overall portfolio.

Attached you will find a quarterly investment report prepared by the City Treasurer, per the Adopted Investment Policy. We continue to work within the primary objectives of the City's Investment Policy, which, in priority order, are; safety, liquidity and return on investment.

Let me know if you have any questions.

MEMO

To: City Council
From: Fern Jackson, Treasurer 
Subject: 1st Quarter investment report
Date: April 12, 2013

The City of Brighton currently has 13 certificates of deposits with various Michigan banks within a 1-year maturity or less. There were 4 CD maturities this quarter in the general fund and one in the utilities fund as we wage the cost of keeping our funds liquid vs. low rate of return rate from pooled money market accounts.

The interest rates of these outstanding certificates range from .40% to a maximum of .70% and will vary in amounts from \$100,000 to \$250,000. Laddering the investments out provides an on going steady interest income, which is an additional revenue to the City budget. This also protects the interest revenue from market declines in the money market accounts. The general fund currently holds CD's in the amount of \$2,490,707.22, which is from the tax revenue received from the tax bills due August 15 of each year. The Utilities fund currently holds 2 CD's in the amount of \$450,000.00.

Our current financial institutions which we hold money market accounts with are providing .20% to .249% interest rates on 14.90% of our total investments. These funds are completely liquid in nature and are available to use on demand. Certificates of Deposit require a penalty in interest; normally one month is forfeited, if they are needed prior to their maturity. Municipalities are allowed to only use Michigan banks for investment purposes.

The Federal Reserve met on March 19 and 20 and the press release stated labor market conditions have shown signs of improvement in recent month, but the unemployment rate remains elevated. While household spending, business fixed investment advanced, and the housing sector has strengthened further, the committee continues to see downside risks to the economic outlook. Inflation has been running somewhat below the Committee's longer-run objective, apart from temporary variations that largely reflect fluctuations in energy prices. Longer-term inflation expectations have remained stable.

The Committee is maintaining its existing policy of reinvesting principal payments from its holdings of agency debt and agency mortgage-backed securities in agency mortgage-backed securities and of rolling over maturing Treasury securities at auction. Taken together these actions should maintain downward pressure on longer-term interest rates, support mortgage markets, and help to make broader financial conditions more accommodative.

The Committee seeks to foster maximum employment and price stability and with the appropriate policy accommodation, the economic growth will proceed at a moderate pace and the unemployment rate will gradually decline toward levels the Committee judges consistent with its dual mandate. The target range for the federal funds rate remains at 0 to ¼% and currently anticipates that this exceptionally low range for the federal funds rate will be appropriate at least as long as the unemployment rate remains above 6-1/2%. Inflation between one and two years ahead is projected to be no more than a half percentage point above the Committee's 2 percent longer-run goal, and longer-term inflation expectations continue to be well anchored. In determining how long to maintain a highly accommodative stance of monetary policy, the Committee will also consider other information, including additional measures of labor market conditions, indicators of inflation pressures and inflation expectations, and readings on financial developments. When the Committee decides to begin to remove policy accommodation, it will take a balanced approach consistent with its longer-run goals of maximum employment and inflation of 2 percent. Their next meeting will be on April 11-12, 2013.

CITY OF BRIGHTON
 QUARTERLY INVESTMENT REPORT
 AS OF MAR. 31, 2013*

<u>Investment Account</u>	<u>Account Balance</u>	<u>Maturity Date</u>	<u>Current % Interest Rate</u>	<u>Average R.O.R.</u>
JP Morgan Chase & Co. - A/P	226,948.66	Immediate	0.00%	0.00%
JP Morgan Chase & Co. - Payroll	495,405.06	Immediate	0.00%	0.00%
JP Morgan Chase & Co. - Employee FSA	10,368.43	Immediate	0.00%	0.00%
JP Morgan Chase & Co. - Tax	0.00	Immediate	0.00%	0.00%
JP Morgan Chase & Co. - Escrow	100,720.61	Immediate	0.20%	0.00%
JP Morgan Chase & Co. - Payroll MM	70,021.83	Immediate	0.20%	0.00%
JP Morgan Chase & Co. - Money Market	<u>75,780.67</u>	Immediate	0.20%	0.00%
Total Chase Bank	979,245.26			
Michigan Commerce - Police Forfeiture	18,806.58	Immediate	0.15%	0.00%
Michigan Commerce - Juvenile	231.21	Immediate	0.00%	0.00%
Michigan Commerce - Tax account	<u>17.30</u>	Immediate	0.00%	0.00%
Total Michigan Commerce Bank	19,055.09			
First National Bank-tax account	<u>199,545.85</u>	Immediate	0.25%	0.01%
Total 1st Natl Bank	199,545.85			
Level 1-Money Market	505,718.98	Immediate	0.349%	0.03%
Level 1-U/B checking	<u>679.35</u>	Immediate	0.00%	0.00%
Total Level 1	506,398.33			
LOTUS BANK	<u>202,168.29</u>	Immediate	0.40%	0.02%
Total Lotus Bank	202,168.29			
FIRST NATIONAL BANK OF AMERICA	<u>201,957.83</u>	Immediate	0.50%	0.02%
Total First National Bank of America	201,957.83			
CD-FLAGSTAR	250,000.00	4/12/2013	0.65%	0.03%
CD-FLAGSTAR	100,007.78	6/27/2013	0.70%	0.01%
CD-FLAGSTAR	150,000.00	9/17/2013	0.40%	0.01%
CD-UNITED BANK	250,000.00	6/6/2013	0.55%	0.03%
CD-UNITED BANK	250,000.00	7/25/2013	0.65%	0.03%
CD-UNITED BANK	200,000.00	11/27/2013	0.50%	0.02%
CD-THE PRIVATE BANK	250,000.00	4/4/2013	0.45%	0.02%
CD-THE PRIVATE BANK	250,000.00	5/2/2013	0.45%	0.02%
CD-THE PRIVATE BANK	250,000.00	5/13/2013	0.55%	0.03%
CD-ANN ARBOR STATE BANK	250,000.00	5/30/2013	0.70%	0.03%
CD-ANN ARBOR STATE BANK	250,000.00	6/13/2013	0.70%	0.03%
CD-HURON VALLEY	250,699.44	8/29/2013	0.55%	0.03%
CD-FIRST PLACE BANK	<u>240,000.00</u>	5/30/2013	0.70%	0.03%
Total Certificate of Deposits	2,940,707.22			
TOTAL	<u>5,049,077.87</u>		9.80%	<u>0.4300%</u>
Avg. three Month Treasury Bill Rate				0.0867%
Average three Month Fed Funds Rate				0.1442%
City's Avg. R.O.R. over/(under) the 3-month T-Bill Rate				0.34%
City's Avg. R.O.R. over/(under) the Avg. Fed Funds Rate				0.29%

* From the website below

<http://bonds.yahoo.com/>

** From the website below

<http://app.ny.frb.org/markets/omo/dmm/fedfundsdata.cfm>

M:Fern/Mydocs/misc/Council qtrly report 3-31-13.xls

*Amounts match the bank statement balance and there may be reconciling items between the General Ledger and the bank.

POLICY REPORT NO. DPS -06-12
DEPARTMENT OF PUBLIC SERVICE

Prepared by:

Reviewed by:

Matthew J. Schindewolf
Public Service Director

Dana W. Foster
City Manager

ISSUE: The City of Brighton recently issued a Request For Proposals for Janitorial Services for City Owned Building. A total of four proposals were deemed to be responsive to the request and were reviewed for development of a recommendation.

STAFF RECOMMENDATION: To accept the Proposal from Master Corporate Cleaning in totality, for the amount indicated of \$3,982.62 per month, for a yearly total of \$47,791.44 for the performance of janitorial services for city owned buildings with the exception of the Brighton Community Center, as the service at that building is performed by a contractor chosen by SELCRA.

BACKGROUND: All of the City of Brighton owned facilities save for the excepted Brighton Community Center are provided janitorial services on a regular basis as a part of the preventative maintenance, employee and citizen health and cleanliness concerns and in order to keep their appearance up to a standard expected of publicly owned buildings. It is required of all contractors and employees of the contractors to be able to pass a thorough background check, and be proficient in Blood Borne Pathogen training and cleanup, Material Safety Data Sheet inventory and to be able to respond in a timely manner to any request for services needed on a twenty four hour basis. Prospective interested parties were given a walkthrough of all buildings and instructed in the particular needs of each building, times when work could be performed and what hazards may be encountered at all facilities.

The current temporary contractor, Master Corporate Cleaning has been employed on an interim basis to perform these above functions and has proven their capabilities to staff. They have been able to quickly respond to emergency calls, and to bring the condition of all city facilities up to a condition that is expected of a publically owned facility. City staff at all buildings have been queried as to their satisfaction with the performance of this interim contractor and all have had favorable responses.

The other contractors have been vetted through reference checks, and also for their ability to respond quickly to any needs that arise in the City of Brighton. Close proximity to the city is also a consideration, and Master Corporate Cleaning has its offices on Rickett Rd., which allows for agile and swift response to calls for service on off hours and on weekends.

BUDGET IMPACT: This will have a budget impact on both of the General Fund and Utilities Fund building maintenance costs which is reflective of the costs for such services. This proposal, as with all services performed in this manner can be subjected to change and alteration as needed in consideration of any budgetary constraints that may be encountered.

COUNCIL ACTION: To direct staff to proceed with formally accepting the proposal from Master Corporate Cleaning in the amount of \$3,982.62 per month for provision of janitorial services for the city owned facilities as presented in their proposal.

Attachments: Bid Tabulation sheet and proposal pricing sheets.



FACILITY QUOTE

Facility: City Of Brighton

Date: 3-25-2013

Staff Personnel: Philip Casteleyn

Phone: 248.697.6494

CLEANING LEVELS as defined by 3rd party standards:
CL 1 (ECONOMY) Marginal surfaces are orderly with no dust, dirt, debris smudges or stains
CL 2 (PREMIUM) Ordinary surfaces are orderly with no dust, dirt, debris, smudges or stains
CL 3 (MASTER) ALL surfaces are orderly with no of dust, dirt, debris, smudges or stains

DESIRED LEVEL:

****RFP Quote Based On: Premuim Package****

5 Visits per Week @ Pavillion, City Hall, Police Station, & DPS / 2 Visits per week @ Water Plant, CoBACH & WWTP

FACILITY	SQUARE FEET	PACKAGE PRICE / COST PER SQ. FT.			MAIN FREQUENCY (PER WEEK)			AVERAGE WEEKLY PER MONTH	TOTAL MONTHLY PRICE
		CL 1	CL 2	CL 3	1 VISIT	2 VISITS	3 VISITS		
City Hall	7500		x				x	4.3	\$ 1,290.00
Police Building	9000		x				x	4.3	\$ 1,548.00
DPS Office/Break	3000		x				x	4.3	\$ 516.00
Challis Water Plant	3027		x			x		4.3	\$ 208.25
WWTP	3364		x			x		4.3	\$ 231.44
CoBACH	1500		x			x		4.3	\$ 103.20
Pavillion Restrooms	396			x			7visits	4.3	\$ 85.73
Line Total	27787							4.3	\$ 3,982.62

PROPOSAL



DU-ALL CLEANING
 13334 W Star Dr • Shelby Twp, MI 48315
 (586)709-9517

Licensed & Insured

Commercial-Industrial

PROPOSAL SUBMITTED TO CITY OF BRIGHTON		PHONE (810)225-8001	DATE 03/25/13
200 N. FIRST STREET		JOB NAME JANITORIAL SERVICES FOR CITY OWNED BUILDINGS	
CITY, STATE and ZIP CODE BRIGHTON, MI 48116		JOB LOCATION CITY OF BRIGHTON	
WE HEREBY SUBMIT THE FOLLOWING ESTIMATES:			
	Total Sq. Ft.	Price Per Sq. Ft.	Cost Per Month
Old Town Hall	1500	\$0.15	\$ 225.00
City Hall	7500	\$0.09	\$ 675.00
Police Building	9000	\$0.09	\$ 810.00
DPS/ Office Break	3000	\$0.10	\$ 300.00
Challis Water Plant	3027	\$0.10	\$ 302.70
WWTP	3364	\$0.10	\$ 336.40
Community Center	5550	\$0.10	\$ 555.00
Pavilion Restrooms	396	\$0.25	\$ 99.00
		Total Amount	\$3303.01

We Propose hereby to furnish material and labor – complete in accordance with specifications below, for the sum of:

THREE THOUSAND THREE HUNDRED AND THREE _____ dollars (\$3303.01 _____).

Payment to be made as follows:

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. By acceptance of this merchandise, you agree to pay a 1.8% per month late charge (21.8% per annum) or the highest rate allowed by law. Late charges start on the day following the due date.

Authorized Signature: Mondi Rakaj

Note: This proposal may be Withdrawn by us if not accepted within 60 days.

Acceptance of Proposal – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Signature: _____

Signature: _____

18. Any bottles, cups, eating utensils, etc, shall be removed from any tables, counters, shelves, or other work surfaces save for a personnel desk top and disposed of appropriately.

COVERALL service charge for performed janitorial services according to the specifications as set forth in the agreement for the city of Brighton will be as continue:

1-City of Brighton City Hall. 200.n Street .

Service charge will be: . **\$ 800.00 per month .To include 5 Days service per week service.**

2- Department of Public Services Facility . 420 S.Third street.

Service charge will be : **\$ 600.00 per month ,to include 5 Days service per week**

3-Water treatment Utility. 7377 Challis road .

Service charge will be **\$ 160.00per month, to include 2 Days service per week.**

4-City of Brighton Environmental Control Facility . 6570 Hamburg road

Service charge will be ; **\$ 160.00 per month,to include 2 Days service per week.**

5-City of Brighton Police Department. 440S. Third Street

Service charge will be **\$ 800.00 per month, to include 5 Days service per week**

6-City of Brighton Municipal Pavilion Restrooms/Seating area . 200 N.First Street.

Service charge will be **\$ 600.00 per month ,to include 7 Days service per week.**

7-CoBACH Building. 222 W. Street

Service charge will be **\$ 160.00 per month,to include 2 days per week service**

TOTAL Janitorial Service Charge for City of Brighton will be .

\$ 3280.00 per Month or \$ 39,360.00 per Year

Angel Cleaning Company

Festime Prenci (president)

Festime Prenci

03/25/2013

DIAMOND SHINE CLEANING SERVICES

2257 LAXTON RD.

MASON, MI. 48854

PHONE: (517) 604-1976

FAX:

(866) 299-0656

Matthew J. Schindewolf

Director Dept. of Public Services

200 N. First Street

Brighton, MI. 48116

Diamond Shines quote for cleaning city owned buildings is \$34,560.00 a year,
broken down into 12 monthly payments of \$2,880.00.

Sincerely,



Bianca Cantu-O'brien

POLICY REPORT NO. DPS –13-07
DEPARTMENT OF PUBLIC SERVICE

Swingfusion & Walk to End Alzheimer’s Civic Events

Prepared by:

Matthew J. Schindewolf
Public Service Director

Reviewed by:

Dana W. Foster
City Manager

ISSUE: To consider the approval of two Civic Events – Swingfusion & Walk to End Alzheimer’s.

STAFF RECOMMENDATION: To approve the Swingfusion & Walk to End Alzheimer’s Civic Events as recommended by the Civic Event Committee.

BACKGROUND: The City of Brighton Civic Events Committee has reviewed both of the submitted Civic Events and recommends approval.

Both of these events have been held previously and have run very smoothly.

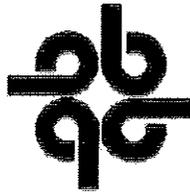
It should be noted that the Swingfusion Application does not meet the required 45-day submittal requirement; however, due to this being a previously-held event, the Committee has suggested that this be waived. The final decision will be made by City Council.

BUDGET IMPACT: Any police presence needed for either event can be done with the on-shift officers. There will be minimal staffing by DPS personnel at all Civic Events pursuant to the Collective Bargaining Unit Agreement between the City of Brighton and the Teamsters Union. Additional support staff necessary for these events will be determined based on specific requests of event sponsors on an as-needed basis.

RELATIONSHIP TO 2013/2014 GOALS: Continued allowance of various Civic Events under controlled conditions to promote the Downtown City of Brighton area.

COUNCIL ACTION: Approval of the Swingfusion & Walk to End Alzheimer’s Civic Events as recommended by the Civic Event Committee.

ATTACHMENTS: Swingfusion Civic Event Application
Walk to End Alzheimer’s Civic Event Application



Civic Event Application

City of Brighton

200 N. 1st Street
Brighton, Michigan 48116
(810) 227-1911

OFFICE USE ONLY
4-17-13
Date Received
By <i>(Signature)</i>

**** APPLICATIONS MUST BE FILLED OUT COMPLETELY BEFORE THEY WILL BE CONSIDERED FOR REVIEW ****

3/28/13 Application Date Swiny Infusion Name of Organization Lance Cican Name of Applicant

1506 Yorkshire Dr 10 Street Address Howell City MI State 48843 Zip

810 599 7132 Cell Phone Home Phone Work Phone Fax

Email Address ransomquintis@gmail.com / Sam & dj - sanje yahoo.com
248.974.6156

Swiny Infusion Event Title
Mill Pond Event Location

EVENT DAYS / TIMES (Please stipulate the following information for each date of event)

DATE	Day of Week	Beginning Time	Ending Time
May 6 th	Monday	7:00 pm	10:00 pm
Oct 14 th	Monday	7:00 pm	10:00 pm

Set up Time/Day Tear down Time / Day* Rain Date (if applicable)

* Tear down time will be strictly enforced. It is the applicant's responsibility to ensure the teardown of all materials with their on-site vendors, sponsors, etc. is complete by the teardown time given above.

ORGANIZATION / APPLICANT INFORMATION

Applications for Civic Events in the City of Brighton shall NOT be approved for applicants in default to the City. Therefore, each Application for Civic Events shall be routed to the Finance Department for a determination of any defaults to the City. In the event a default to the City exists, the Application shall be disapproved by the Finance Department, with the nature of the default described as the reason of the disapproval.

TAX IDENTIFICATION NUMBER: 45-5227379

BRIEF DESCRIPTION OF ORGANIZATION'S PURPOSE AND/OR FUNCTION:

To create weekly events where young people can learn to dance respectfully and interact with their peers in a safe environment without the influence of drugs, alcohol, violence or sexuality.

IS THE ORGANIZATION NON-PROFIT? YES NO
If yes, attach a copy of the organizations Sales Tax Exempt Certificate.

DOES YOUR GROUP PRESENTLY HAVE LIABILITY INSURANCE? YES NO

GENERAL LIABILITY INSURANCE IS REQUIRED NAMING THE CITY OF BRIGHTON AS ADDITIONAL INSURED. IF FOOD IS BEING SERVED, PRODUCT LIABILITY MUST BE INCLUDED. LIMITS OF LIABILITY SHOULD BE NO LESS THAN \$1,000,000 COMBINED SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE.

PLEASE GIVE A DESCRIPTION OF THE PROPOSED CIVIC EVENT. (Attach additional pages if necessary)

Youth swing dancing to music for a total of 3 hours on a weekly basis.

ANNUAL EVENT: Is this event expected to occur next year? YES NO

If Yes, you can reserve a date for next year with this application). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July): 1st week in May
or
Next year's specific date(s): _____

PROCEEDS OF THIS EVENT WILL BE USED FOR:

Swing Fusion

IF THE PROPOSED CIVIC EVENT IS A PARADE OR RUN/WALK EVENT, PLEASE LIST THE POINT OF ORIGIN, PATH, TERMINATION POINT, NUMBER OF ENTRIES AND TRAFFIC CONTROL PLAN AS NECESSARY. (Use attached map to clarify the route)

ARE YOU PLANNING TO CHARGE AN ADMISSION FEE?

YES NO

IF YES, WHAT KIND AND HOW MUCH?

\$1.00 admission

DO YOU PLAN ON UTILIZING VENDORS AND/OR EXHIBITORS FOR SALES OF ANY KIND?

YES NO

IF YES, COMPLETELY FILL OUT THE ATTACHED VENDOR CONTACT INFORMATION SHEET(S).

WHAT IS THE FEE CHARGED FOR EACH VENDOR? _____

DO YOU PLAN TO CONTRIBUTE REVENUES RECEIVED FROM THIS EVENT TO LOCAL ORGANIZATIONS AND/OR COMMUNITY GROUPS? YES NO

IF YES, TO WHOM AND HOW MUCH?

The Dance Project - to be determined how much

WHAT IS THE EXPECTED ATTENDANCE FOR THIS EVENT?

100-250 people

DO YOU PLAN ON SUPPLYING ADDITIONAL RESTROOM FACILITIES? YES NO

NUMBER OF VOLUNTEERS / STAFF? 5

HOW WILL THIS EVENT BENEFIT THE RESIDENTS AND/OR IMPROVE THE QUALITY OF LIFE IN THE CITY OF BRIGHTON?

To create recreational events that promotes physical activity & education of the classic arts of dance.

ELECTRICAL SERVICES REQUIRED (Please Be as Accurate as Possible)

Yes. Approximately 1 outlet to 3 outlets.

OTHER UTILITIES REQUIRED (Please Be as Accurate as Possible)

None

CITY FACILITIES REQUESTED (Please Be as Accurate as Possible)

Pavilion

DO YOU PLAN TO UTILIZE OFF-SITE PARKING FACILITIES YES NO

IF SO, WHAT LOCATION IS PLANNED? Public parking

WHAT IS YOUR PLAN FOR TRANSPORTATION FROM THE PARKING AREA TO THE EVENT LOCATION?

Walking

SIGNAGE REQUESTED (Detail sign locations on the attached map and provide sign renderings)

Number of Signs _____

Types of Signs _____

Locations of Signs _____

Date Signs Posted _____

Date Signs Removed _____

OWNER(S) AFFIDAVIT *

I, Sam Johnson, have authorized Lance Cican as My
(company or organization owner) (Civic Event Applicant)

Representative for the purpose of obtaining a Civic Event permit(s) from the City of Brighton Public
Services Department for my organization located at 9640 E Herford Dr Yorlanti 48197
(company or organization address)

Sam J
Owners Signature

4/17/13
Date

INDEMNIFICATION AGREEMENT

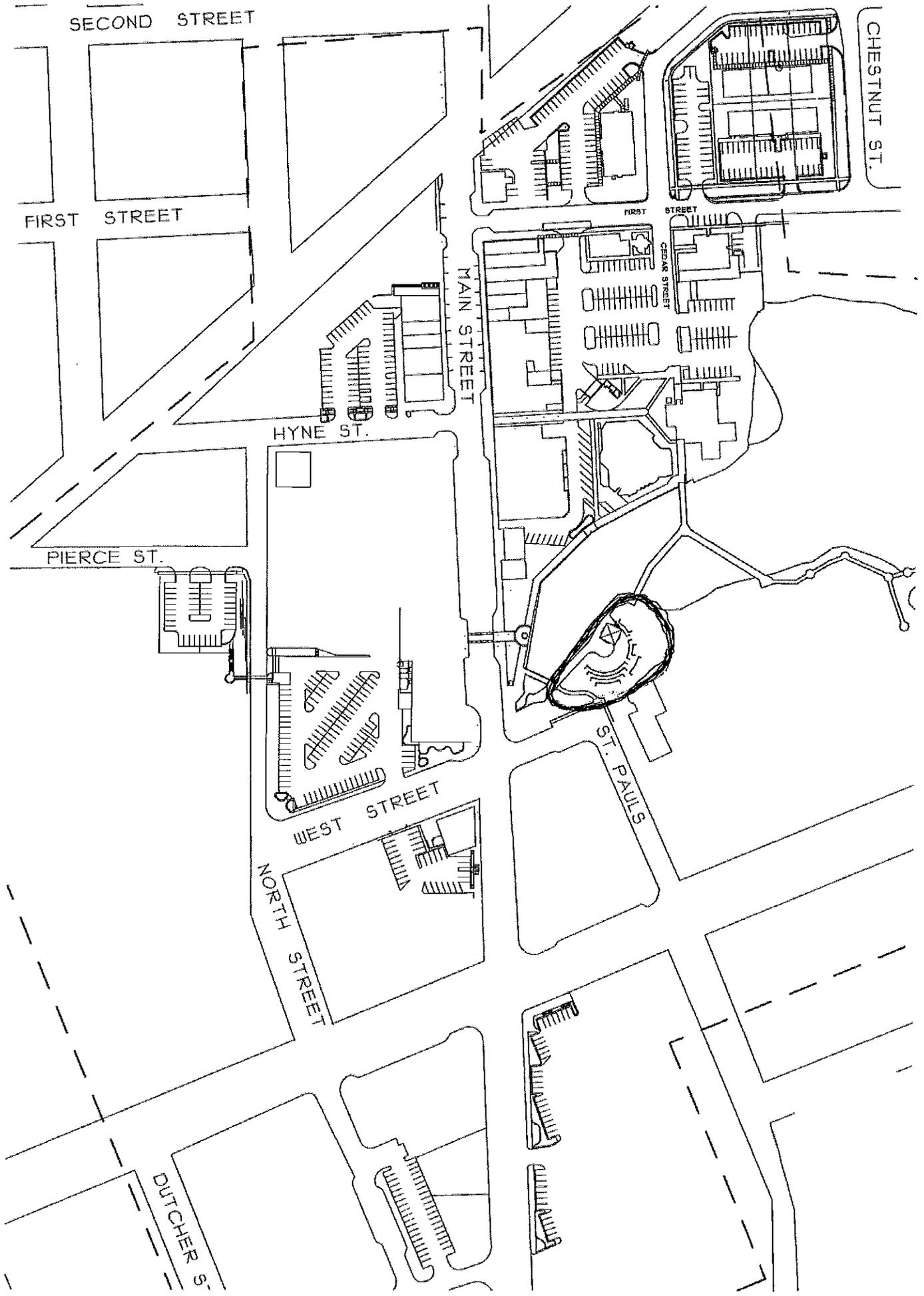
The Swing Infusion agree(s) to defend, indemnify, and hold harmless the City of
(business/organization)

Brighton, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage that may be
asserted, claimed or recovered against or from the Swing Infusion and/or the City of
(business/organization)

Brighton, by reason of any damage to property, personal injury or bodily injury, including death,
sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or
in any way connected with the performance of this contract, and regardless of which claim, demand,
damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Brighton or
by third parties, or by the agents, servants, employees or factors of any of them.

Signature James C. [Signature] Date 3/20/13

Witness Sam Johnson Date 3/20/13



SECOND STREET

FIRST STREET

CHESTNUT ST.

FIRST STREET

MAIN STREET

HYNE ST.

PIERCE ST.

WEST STREET

NORTH STREET

ST. PAULS

DUTCHER S.

CEDAR STREET



Civic Event Application

City of Brighton

200 N. 1st Street
Brighton, Michigan 48116
(810) 227-1911

**OFFICE USE
ONLY**

4-15-13

Date Received

By

**** APPLICATIONS MUST BE FILLED OUT COMPLETELY BEFORE THEY WILL BE CONSIDERED FOR REVIEW ****

4/12/13	Alzheimer's Association	Laura Wilson		
Application Date	Name of Organization	Name of Applicant		
350 E. Michigan Ave, Ste. 20	Kalamazoo	MI	49007	
Street Address	City	State	Zip	
		269-342-1482	269-488-3622	
Cell Phone	Home Phone	Work Phone	Fax	
Email Address	lwilson@alz.org			

Walk to End Alzheimer's

Event Title

Mill Pond Park (with 3-mile walk route)

Event Location

EVENT DAYS / TIMES (Please stipulate the following information for each date of event)

DATE	Day of Week	Beginning Time	Ending Time
9/8/13	Sunday	11:00 am	3:00 pm
_____	_____	_____	_____
_____	_____	_____	_____
8:00 am, 9/8/13	5:00 pm, 9/8/13	n/a	
Set up Time/Day	Tear down Time / Day*	Rain Date (if applicable)	

* Tear down time will be strictly enforced. It is the applicant's responsibility to ensure the teardown of all materials with their on-site vendors, sponsors, etc. is complete by the teardown time given above.

ORGANIZATION / APPLICANT INFORMATION

Applications for Civic Events in the City of Brighton shall NOT be approved for applicants in default to the City. Therefore, each Application for Civic Events shall be routed to the Finance Department for a determination of any defaults to the City. In the event a default to the City exists, the Application shall be disapproved by the Finance Department, with the nature of the default described as the reason of the disapproval.

TAX IDENTIFICATION NUMBER: 38-2380738

BRIEF DESCRIPTION OF ORGANIZATION'S PURPOSE AND/OR FUNCTION:

The Alzheimer's Association's mission is to eliminate Alzheimer's disease through the advancement of research, to provide and enhance care and support for all those affected, and to reduce the risk of dementia through the promotion of brain health.

IS THE ORGANIZATION NON-PROFIT? YES NO
If yes, attach a copy of the organizations Sales Tax Exempt Certificate.

DOES YOUR GROUP PRESENTLY HAVE LIABILITY INSURANCE? YES NO
**to be renewed July 2013*

GENERAL LIABILITY INSURANCE IS REQUIRED NAMING THE CITY OF BRIGHTON AS ADDITIONAL INSURED. IF FOOD IS BEING SERVED, PRODUCT LIABILITY MUST BE INCLUDED. LIMITS OF LIABILITY SHOULD BE NO LESS THAN \$1,000,000 COMBINED SINGLE LIMIT FOR BODILY INJURY AND PROPERTY DAMAGE.

PLEASE GIVE A DESCRIPTION OF THE PROPOSED CIVIC EVENT. (Attach additional pages if necessary)

The Alzheimer's Association's Walk to End Alzheimer's is the nation's largest event to raise awareness and funds for Alzheimer's care, support and research. This event includes an opening ceremony and 3 mile walk route.

ANNUAL EVENT: Is this event expected to occur next year? YES NO

If Yes, you can reserve a date for next year with this application). To reserve dates for next year, please provide the following information:

Normal Event Schedule (e.g., third weekend in July): tbd (weekend in September)
or
Next year's specific date(s): _____

PROCEEDS OF THIS EVENT WILL BE USED FOR:

the mission of the Alzheimer's Association, the leading voluntary health organization in

Alzheimer's care, support and research. Our chapter serves an estimated 44,000 people with

Alzheimer's in 23 Michigan counties, including an estimated 2,300 in Livingston County.

IF THE PROPOSED CIVIC EVENT IS A PARADE OR RUN/WALK EVENT, PLEASE LIST THE POINT OF ORIGIN, PATH, TERMINATION POINT, NUMBER OF ENTRIES AND TRAFFIC CONTROL PLAN AS NECESSARY. (Use attached map to clarify the route)

We expect about 550 walkers and will begin at the Mill Pond near the gazebo.

Our Walk will have two options: a 3 mile route and 1 mile route for those with mobility

restrictions. Both routes are still being determined. I will send two route maps as soon as they

are available.

ARE YOU PLANNING TO CHARGE AN ADMISSION FEE?

YES NO

IF YES, WHAT KIND AND HOW MUCH?

DO YOU PLAN ON UTILIZING VENDORS AND/OR EXHIBITORS FOR SALES OF ANY KIND?

YES NO

IF YES, COMPLETELY FILL OUT THE ATTACHED VENDOR CONTACT INFORMATION SHEET(S).

WHAT IS THE FEE CHARGED FOR EACH VENDOR? _____

DO YOU PLAN TO CONTRIBUTE REVENUES RECEIVED FROM THIS EVENT TO LOCAL ORGANIZATIONS AND/OR COMMUNITY GROUPS? YES NO

IF YES, TO WHOM AND HOW MUCH?

All revenue received from this event will benefit the Alzheimer's Association, Michigan Great

Lakes Chapter.

WHAT IS THE EXPECTED ATTENDANCE FOR THIS EVENT?

550

DO YOU PLAN ON SUPPLYING ADDITIONAL RESTROOM FACILITIES? YES NO

NUMBER OF VOLUNTEERS / STAFF? approximately 40

HOW WILL THIS EVENT BENEFIT THE RESIDENTS AND/OR IMPROVE THE QUALITY OF LIFE IN THE CITY OF BRIGHTON?

Donations will support a wealth of free community programs and services designed to meet the needs of those with Alzheimer's, their families and care partners, and the public (including a 24/7 helpline, care consultations, support groups, and education programs)

ELECTRICAL SERVICES REQUIRED (Please Be as Accurate as Possible)

Under gazebo for DJ / sound system

OTHER UTILITIES REQUIRED (Please Be as Accurate as Possible)

CITY FACILITIES REQUESTED (Please Be as Accurate as Possible)

Public restrooms near playground area

DO YOU PLAN TO UTILIZE OFF-SITE PARKING FACILITIES YES NO

IF SO, WHAT LOCATION IS PLANNED? All downtown public parking lots

WHAT IS YOUR PLAN FOR TRANSPORTATION FROM THE PARKING AREA TO THE EVENT LOCATION?

Participants will be encouraged to park and walk to the event

SIGNAGE REQUESTED (Detail sign locations on the attached map and provide sign renderings)

Number of Signs between 20 and 40 (depending on Sponsorship commitments)

Types of Signs banners, freestanding banners, directional stake signs

Locations of Signs on tents, hanging from bridge at Mill Pond park, along route

Date Signs Posted 9/8/13

Date Signs Removed 9/8/13

PLEASE ATTACH LIST OF EQUIPMENT; STAGE, TENTS, VEHICLES, ETC., THAT YOU PROPOSE TO USE IN THE EVENT OR BRING ONTO CITY PROPERTY, STREETS OR PARK AREAS - (ALL SUBJECT TO APPROVAL).

STREET CLOSURE

ARE YOU REQUESTING A STREET CLOSURE FOR YOUR EVENT? YES NO
If yes, detail the street(s) you would like closed, and the location of the closure(s) on the attached map.

ALCOHOL

DO YOU WANT TO SELL AND/OR SERVE ALCOHOL? YES NO

IF YES, PLEASE SEE THE ATTACHED SHEET TITLED "ALCOHOL" AND FILL IN THE QUESTIONS COMPLETELY AND IN DETAIL.

SECURITY

If the event requires the overnight setup or storage of goods, equipment, etc. security is the responsibility of the event applicant.

IF YOUR EVENT REQUIRES OVERNIGHT SECURITY, PLEASE PROVIDE THE FOLLOWING DETAILS OF YOUR SECURITY PLAN:

ON SITE REPRESENTATIVES NAMES AND CONTACT NUMBRS:

<u>Name</u>	<u>Contact number</u>
_____	_____
_____	_____
_____	_____

OWNER(S) AFFIDAVIT *

I, Jennifer Howard, have authorized Laura Wilson as My
(company or organization owner) (Civic Event Applicant)

Representative for the purpose of obtaining a Civic Event permit(s) from the City of Brighton Public
Services Department for my organization located at 310 N. main #100, Chelsea,
(company or organization address)

Jennifer Howard
Executive Director Owners Signature

4-12-13

Date

INDEMNIFICATION AGREEMENT

The Alzheimer's Association, MGCC agree(s) to defend, indemnify, and hold harmless the City of
(business/organization)

Brighton, Michigan, from any claim, demand, suit, loss, cost of expense, or any damage that may be
asserted, claimed or recovered against or from the Alzheimer's Association MGCC and/or the City of
(business/organization)

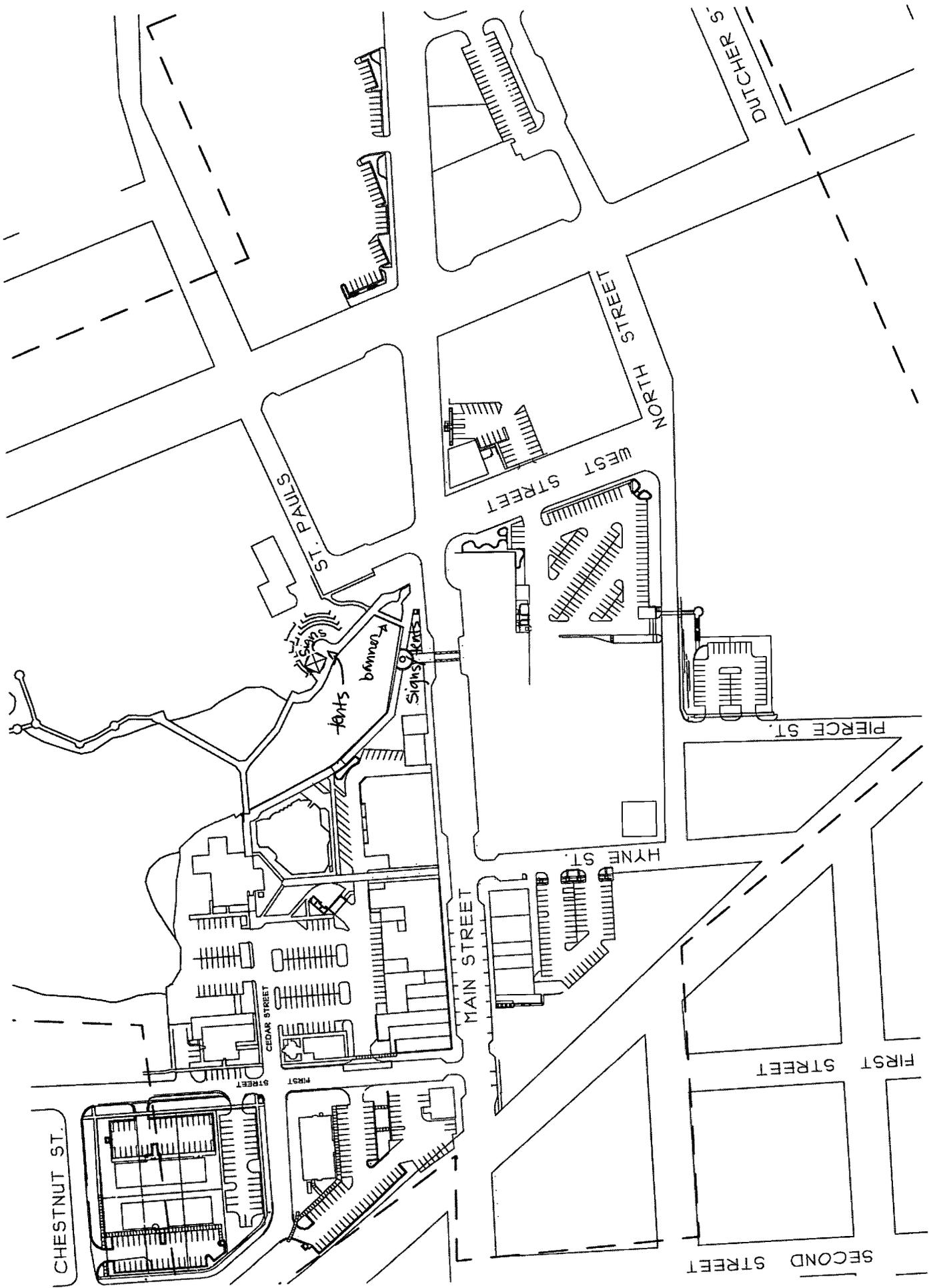
Brighton, by reason of any damage to property, personal injury or bodily injury, including death,
sustained by any person whomsoever and which damage, injury or death arises out of or is incident to or
in any way connected with the performance of this contract, and regardless of which claim, demand,
damage, loss, cost of expense is caused in whole or in part by the negligence of the City of Brighton or
by third parties, or by the agents, servants, employees or factors of any of them.

Signature Quinnifer Howard Date 4-12-13

Witness JANE A Wilson Date 4/12/13

VOLUNTEER CONTACT INFORMATION

Name	Address	Phone #	Emergency Contact Name	Emergency Contact Phone #
Jennifer Abner	605 Pere Marquette, Howell, MI 48855	517-540-1926	Ron Abner	248-467-1994
Lauren Smith	4810 Kentcott Tr., Brighton, MI 48114	734-478-6440	Pat Kovach	810-923-2990



CHESTNUT ST.

CEDAR STREET

FIRST STREET

FIRST STREET

MAIN STREET

HYNE ST.

FIRST STREET

FIRST STREET

SECOND STREET

ST. FALLS

WEST STREET

NORTH STREET

DUTCHER S.

PIERCE ST.

Tents

bazaar

Signs

List of Equipment for Walk to End Alzheimer's

Up to eight 10' x 10' pop up tents

No more than 50 folding chairs for Opening Ceremony proceedings

No more than 20 8' tables for Registration, DJ, food, program, and sponsor tables

FINANCE POLICY REPORT

Consider Approving the discontinuance of accepting postmarks for Property Tax Payments

May 2, 2013

Prepared by:

Reviewed by:

Kelly Hanna
Finance Director

Dana William Foster
City Manager

ISSUE:

Consider approval of a proposed change in no longer accepting postmarks for Property Tax Payments to be considered on-time.

STAFF RECOMMENDATION:

It is staff's recommendation to no longer accept postmarked payments for Property Tax Payments to be considered on-time.

BACKGROUND:

The City has historically accepted payments with a postmarked envelope on the Property Tax Due Date (August 15th or February 28th/29th) as on-time payments. We are required to settle with Livingston County by March 20th, however, we are unable to start the lengthy preparation for settlement until all payments are in. During this most recent settlement process and in prior years, we received a postmarked envelope on March 13th. Delaying settlement also delays the other jurisdictions that we collect taxes for (Schools, Fire, Library, County, etc.) receiving their final tax remittances. Livingston County needs this information within 10 business days after the tax due date.

There is also the concern with current technology that a taxpayer could adjust a postage machine to reflect the postmark date stamped on the envelope or label.

There would be a small budget savings due to the lockbox being closed on the due date. Currently, there is a charge to keep open the lockbox after the tax due date. There is also a charge for the lockbox to keep all envelopes and mail them back to the City. There would no longer be a need for the lockbox to keep any envelopes for tax payments. This change would also reduce staff time due to no longer having to sort through envelopes to determine if a tax payment was on-time.

BUDGET IMPACT:

This change will result in a small annual budget savings in reduced lockbox costs of approximately \$500 annually.

RELATIONSHIP TO GOALS:

Related to the City Council's Budget/Financial Goal to reduce expenditures.

ACTION/MOTION:

Motion to approve no longer accepting postmarks as consideration for on-time Property Tax Payments

The Treasurer sent an email to all Livingston County Jurisdictions. We received responses for the below municipalities. All of them responded that they do not or will no longer accept postmarks for consideration of on-time payments.

Livingston County
City of Howell
Hamburg Township
Brighton Township
Iosco Township
Unadilla Township (starting not accepting postmarks in 2013)
Hartland Township
Genoa Township
Cohoctah Township
Village of Pinckney
Deerfield Township
Marion Township
Howell Township
Tyrone Township (started not accepting postmarks in 2012)

MEMORANDUM

To: Kelly Hanna, Finance Director

From: Fern Jackson, City Treasurer

Date: April 8, 2013

Subject: Postmarks

According to State statute MCL 211.54, which dictates the collection of all real and personal property taxes "20 calendar days after the due date the City must pay to the county treasurer all state and county taxes collected and within the same time shall make his statement of unpaid taxes upon real and personal property as required in section 55".

We are currently receiving postmarked mail up to March 13, 2013 this year. The County must have 20 units settled by State statute on March 20 each year. Being we have no control over our mail delivery and may see in the near future no weekend mail delivery, which could delay things even further. It is also possible to adjust the postmark date on postage machines should you forget to send in a payment, which gives those which do not have the postage machine an unfair advantage.

With a recent poll of all Livingston County local units, none use postmarks as the date paid including Livingston County. The due date must be realistic to honor the State of Michigan laws. I am recommending we move forward to also reduce our costs with the lockbox by moving forward on the February 28 or 29 as the final date of collection.



Jennifer M. Nash
LIVINGSTON COUNTY TREASURER

LIVINGSTON COUNTY COURTHOUSE

200 E. Grand River
Howell, Michigan 48843-2398

(517) 546-7010
Fax (517) 545-9638

!!NEW CHANGES – PLEASE BE SURE TO READ!!

February 7, 2013

To: All Units Collecting 2012 Taxes

From: Jennifer M. Nash, Livingston County Treasurer

Later this month we will email the preliminary reports to you to use as a basis for settlement of your 2012 tax roll.

Please be sure the "taxes billed" column is consistent with your totals, for each page of the reports. If your reports are different than our reports, **please touch base with us right away**, because that would indicate one of us has adjustments (MTT/BR) the other one does not.

As soon as possible after March 1, but **not later than** March 12, we would appreciate you delivering to our office the items on the attached list. You will need to provide a full "backup," not "export." Your backup should be given to us via the County's FTP site (see attached instructions). Please name your backup file such that we can tell whose file belongs to whom, and don't forget the ".ZIP" at the end of the file name. It is **imperative** that all of your information is **complete and correct** before you submit it to us. If it is incorrect, it will be returned to you. We will download your correct information and let you know if we need anything else. As statute dictates, **we expect to be settled with all treasurers by the statutory deadline of March 21.**

use generic backup

PLEASE NOTE: FOR ALL REPORTS, WE NEED A SET OF REPORTS FOR SUMMER AND A SET OF REPORTS FOR WINTER.

State of Michigan parcels with a zero assessment that are showing a "special assessment" only should not be turned over delinquent **unless** payment has been approved by the State. Usually these are drain assessments that are in question. Please contact Russ Potter, (517)552-6774, at the Drain Office; you will need a letter signed by him to strike them from the roll. Our office will also need a copy of this letter.

If you have an NSF check, you must collect on it **immediately**. If, by the time you submit your information to the County, you have not collected this money, you will need to turn it over delinquent and inform the people you have done so and that they owe additional penalty and interest. We cannot change the records to reflect delinquency after you have indicated to us it was paid. If you turn it over as paid, **you** will be responsible for collection of the funds returned unpaid from the bank.

Please use an over/under account for small shortages; **DON'T** adjust unit tax levies. Also, **please check your roll to BE SURE YOU ARE NOT TURNING OVER VERY SMALL AMOUNTS AS DELINQUENT.**

DO NOT PROCESS ANY MTTs DATED MARCH 1ST OR AFTER! They will be handled by our office.

!!PLEASE SEE PAGE 2 FOR CONTINUATION OF IMPORTANT INFORMATION!!



THE GENERAL PROPERTY TAX ACT (EXCERPT)
Act 206 of 1893

211.54 Collected and unpaid taxes; accounting to county treasurer; time.

Sec. 54. Within 20 calendar days after the time specified in his warrant, the township treasurer or other collecting officer shall pay to the county treasurer all state and county taxes collected, and within the same time shall make his statement of unpaid taxes upon real and personal property as required in section 55.

History: 1893, Act 206, Eff. June 12, 1893;—Am. 1897, Act 225, Imd. Eff. May 29, 1897;—CL 1897, 3877;—Am. 1901, Act 193, Eff. Sept. 5, 1901;—CL 1915, 4050;—CL 1929, 3445;—CL 1948, 211.54;—Am. 1960, Act 8, Eff. Aug. 17, 1960.

Popular name: Act 206

Fern Jackson - RE: Livingston County questions

From: Fern Jackson
To: Jamie Palmer
Date: 3/22/2013 2:35 PM
Subject: RE: Livingston County questions

Just what I wanted to hear. Thanks for the help. Fern

>>> Jamie Palmer <JPalmer@co.livingston.mi.us> 3/22/2013 2:00 PM >>>

Fern: *Fern Jackson - RE: Livingston County questions*

- 1) We do not accept postmarks
- 2) We settle with 20 units by March 20
- 3) MCL 211.54 dictates
- 4) The taxpayers in ALL units have until 2/28 to pay...just some impose a penalty that encourages earlier payment.

I think that answers all of your inquiries. Let me know if I can be of further assistance.

Jamie

City of Howell does not accept postmarks

From: Fern Jackson [mailto:treasurer@brightoncity.org]
Sent: Friday, March 22, 2013 11:24 AM
To: Jamie Palmer
Subject: Livingston County questions

Hi Jamie,

I have a couple of questions I need to ask regarding your practices so that I can hopefully update ours to match. Does Livingston County accept postmarks? How many local units are you required to settle by the 20th or so each year? Can you point me to the State statute that requires this? The taxpayers here have until the end of February to pay their bills which is 2 weeks longer than the townships and I was receiving mail postmarked on the 28th of February on March 13. It's time reality hits here too.

Thanks,
Fern

Fern Jackson - Re: postmark question

From: Linda Topping <unadillatwp@yahoo.com>
To: Fern Jackson <treasurer@brightoncity.org>
Date: 3/26/2013 11:56 AM
Subject: Re: postmark question

Fern,

For the last couple of years we have accepted postmarks. However, I have decided we will no longer do that. I replaced our former treasurer a few years back. She did not accept postmarks and I thought that I would start doing that. I also started an agreement with the bank in town to accept our payments. We collect until February 28th and this year we got many payments into the first week of March. And than one even came from Alaska well after February 28th. So it did make things difficult. It seemed like this year we got a lot more than last year postmarked. and than we got about 20 that were postmarked after the 28th that I had to return....so I am not going to accept postmarks anymore. We have a drop box and the bank accepts them so there are other options. Wasn't sure why you were asking, but I was thinking if you were getting input as to what other people thought about it I would just let you know. I learned why Bonnie never did it before!

Thanks a lot,
 Julie Weiland

From: Fern Jackson <treasurer@brightoncity.org>
To: Ann Belknap <mariondtreasurer@ameritech.net>; Paula Wyckoff <mariontreasurer@ameritech.net>;
 treasdep <treasdep@brightontwp.com>; Lana Theis <Treasurer@brightontwp.com>; Catherine Stanislawski
 <CStanislawski@ci.howell.mi.us>; Kathy Bretzlaff <kbretzlaff@co.livingston.mi.us>; Kathy DeMarais
 <treasurer@conwaytownship.com>; Mary Hudson <dtreasurer@deerfieldtwp.org>; Connie Michaud
 <ioscotwp@fnwusers.com>; Sherry Prevo <sprevo@fowlerville.org>; Robin Hunt <robin@genoa.org>; Tami Bock
 <tbtreasurer@gmail.com>; Allan Carlson <acarlson@hamburg.mi.us>; Tricia Bazy <tbazy@hamburg.mi.us>;
 Sandy Cooper <dtreasurer@handytownship.com>; Linda Tesch <lindamtesch@handytownship.com>; Donna
 Shollack <deptreasurer@hartlandtwp.com>; Kathie Horning <treasurer@hartlandtwp.com>; Lois Kannianianen
 <office@howell-mi-twp.org>; Jonathan Hohenstein <treasurer@howell-mi-twp.org>; Jane Alexander
 <jalexander@oceolatwp.org>; LuAnn Pless <lpless@oceolatwp.org>; Tracy Taylor
 <deputytreasurer@putnamtwp.us>; Pat Carney <treasurer@putnamtwp.us>; Cheryl Petchell
 <cherylpetchell@sbcglobal.net>; Leisa Hawkins <Leisa.Hawkins@twp.green-oak.mi.us>; Sue Daugherty
 <susan.daugherty@twp.green-oak.mi.us>; Marna Bunting Smith <msmith@tyronetownship.us>; Joanne Milarch
 <treasurer@tyronetownship.us>; Michelle Brunner <Treasurer@villageofpinckney.org>; Amanda DeGroot
 <adegrootopolka@yahoo.com>; Julie Weiland <unadillatwp@yahoo.com>
Sent: Friday, March 22, 2013 2:46 PM
Subject: postmark question

Folks,

Would you be so kind as to answer whether or not you accept postmarks as being paid on time at your jurisdiction.

Thanks,
 Fern

Fern Jackson - RE: postmark question

From: Marna Bunting-Smith <msmith@tyronetownship.us>
To: Fern Jackson <treasurer@brightoncity.org>
Date: 3/25/2013 9:12 AM
Subject: RE: postmark question

Tyrone Township does NOT accept postmarks (just started this for 2012).
Marna Smith

From: Fern Jackson [mailto:treasurer@brightoncity.org]
Sent: Friday, March 22, 2013 2:47 PM
To: Ann Belknap; Paula Wyckoff; treasdep; Lana Theis; Catherine Stanislawski; Kathy Bretzlaff; Kathy DeMarais; Mary Hudson; Connie Michaud; Sherry Prevo; Robin Hunt; Tami Bock; Allan Carlson; Tricia Bazy; Sandy Cooper; Linda Tesch; Donna Shollack; Kathie Horning; Lois Kannianianen; Jonathan Hohenstein; Jane Alexander; LuAnn Pless; Tracy Taylor; Pat Carney; Cheryl Petchell; Leisa Hawkins; Sue Daugherty; Marna Bunting-Smith; Treasury Department; Michelle Brunner; Amanda DeGroot; Julie Weiland
Subject: postmark question

Folks,
Would you be so kind as to answer whether or not you accept postmarks as being paid on time at your jurisdiction.
Thanks,
Fern

POLICY REPORT - FINANCE

Consideration of Adopting the FY 2013-14 Budget

May 2, 2012

Prepared by:

Reviewed by:

Kelly Hanna
Finance Director

Dana William Foster
City Manager

ISSUE:

Consider the attached resolution to adopt the FY 2013-14 Budget.

STAFF RECOMMENDATION:

It is the recommendation of staff that the City Council approve the attached resolution, including Exhibit A, to adopt the City's Budget for FY 2013-14.

BACKGROUND:

The City Manager's Proposed FY 2013-14 Budget was presented to the City Council on Thursday, March 21, 2013. The City Council held Budget Work Sessions on Monday, March 25, 2013; Tuesday, March 26, 2013; Wednesday, March 27, 2013; and Thursday, April 4, 2013. On April 4, 2013, the City Council approved a motion directing staff to publish a budget public hearing notice for the Council's proposed FY 2013-14 budget. A public hearing for the purpose of receiving citizen input regarding the Proposed Budget was held earlier on April 18, 2013.

The budget provides for a tax levy and utility fees, which comprise the majority of City determined revenue, to support the expenditures/expenses. The City Council will consider separate resolutions to determine the millage rates and fee schedule, including utility fees at future Council meetings.

BUDGET IMPACT:

Provides the authority to appropriate the funds for the operations of the City of Brighton from July 1, 2013 through June 30, 2014.

RELATIONSHIP TO GOALS:

This is related to all City Goals.

ACTION/MOTION:

Approve the resolution, including Exhibit A, to adopt the City of Brighton's Budget for FY 2013-14.

RESOLUTION 13-

ADOPTING THE FY 2013-14 BUDGET

WHEREAS, the City of Brighton Municipal Charter requires that an annual budget be approved by the City Council; and

WHEREAS, said Charter requires the appropriation of funds for the upcoming Fiscal Year; and

WHEREAS, the Manager's recommended budget for Fiscal Year 2013-14 was submitted to the City Council of Brighton and a copy thereof placed on file with the City Clerk for public review on March 21, 2013; and

WHEREAS, on April 18, 2013 the City Council of Brighton held a public hearing on the proposed budget for Fiscal Year 2013-14; and

WHEREAS, estimated revenues and fund balances are sufficient to provide for proposed expenditures and year end reserves required for the 2013-14 Fiscal Year; and

NOW, THEREFORE, pursuant to Chapter 8, Section 4 of the City of Brighton Charter, BE IT RESOLVED, that the City Council of Brighton hereby approves the Fiscal Year 2013-14 budget by activity, as presented by the Manager, reviewed by Council, and implemented through the following policies and specifications as the official budget for the City of Brighton for the Fiscal Year beginning July 1, 2013;

I. ADOPTION BY FUND AND ACTIVITY WITHIN EACH FUND

The Budget is hereby adopted and appropriated by fund, and department within each fund, as provided on Exhibit A.

II. APPROPRIATIONS/TRANSFERS

Appropriations made during Fiscal Year 2013-14 pursuant to said budget shall be considered the maximum authorization to incur expenditures and not a mandate to spend, subject to the following conditions:

- A. Additional appropriations may be made by the City Council from the unappropriated fund balance account of the General Fund for approved reallocations, providing that such appropriations do not cause the unreserved fund balance account to be less than 15% of the total General Fund budgeted operating expenditures.**

- B. Transfers may be made by the City Manager from departmental reserves or surplus of the General Fund to any department of the General Fund in amounts not to exceed five percent of the original total budget for the department receiving the transfer, provided that such transfers shall not exceed the total amount of operating reserves or surplus available at the time of transfer, and providing that such transfers do not cause the unreserved fund balance account to be less than 15% of the total General Fund budgeted operating expenditures.
- C. Transfers may be made by the City Manager from departmental reserves or surplus of the General Fund to any other Fund of the City in amounts not to exceed ten percent of the original total budget for all such transfers, providing that the limitations of Section (B) are not exceeded.
- D. Appropriations in excess of the limitations of Sections (A - C) above may be authorized by the City Council but only if new revenues are available to fund such expenditures.

III. LIMIT ON OBLIGATIONS AND PAYMENTS

No obligation shall be incurred against, and no payment shall be made from any appropriation account unless there is a sufficient unencumbered balance in the appropriation, and sufficient funds are or will be available to fund such expenditures.

IV. CONFORMITY WITH PREVIOUS ACTIONS

The City Council rescinds any prior actions not in conformity with the above stated policies and specifications.

Ayes: _____

Nays: _____

Absent: _____

Abstain: _____

This Resolution was _____ this _____ day of May 2013.

Diana Lowe, City Clerk

EXHIBIT - A

<u>REVENUE/SOURCES - ALL FUNDS</u>	<u>Budget</u>
Property Taxes, Penalties, Interest & Fees	\$ 6,336,893
Licenses & Permits	333,353
Federal Grants	7,500
State Grants	28,500
State Shared Revenue	1,040,573
Local Unit Contribution	93,188
Service Charges	3,993,827
Fines & Forfeits	129,630
Investment Earnings	35,009
Rents & Royalties	71,680
Other Revenue	342,653
Other Financing Sources (including (fund balance and working capital)	<u>1,862,940</u>
TOTAL REVENUE	<u>14,275,746</u>

<u>Fund</u>	<u>Department</u>	<u>Appropriation</u>
	City Council	32,184
	City Manager	98,029
	Legal Services	288,884
	City Clerk	157,040
	Human Resources	134,278
	Finance	581,797
	Information Systems	100,826
	Police	2,439,209
	Public Services	1,569,598
	Community Development	482,180
	Post Employment Benefits	202,145
	Contingencies/(Cuts)	205,591
	Transfers Out	<u>1,145,868</u>
General		7,437,629
Major Street		755,869
Local Street		203,340
Principal Shopping District		41,100
Arts & Cultural Commission		5,000
Imagination Station Maintenance		16,000
Street Non-voted Debt		733,006
Street Voted Debt		-
Capital Improvement		289,611
Building Authority		114,142
Downtown Development Authority		1,175,569
Local Development Finance Authority		74,975
Utilities		<u>5,285,626</u>
TOTAL EXPENDITURES		16,131,867
Less: Depreciation		<u>(1,856,121)</u>
TOTAL EXPENDITURES: Less Depreciation		<u>14,275,746</u>

POLICY REPORT: INTRODUCTION OF THE DRAFT RESIDENTIAL RENTAL INSPECTION ORDINANCE

May 2, 2013

Prepared by:

Amy Cyphert
Planning & Zoning Director

Reviewed by:

Dana Foster
City Manager

ISSUE:

Introduce the draft residential rental inspection ordinance that is being reviewed by the City Attorney.

BACKGROUND:

- Per the 2010 U.S. Census, the City of Brighton had 38% rental occupied housing units.
- The 2012 retreat goals developed by City Council included “continue staff work on a new residential rental inspection program plan to bring to City Council.”
- The attached draft ordinance was developed in July 2012 and was given to the City Attorney for review and possible revisions.
- The attached draft rental inspection ordinance was based on three existing rental inspection ordinances and discussions with staff at the City of Alpena, City of Zeeland and the Village of Springlake.

DRAFT ORDINANCE INFORMATION:

- The intent of the draft ordinance states that “the city recognizes the importance of the rental housing segment of the overall city housing stock inasmuch as it provides housing options and opportunities to those citizens of the community who are unable to attain or do not desire home ownership. It is in the interest of the city to ensure that all rental residential units, structures and grounds leased for occupancy to the general public are in compliance with the minimum property maintenance standards adopted and enforced by the city. Benefits to the city include:
 - (1) Protection of the health, safety and welfare of residents of rental properties and adjacent properties. Existing structures and premises not in compliance will be repaired to provide a minimum level of health and safety as required herein.
 - (2) Maintenance of property values and "quality of life" within the immediate neighborhoods in which residential rental units are located.
 - (3) Enforcement of common minimum standards for all residential rental units, structures and premises.”
- The draft ordinance requires a rental unit to be registered with the City of Brighton before it is leased, rented or occupied. The registration forms would include contact information for the property owner and the contact information for the local agent, if the property owner does not live within 20 miles of the City.
- Certificates of compliance would be issued to rental units once registration, payment of fees and compliance inspection results have been received.

- Temporary certificates would be distributed to the rental units that are registered but their inspection would not occur until year 2 or 3 of the three year inspection cycle.
- Due to the number of rental units, 1/3 of the rental housing stock is proposed for inspections per year. The ordinance suggests dividing the City into three sections and each section would be inspected every third year.
- The International Property Maintenance Code is proposed to be the source for determining inspection requirements, similar to what was done in two of the three referenced communities.
- Penalty, revocation and appeal requirements are included in the draft ordinance.
- Interviews with staff members from the three referenced communities found that their existing rental inspection program improved the quality and maintenance of the rental units. The City of Zeeland saw “an improvement in the neighborhoods and an improvement in the aesthetics.”

BUDGET IMPACT:

In the event that the rental inspection ordinance is adopted, the fee schedule would have to be updated to include fees for the registration, inspections, etc. that will be required to fund the hiring of a person to administer and enforce the ordinance.

The City Manager has advised that at this time he is estimating a budget-neutral impact on the General Fund budget since the proposed fees will cover the cost of employing a person(s) to administer the ordinance.

STAFF RECOMMENDATION:

Staff recommends the introduction of the residential rental inspection draft ordinance.

COUNCIL ACTION:

Allow for the introduction of the draft ordinance and give Staff direction on whether or not City Council wants to pursue the adoption of a residential rental ordinance. The next step for the adoption of the ordinance is get revisions from the City Attorney and conduct a first reading.

ATTACHMENTS:

Draft Ordinance

CHAPTER 18 – BUILDINGS AND BUILDING REGULATIONS
ARTICLE VI. MANDATORY REGISTRATION AND INSPECTION OF RESIDENTIAL RENTAL PROPERTIES

Sec. 18-83. Intent.

The city recognizes the importance of the rental housing segment of the overall city housing stock inasmuch as it provides housing options and opportunities to those citizens of the community who are unable to attain or do not desire home ownership. It is in the interest of the city to ensure that all rental residential units, structures and grounds leased for occupancy to the general public are in compliance with the minimum property maintenance standards adopted and enforced by the city. Benefits to the city include:

- (1) Protection of the health, safety and welfare of residents of rental properties and adjacent properties. Existing structures and premises not in compliance will be repaired to provide a minimum level of health and safety as required herein.
- (2) Maintenance of property values and "quality of life" within the immediate neighborhoods in which residential rental units are located.
- (3) Enforcement of common minimum standards for all residential rental units, structures and premises.

Sec. 18-84. Definitions.

As used in this article, the following words shall have the meanings ascribed to them in this section, unless context clearly indicates otherwise:

Certificate of compliance: Official document stating that a residential rental dwelling unit and/or structure meets the minimum standards established by the city for occupancy.

Building Department: The department of the city responsible for the daily administration of the rental inspection program including scheduling of appointments, inspections, reinspections and record keeping.

Dwelling unit means a building, mobile home, or portion thereof, designed for occupancy for residential purposes and having cooking facilities and sanitary facilities, except:

- (1) Places of public accommodation such as a hotel, motel, or bed and breakfast establishments;
- (2) Units required to be occupied by an employee or agent of an owner as a condition of employment (i.e., parsonages);
- (3) Any dwellings, dwelling units or mobile homes, which the state has exclusive authority under state law to inspect and regulate;
- (4) The principal residence of the owner, which is temporarily occupied by a person(s) other than the owner for not more than two (2) years;
- (5) The dwelling of a surviving spouse who is living in a home which is owned by the deceased spouse's heirs, estate or trust;
- (6) A dwelling in which a parent, child, brother, or sister of an owner is living;
- (7) Dwellings in a dormitory operated by an institution of higher education; and
- (8) Dwelling units in which an owner of such unit resides unless the nonowner occupant (s) of such dwelling unit pays rent or makes other compensation to the owner for occupancy of the dwelling unit.

Local agent: An individual or company representing the owner having a place of residence or business within the county or within 20 miles of the city if residing outside the

county. The local agent is responsible for the operation of the owner's residential rental dwelling unit(s) located within the city regarding compliance with the provisions of this article, and the terms and conditions of all other codes and ordinances of the city. A local agent is required if:

- (1) The owner resides outside of the County more than 20 miles from the city.
- (2) The owner resides outside of the county more than 20 miles from the city for more than 90 days each calendar year.

Owner/property owner: The individual(s), company, corporation, or governmental or private agency listed on the recorded deed or purchaser under a recorded land contract as the owner of a property containing residential rental dwelling unit(s).

Residential rental dwelling structure: Any building containing one or more residential rental dwelling units including any common areas accessible to residents of all residential rental units within the building, restricted or non-accessible portions of the structure and the building exterior.

Residential rental dwelling unit: Distinct individual living quarters within a building intended for occupancy by a person or persons other than the owner and the family of the owner, and for which a remuneration of any kind is paid. Single family residences, duplexes, apartments and rooming houses may all contain and be classified as rental units.

Residential rental premises: The site upon which a residential rental dwelling unit or structure is located including, but not limited to, yards, walkways, driveways, patios, decks, accessory structures, fences and landscaping.

Sec. 18-85. - Initial registration.

Within 90 days of the effective date of this article all buildings containing residential rental dwelling units within the corporate limits of the city shall be registered with the building department on a form provided by the city. Units must be registered by the owner or the owner's local agent as defined in this article.

Sec. 18-86. - Follow-up registration.

Following the initial 90-day registration period residential rental dwelling units shall be registered as follows:

- (1) Newly constructed residential rental dwelling buildings or units shall be registered prior to the issuance of a final certificate of occupancy.
- (2) A residential rental dwelling/building/unit sold, transferred or conveyed shall be re-registered by the new owner within 30 days of the date of the deed, land contract, or other instrument of conveyance. At that time the units will be removed from the previous owner's registration.
- (3) Any non-rental residential dwelling unit converted to a residential rental dwelling unit shall be registered prior to the date it is occupied for rental purposes.

Sec. 18-87. - Registration.

No person shall lease, rent, occupy, or otherwise allow a rental unit within the city to be occupied without first registering the rental unit with the building department and designating a responsible local agent.

- (a) *Registration forms.* Registration shall be made upon forms furnished by the building department and shall require all of the following information.

- (1) The street address of the rental unit(s);

- (2) The number and types of rental units within the rental property;
 - (3) Name, business and residence address, telephone number and, where applicable, an e-mail address, mobile telephone number, and facsimile number of all property owners of the rental unit(s);
 - (4) Name, residence address, telephone number and, where applicable, an email address, mobile telephone number, and facsimile number of the responsible local agent designated by the owner;
 - (5) The maximum number of occupants proposed for each rental unit;
 - (6) The name, address, telephone number and, where applicable, an e-mail address, mobile telephone number, and facsimile number of the person authorized to order repairs or services for the property if different than the owner or responsible local agent, if in violation of city or state codes, if the person is other than the owner or the responsible local agent; and
 - (7) Information relating to the size of all habitable rooms.
- (b) *Accurate and complete information.* All information provided on the registration form shall be accurate and complete. No person shall provide inaccurate information for the registration of a rental unit, or fail to provide the information required for such registration. The registration form shall be signed by the properly owner(s) or the designated responsible local agent. Where the owner is not a natural person, the owner information shall be that of the president, general manager or other chief executive of the organization.
- (c) *Change in registration information or transfer of property.* Except for a change in the registered local agent, the property owner of a rental unit registered with the city shall re-register within thirty (30) calendar days after any change occurs in the registration information. If the property is transferred to a new owner, the new property owner of a registered rental unit shall re-register the rental unit within thirty (30) calendar days following the transfer of the property. Property owners shall notify the building official and zoning department of any change in the designation of the registered local agent, including a change in name, address, e-mail address, telephone number, mobile telephone number or facsimile number of the designated registered local agent within thirty (30) business days of the change. If a transfer of ownership occurs and there is a current certificate of compliance on file, then the new owner will only have to pay the registration fee upon the expiration of the current registration. It will still be required that the new owner fill out a new registration form.
- (d) *Responsible local agent.* The designated responsible local agent shall be responsible for all of the following:
- (1) Operating the registered rental unit in compliance with all applicable city ordinances;
 - (2) Providing access to the rental unit for the purpose of making any and all inspections necessary to ensure compliance with the applicable city ordinances, except where the tenant has refused entry;
 - (3) Maintaining a list of the names and number of occupants of each rental unit for which he or she is responsible; and
 - (4) Accepting all legal notices or services of process with respect to the rental unit.

Sec. 18-88. - Fees; late fees.

There shall be no fee for the registration, re-registration or updating of registration information within the allotted time periods. If a residential rental dwelling unit is not registered within the time period specified herein, then a late fee shall be applied as established by the city's annual fee schedule per rental dwelling unit and shall be paid by the owner of same as defined herein.

Sec. 18-89. - Maintenance of records.

The building department shall be responsible for maintaining all residential rental dwelling unit registration data and provide the number of residential rental dwelling units in the city, type (single family, duplex, multi-unit, apartment complexes, rooming houses, etc.) and the number and type of units added to or deleted from the registration roster.

Sec. 18-90. - Penalty for failure to comply.

Failure to register a residential rental dwelling unit(s) within the applicable time period prescribed in this article shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to \$500.00 per unregistered residential rental dwelling unit and costs of prosecution, and/or imprisonment for a period not to exceed 90 days for each offense, or both such fine and imprisonment in the discretion of the court, together with the costs of such prosecution.

The submission of false information on a residential rental dwelling unit registration form shall constitute a misdemeanor, which upon conviction thereof, shall subject the violator to a fine of up to \$500.00 per residential rental dwelling unit owned by the violator and costs of prosecution, or imprisonment for a period not to exceed 90 days for each offense, or both such fine and imprisonment in the discretion of the court, together with the costs of such prosecution.

Sec. 18-91. Certificate of compliance required.

No person shall own, operate, lease, rent, occupy, or otherwise allow a rental unit within the city to be occupied unless there is a valid certificate of compliance or temporary certificate issued by the building department for the rental unit. A certificate of compliance shall be issued for each building containing a rental unit.

(a) *Requirements.* A certificate of compliance shall be issued only after all of the following requirements have been satisfactorily completed.

- (1) Registration of the rental unit with the building official and zoning department;
- (2) Designation of the responsible local agent;
- (3) Payment in full of any and all required registration and inspection fees; and
- (4) Inspection by the building official and zoning department resulting in a determination that the rental unit and the property complies with all city ordinances and state law.

(b) *Temporary certificates.*

- (1) Temporary certificates of compliance for up to three (3) years may be issued without prior inspection by the building official and zoning department for those occupied rental units existing as of the article adoption date. Such temporary certificates of compliance may be issued as of the effective date of the initial registration following (determined date), to allow property owners to operate such rental units until such time as an inspection may be made by the building department. At such time as an inspection is made and the building department

has determined that provisions of this ordinance have been complied with, the temporary certificate shall expire.

- (2) When a rental certificate of compliance is required, the building department may issue a temporary rental certificate of compliance if all of the following circumstances exist:
 - a. The building official and zoning department are unable to complete an inspection of a rental unit to verify compliance with this article.
 - b. The enforcing officer is not aware of any current major violations.
 - c. The property owner has paid the annual registration fee and the inspection fees assessed against the property owner.
- (3) The building department may issue a temporary rental certificate of compliance for a newly registered rental unit.
- (4) The building department may issue a temporary rental certificate of compliance for a rental unit subject to a housing order notice containing major or minor violations if the property owner is in the process of correcting such violations and can show proof of same.
- (5) Except as otherwise provided, a temporary rental certificate of compliance shall be valid until the enforcing officer completes an inspection and issues an order granting or denying a rental certificate of compliance. A temporary rental certificate of compliance may also be revoked by the rental inspector if the property owner refuses to schedule and/or permit an inspection after having been given a fourteen-day notice that an inspection must be scheduled, unless the tenant has refused access to the building official.

Sec. 18-92. Affected and exempt units/structures.

- (a) All single, duplex and multi-family rental units and structures, including boarding and/or rooming houses as defined in the city zoning ordinance, located within the city, shall comply with the requirements of this article except as specifically exempted below:
- (b) Exemptions.
 - (1) *One-time exception.* Any rental unit listed above, which within the previous six months prior to a scheduled inspection has been:
 - a. Inspected and approved by the city building official; or
 - b. Issued a certificate of occupancy by the city building department.Such units will be issued a three-year certificate of compliance without an additional inspection.
 - (2) *Permanent exemptions.* The following are permanently exempted from the requirements of this article:
 - a. All residential rental units and/or complexes currently inspected by the Federal Housing and Urban Development Department (HUD) or the Federal Housing Administration (FHA). Proof of inspection and compliance must be provided.
 - b. Hotels, motels, and bed and breakfast establishments as classified in the Michigan Building Code, as amended.

Sec. 18-93. Basis for inspection.

The city through its rental inspector shall have the authority to inspect any residential rental dwelling unit or structure under the following situations:

- (1) In the course of an initial scheduled inspection and triennial renewal inspection to receive and maintain a certificate of compliance.
- (2) Upon request by the property owner or local agent to inspect a unit(s) and/or structure
- (3) Upon a request by a tenant to inspect a unit or structure.
- (4) Upon receipt of information that a unit or units are not registered with the city.
- (5) Upon knowledge of an imminent life or safety danger.

Sec. 18-94. Inspection criteria.

- (a) The city shall utilize the "International Property Maintenance Code," published by the International Code Council and adopted by the city council as the established standards for the inspection of residential rental units.
- (b) The city rental inspector shall prepare a standardized checklist of items to be inspected consistent with the standards of the "International Property Maintenance Code." The checklist shall be available to all residential rental property owners and tenants prior to an inspection.

Sec. 18-95. Inspection procedures.

- (a) For the initial round of inspections the building department shall prepare an inspection schedule for existing residential rental dwelling units and structures presently registered with the city. The schedule shall be based on a three-year inspection cycle and shall be developed so as:
 - (1) Not to concentrate on a single geographic area in a given year; and
 - (2) To limit the number of inspections for a single property owner with nine or more residential rental units in separate structures to no more than one-third of the units in a calendar year.
- (b) Newly constructed and/or registered residential rental units shall be scheduled for an inspection at the time they are registered and shall be inspected and obtain a certificate of compliance prior to occupancy unless exempted under section 18-92(b)(1), one-time exemptions. In such case a certificate of compliance shall be issued without an additional inspection.
- (c) At least 30 days prior to an inspection or inspections the city building department shall send in writing a notification to the property owner or local agent including the date, time and the unit or units to be inspected. It shall be the responsibility of the property owner or local agent to notify the affected tenant(s). The property owner or local agent may request a change in the inspection appointment no less than ten days prior to the scheduled inspection. In the event a property owner, local agent or tenant learns that he/she cannot be present at the scheduled appointment, the city rental inspector must be notified at least 24 hours in advance. A new inspection appointment shall be scheduled no more than 30 days from the original appointment. A missed appointment by a property owner or local agent shall be rescheduled by the city, and a "missed appointment fee" as listed in the city's adopted comprehensive fee schedule shall be imposed.
- (d) A property owner, local agent or tenant shall provide access to his/her residential rental dwelling unit(s) and/or structure(s). An individual refusing entry shall be notified of the city's authority to inspect the property and that it will take appropriate and necessary

action, including but not limited to: issuance of a citation, obtaining a search warrant, posting the unit as uninhabitable and/or instituting other legal action as prescribed in section 18-99, failure to comply.

- (e) A unit in compliance with the requirements included in the inspection checklist shall be issued a Certificate of Compliance valid for a period of three years from the date of issuance unless revoked by the city (see section 18-96, revocation of certificate of compliance).
- (f) For units with code violations the rental inspector shall provide a written notice of the noted code violations to the property owner or local agent, who shall have 30 days from receipt of the notice to correct said code violations. More time may be granted by the rental inspector in those situations in which the property owner or local agent can demonstrate a justifiable need and the additional time will not result in conditions deteriorating further. Less time may also be specified for life or health threatening situations. If any violation remains uncorrected following the allotted repair time an additional ten days may be granted; however, a re-inspection fee shall be imposed for each subsequent re-inspection. The re-inspection fee shall be paid prior to the inspection.
- (g) Decisions of the rental inspector may be appealed to the building board of appeals serving as the housing appeals board (see section 18-97, appeal process).
- (h) The city rental inspector shall be responsible for scheduling renewal inspections at least 45 days prior to the expiration of a certificate of compliance.

Sec. 18-96. Revocation of certificate of compliance.

A certificate of compliance may be revoked by the rental inspector under the following circumstances:

- (1) A residential dwelling unit or structure is not operated as a rental unit or structure for 90 consecutive days and/or is removed by the property owner or local agent from the city's rental registration list. A new certificate of compliance must be obtained including the required inspection prior to occupancy.
- (2) A property owner or local agent has failed to correct code violations within the required timeframe and has been officially cited by the city as a misdemeanor violation or by other legal action.

Sec. 18-97. Appeal process.

- (a) The city construction board of appeals shall serve as the housing appeals board and shall meet on an as-needed basis.
- (b) A property owner or local agent disagreeing with a decision of the rental inspector relative to the existence of a violation or the timeframe in which to make corrections, may appeal that decision to the housing appeals board, hereby designated to hear such appeals. A tenant of a rental dwelling unit shall have standing to appeal a notice or order to vacate a residential rental dwelling unit.
- (a) A property owner, local agent or tenant requesting an appeal shall submit a written request on a form provided by the city rental inspector with the appropriate fee within ten days after receipt of a notice of violation, or within the time allotted for taking any action indicated on a notice or order, whichever is shorter. The decision or order of the building official shall be held in abeyance until such time as it is acted upon by the housing appeals board.

- (b) The housing appeals board shall convene within 15 working days with notice served to the appealing party of the date, time and location of the hearing. The board shall hear testimony and argument from the appealing party and the building official and shall by majority vote render a decision on the question at hand. The decision of the housing appeals board shall be binding on all parties.

Sec. 18-98. Fees.

Fees for inspections, missed appointments, re-inspections, late fees and appeals shall be as prescribed in the city comprehensive fee schedule as adopted from time to time by the city council. All fees shall be paid at the office of the rental inspector prior to inspections being performed. A late fee shall be charged for all inspection fees not paid prior to the inspection ten days after the inspection is performed. Fees remaining unpaid more than ten days following an inspection shall be charged an additional late fee and all accumulative charges may be added to the tax rolls relative to the property(s), and such charges shall become a lien in the same manner as the regular taxes applied to such premises, until such charges are paid.

Sec. 18-99. Failure to comply.

Failure or refusal to have residential rental units inspected in accordance with this article, or failure to comply with any provision of this article or notice given pursuant hereto, shall constitute a misdemeanor, which upon conviction may result in a fine of up to \$500.00 per violation, costs of prosecution and/or imprisonment for up to 90 days.

Sec. 18-100. Enforcement authorization.

The building official, city rental inspector, city manager, fire marshal, city police officers and planning & zoning director are authorized to enforce the provisions of this article and issue misdemeanor citations pursuant hereto.

Sec. 18-101. Program implementation.

The building department, planning & zoning director and the rental inspector under the direction of the city manager shall be responsible for the implementation and ongoing operation of the city rental housing inspection program.