

City of the Village of Clarkston 375 Depot Rd Clarkston, Michigan 48346 <u>City Council Regular Meeting</u> 08 24 2020

<u>You may join the meeting from your computer, tablet or smartphone using</u> <u>the following link: https://global.gotomeeting.com/join/421472669</u> <u>Or you may call-in using the following toll-free phone number and access code: (877) 309-2073, Access</u> <u>Code: 421-472-669</u>

- 1. Call To Order
- 2. Pledge Of Allegiance
- Roll Call Mayor Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie
- 4. Approval Of Agenda Motion
- 5. Public Comments:

Individuals have the opportunity to address the City Council on subjects not on the Agenda, limiting their comments to three minutes. Alternatively, public comments may be emailed to City Manager Jonathan Smith @ smithj@villageofclarkston.org or City Clerk Jennifer Speagle @ speaglej@villageofclarkston.org and they will be read out loud during this time. If preferred, comments may be stated or submitted anonymously.

- 6. FYI:
- 7. City Manager Report

Documents:

CITY MGR REPORT 08 24 2020.PDF

 Acceptance Of The Consent Agenda As Presented - Motion Minutes and Treasurer's Report Treasurer Report ending 08 24 2020 Minutes Final 07 27 2020 Final 08 04 2020 Draft 08 10 2020

Documents:

08 24 2020 CONSENT AGENDA.PDF

9. Old Business

9.a. Presentation: Oakland Macomb Interceptor

Power Point Presentation on the Oakland Macomb Interceptor presented by Independence Townships DPW Director Dave McKee.

Documents:

PRESENTATION OAKLAND MACOMB INTERCEPTOR 08 24 2020.PDF

9.b. Discussion: Short-Term Rentals Update from Michigan Supreme Court

Documents:

MEMORANDUM SHORT TERM RENTALS 08 24 2020.PDF

9.c. Resolution: City Sign Project Funding

Documents:

RESOLUTION CITY SIGN PROJECT FUNDING 08 24 2020.PDF

- 10. New Business
 - 10.a. Motion: Andrew Herrmann Eagle Scout Project Bat Houses for Depot Park

Documents:

MOTION ANDREW HERRMANN EAGLE SCOUT PROJECT 08 24 2020.PDF

10.b. Discussion: Plan For Returning To In-Person Meetings

Documents:

MEMORANDUM DISCUSSION OF RESUMPTION OF IN-PERSON PUBLIC MEETINGS 08 24 2020.PDF

- 10.c. Discussion: Council Agenda Setting Procedure
- 10.d. Motion: Request Planning Commission To Research A Social District

Documents:

MOTION REQUEST PC TO RESEARCH SOCIAL DISTRICT 08 24 2020.PDF

10.e. Resolution: White Lake Rd Invasive Species Sign

Documents:

RESOLUTON WHITE LAKE RD INVASIVE SPECIES SIGN 08 24 2020.PDF

11. Adjourn

Only those matters that are on the agenda are to be considered for action.

City of the Village of Clarkston City Manager Report August 24, 2020

City Hall Driveway

The new concrete City Hall driveway and parking spaces was completed this week in a two-day pour. I am thankful to City Engineer Hubble, Roth & Clark and to contractor GM & Sons for their thoroughness and professionalism on this project. Thanks also to DPW Director Jimmy Turner for his many efforts on the project to ensure success. The ADA compliance verifications, drainage flow tests, sub-base compaction tests and concrete strength tests were all successfully approved. We anticipate access to the driveway on Tuesday, August 25th, after which final grading and landscaping will begin.

Parking Kiosk Cover

A cover for our Parking Kiosk that I ordered 3 months ago finally arrived and has been installed. The cover with the inscription "Free Parking Today! City of Clarkston" will remain in place until paid parking resumes January 1st, but will also be used on holidays and other special events in the future.

Caitlin Sivak Student Project

Michigan State University student Caitlin (CJ) Sivak is working with the City this summer on a project to analyze the data captured by our electronic speed signs on Holcomb Road and soon on Main Street. CJ, who is seeking a degree in Urban Transportation, will be summarizing the data to help us better understand the speed patterns and guide us towards the most optimum solutions to reduce speeding and increase pedestrian safety. Our thanks to CJ!

August Michigan Revenue Sharing Payment

Last week the City was disappointed to learn that the August Michigan Statutory Revenue Sharing payment of approximately \$13,400 will not be paid. In lieu of this payment, Cities, Villages and Townships may apply for a Coronavirus Relief Local Government Grant (CRLGG) to be reimbursed for expenses directly related to COVID or COVID prevention that the municipality may have incurred. While grant funding of up to 150% of the normal August payment is available, it is anticipated that our actual expenses will only be approximately 40% of our normal August payment. When the exact amount of the shortfall is known, a meeting of the Finance Committee will be scheduled to prepare a Budget Amendment.

Respectfully submitted, Jonathan Smith, August 19, 2020



City of the Village of Clarkston Artemus M. Pappas Village Hall 375 Depot Road Clarkston, Michigan 48346 <u>City Council Regular Meeting Minutes</u> 07 27 2020 **Final Minutes**

7/27/2020 - Minutes

- 1. Call To Order By Mayor Haven @ 7:00pm
- 2. Pledge Of Allegiance
- 3. Roll Call

Mayor Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Present

4. Approval Of Agenda - Motion

Motion by Luginski Second by Casey to approve the Agenda as presented.

Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motiion Carried

- 5. Public Comments:
- 6. FYI:
 - 6.a. FYI: Election Updates

Election updates on the 08 04 2020 Primary Eleciton.

- Sheriff Report Sheriff report presented by Lt Hill.
- 8. City Manager Report
- 9. Acceptance Of The Consent Agenda As Presented Motion

Motion by Wylie Second by Avery to approve the Consent Agenda with the following changes.

- 07 13 2020 Draft Minutes: Add clarification #9 Discussion of Middle Lake Access.
- 07 23 2020 Draft Minutes: Add 5 page resolution the #7 Temporary Closure of E Church.

Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motion Carried

- 10. Old Business
 - 10.a. Discussion: Oakland Macomb Interceptor Drain Assessment City Manager will prepare a Resolution for an upcoming Council Meeting.

10.b. Discussion: Bisio Vs. City Of Clarkston Michigan Supreme Court Decision

Motion by Haven Second by Casey to establish a Council Subcommittee of Haven, Wylie, Avery and City Manager Jonathon Smith to meet to determine next steps.

Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motion Carried

- 11. New Business
 - 11.a. Resolution: City Hall Building Dedication Plaque

Motion by Bonser Second by Wylie to authorize the City Manager to purchase and install a bronze plaque as proposed by the International Bronze Plaque Company for a not-to-exceed cost of \$1575.00 (includes \$100 allowance for additional text)

Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Resolution is Adopted.

12. Adjourn

Motion by Casey Second by Bonser to adjourn at 9:09 pm

Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motion Carried

Respectfully Submitted by Jennifer Speagle, City Clerk.



City of the Village of Clarkston Artemus M. Pappas Village Hall 375 Depot Road Clarkston, MI 48346 City Council Special Meeting Minutes August 4, 2020 DRAFT Minutes

- 1. Call to Order at 7:00 PM by Mayor Haven
- 2. Pledge of Allegiance.
- 3. Roll Call: Mayor Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie. All Present.
- 4. Approval of Agenda: Motion by Casey, Supported by Luginski, to approve the agenda as presented. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie Yes, Motion Carried.
- 5. Public Comments:
 - a. Resident Chet Pardee thanked Oakland County Sheriff Lieutenant Hill for investigating signage changes for Clarkston Road and commented on the status on the resolution of drainage issues on Clarkston Road near Main Street.
 - b. City Manager Jonathan Smith responded regarding Clarkston Road drainage, stating that the Road Commission is working on drainage design and utility relocation, with hopes of doing the work next summer.
- 6. Resolution: Closed Council Session

Resolved by Haven, seconded by Avery to hold a Closed-Session meeting to discuss pending litigation pursuant to MCL 15.265(e) in the Michigan Supreme Court, Docket No. 158240 decision dated July 24, 2020. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie – Yes, Resolution Adopted.

- 7. Open Meeting suspended at 7:18 PM
- 8. Open Meeting resumed with Call to Order by Mayor Haven at 8:47 PM
- 9. Roll Call: Mayor Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie. All Present.
- 10. Resolution: Bisio Case Bill of Cost

Resolved by Avery, Seconded by Luginski to direct attorney Jim Tamm to contest the Taxed Bill of Costs filed by Susan Bisio in the amount of \$1,761. Haven, Avery, Bonser, Casey, Kneisc, Luginski – Yes, Wylie – No. Resolution Adopted. 11. Resolution: Bisio Case Request for Rehearing

Resolved by Haven, Seconded by Luginski to direct attorney Jim Tamm to request a rehearing from the Michigan Supreme Court. Haven, Avery, Bonser, Casey, Kneisc, Luginski – Yes, Wylie – No. Resolution Adopted.

12. Motion by Casey, Supported by Kneisc to adjourn at 8:59 PM. All Aye, Motion Carried.

Respectfully Submitted, Jonathan Smith, City Manager (for Jennifer Speagle, City Clerk who was busy with the Primary Election)



City of the Village of Clarkston Artemus M. Pappas Village Hall 375 Depot Road Clarkston, Michigan 48346 <u>City Council Regular Meeting Minutes</u> 08 10 2020 Draft Minutes

8/10/2020 - Minutes

- 1. Call To Order By Mayor Pro Tem Sue Wylie @ 7:02pm
- 2. Pledge Of Allegiance
- 3. Roll Call

Mayor Haven, Wylie, Avery, Bonser, Kneisc, Luginski - Present. Casey - Absent

4. Approval Of Agenda - Motion

Motion by Lunginski Second by Bonser to Approve the Agenda as presented.

Haven, Wylie, Avery, Bonser, Kneisc, Luginski - Yes. Motion Carried.

5. Public Comments:

Resident Chet Pardee inquired about missing Council minutes on the City's website prior to 2017. Clerk Speagle committed to restoring these documents by August 14th, 2020

6. FYI:

- 7. City Manager Report
- 8. Acceptance Of The Consent Agenda As Presented Motion

Motioned by Avery Second by Kneisc to accept the Consent Agenda as presented.

Haven, Wylie, Avery, Bonser, Kneisc, Luginski - Yes. Motion Carried.

- 9. Old Business
 - 9.a. Discussion: Election Updates
- 10. New Business
 - 10.a. Resolution: Depot Park Treatment Of Buckthorn

Resolved by Haven Second by Wylie to authorize the City Manager to contract with Cardno for the treatment of the Buckthorn invasive species in the Depot Park wetlands, with \$2,000 to be funded from Friends of Depot Park (401-265-728.000) and \$2,000 to be funded from Professional & Contractual Services (401-901-805.001)

Haven, Wylie, Avery, Bonser, Kneisc, Luginski - Yes. Motion Carried.

11. Adjourn

Motion by Avery Second by Luginski to adjourn @ 7:58pm

Haven, Wylie, Avery, Bonser, Kneisc, Luginski - Yes. Motion Carried.

Respectfully Submitted by Jennifer Speagle, City Clerk.

Treasurer's Report

I. Revenue/Expenditure Actual vs. Budget as of 07/31/20 General Fund 101 II. Revenue/Expenditure Actual vs. Budget as of 07/31/20 Major Roads Fund 202

III. Revenue/Expenditure Actual vs. Budget as of 07/31/20 Local Roads Fund 203

IV. Revenue/Expenditure Actual vs. Budget as of 07/31/20 Capital Projects Fund 401

TREASURER'S DOCUMENTS FOR MEETING - NEW BUSINESS:

VI. Invoices for review

Carlisle Wortman -		
Monthly Retainer (June 2020)	\$	-
2020 General Consultation	\$ \$ \$ \$	=
2020 Grant Writing	\$	-
Brochure Prep	\$	•
Sub Total	\$	
HRC -	¢	_
Downtown Parking Study Assistance	ч ¢	
MS4 Permit Assistance	с с	_
Professional	ү ¢	
City Office Building Expansion	\$ \$ <u>\$</u> \$	
Sub Total	Ş	-
Tom Ryan-		
Court/Prosecution	\$	-
Professional Services	\$	-
Professional Services	\$	-
	1.	
Sub total Invoices for review	\$	-
VII. Other Checks for Review		
Clarkston Glass Service, Inc	\$	-
Shriver Tree Service	\$	-
Semcog	\$	85
	\$	-
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Total Other Checks for Review	\$	-
Grand Total	\$	-
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Page: 1/11	AVATLABLE BALANCE	540,739.97 13,219.00 13,219.00 6,699.00 27,242.00 1,407.75 8,000.00 3,775.00 3,775.00 3,775.00 3,775.00 3,775.00 3,775.00 3,775.00 23,524.00 1,500.00 23,524.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,500.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.00 1,700.000 1,700.00 1,700.00 1,700.00 1,700.0000000000000000000000000000000000	870,773.55	870,773.55	7,750.00 245.50 3,315.00	11,310.50	24,826.16 150.00 2,150.00	27,626.16	11,100.00	11,100.00	50.00
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REVENUE AND EXPENDITURE RE	DESCRIPTION	CURRENT TAX REVENUES INTEREST & PENALTY REVENUES CABLE TV REVENUES IN-KIND FEES/PEG FEES AT&T PERMIT FEES DOG LICENSES REVENUE DOG LICENSES REVENUE COMM DEV BLOCK GRANT - CDBG P- GRANTS COMM DEV BLOCK GRANT - CDBG P- GRANTS TOT COMMUNTY STABILIZATION SHARE-PP STATE REVENUE SHARINGN STATE LIQUOR CONTROL COMM ENHANCED ACCESS REVENUE SHARING DISTRICT COURT REVENUE BANNER REVENUE SHARING DISTRICT COURT REVENUE BANNER REVENUES HARNER REVENUES INTEREST EARNED DIVIDENDS AND REBATES EQUIPMENT RENTALS EQUIPMENT RENTALS	I		COUNCIL & MAYOR SALARIES MISC EXPENSE DUES & CONFERENCES	1	CLERK SALARY SUPPLIES PUBLICATIONS DUES & CONFERENCES	I	AUDIT FEES	1	BOARD OF REVIEW PUBLICATIONS
08/19/2020 03:06 PM User: TREASURER2	DB: Clarkston GI NUMBER	Fund 101 - GENERAL Revenues Dept 000 - GENERAL 101-000-402.000 101-000-445.000 101-000-452.000 101-000-472.001 101-000-478.000 101-000-478.000 101-000-571.000 101-000-571.000 101-000-574.001 101-000-574.001 101-000-574.000 101-000-564.000 101-000-664.000 101-000-668.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000 101-000-667.000	Total Dept 000 - GENERAL	TOTAL REVENUES	Expenditures Dept 101 - COUNCIL 101-101-703.000 101-101-955.000 101-101-958.000	Total Dept 101 - COUNCIL	Dept 215 - CLERK 101-215-703.001 101-215-726.000 101-215-901.000 101-215-958.000	Total Dept 215 - CLERK	Dept 223 - AUDIT 101-223-805.000	Total Dept 223 - AUDIT	Dept 247 - BOARD OF REVIEW 101-247-900.000

	% BDGT USED	0.00	11.54 0.00 2.08 0.00	9.70	98.10	98.10	0.00 4.22 0.00	1.24	11.13 16.69 11.13 15.04 13.00 13.91 13.91 13.91 0.00 0.00	13.24	3.89 10.21 10.21 0.00 0.00 0.97 0.91 3.55 3.55 3.55 3.55
Page: 2/11	AVAILABLE BALANCE	50.00	26,538.45 1,261.00 1,175.00 3,500.00	32,474.45	152.11	152.11	2,000.00 957.76 400.00	3, 357.76	11,197.50 33,418.46 3,418.46 2.00 7,373.93 350.00 9,000.00 860.95 4,000.00 2,297.35 1,000.00	73,269.42	4,325.00 26,040.00 3,(35.00) 3,(35.00) 3,466.00 1,846.00 1,846.00 1,846.00 2,177.14 2,177.14 2,177.14 2,177.14 2,177.14 2,177.14 2,177.14 2,177.14
STON	YTD BALANCE 07/31/2020	0.00	3,461.55 0.00 25.00	3,486.55	7,847.89	7,847.89	0.00 42.24 0.00	42.24	802.50 4,230.77 181.54 181.54 1,998.00 626.07 626.07 3,000.00 3,000.00 3,000.00 202.65 0.00	11,180.58	175.00 0.00 135.00 135.00 0.00 0.00 14.00 14.00 56.86 56.86 56.86 56.86 39.00 39.00
VILLAGE OF CLARKSTON	2020-21 AMENDED BUDGET	50.00	30,000.00 1,261.00 1,200.00 3,500.00	35,961.00	8,000.00	8,000.00	2,000.00 1,000.00 400.00	3,400.00	12,000.00 38,000.00 3,600.00 2,000.00 8,000.00 12,000.00 12,000.00 12,000.00 12,000.00	84,450.00	4,500.00 29,000.00 3,400.00 1,864.00 1,864.00 2,234.00 2,234.00 2,234.00 2,338.00 2,338.00 2,338.00 2,338.00 2,338.00
CITY OF	ERIOD ENDING 07/31/2020 2020-21 ORIGINAL BUDGET	50.00	30,000.00 1,261.00 1,200.00 3,500.00	35,961.00	8,000.00	8,000.00	2,000.00 1,000.00 400.00	3,400.00	12,000.00 38,000.00 3,600.00 8,000.00 12,000.00 4,000.00 2,500.00	84,450.00	4,500.00 200.00 200.00 3,400.00 1,544.00 1,544.00 2,234.00 2,234.00 2,234.00 2,234.00 1,684.00 1,544.00 1,544.00 1,544.00 2,000.00
REVENUE AND EXPENDITURE	PE. Description	REVIEW	TREASURER SALARY SUPPLIES BANK FEES COMPUTER SUPPORT	r.	ASSESSING - OAKLAND COUNTY		ELECTION FEES/PER DIEM SUPPLIES PUBLICATIONS	8	ADMIN ASSISTANT SALARY CITY MANAGER SALARY OFFICE SUPPLIES PROFESSIONAL & CONTRACTUAL SERVICES TELEPHONE EXPENSE WEBSTEY MAINTENNET WEBSTEY MAINTENNET TECHNOLOGY/INTERNET EXPENSE MILEAGE/CONFERANCE GRANT WRITING RICOH COPIER LEASE DOG LICENSES FEES	RATIVE	ROUNDS BUILDING MAINTENANCE LABOR BLDG MAINT O/T LABOR BLDG MAINT O/T LABOR VILLAGE GROUNDS PARK LABOR DPW-VILL GROUNDS OT PARK LABOR SUPPLIES-VH BUILDING PARK MATERIALS RUBBISH COLLECTION DETROIT EDISON-VH CONSUMERS ENERGY-VH DTE UPPER PARKING LOT DTE UPPER PARKING LOT DTE DEPOT PARK SIMMER & WATER-VH BUILDING MAINTENANCE-VH
08/19/2020 03:06 PM	USEL: INDACONDAL DB: Clarkston GI. NIMBER		Dept 253 - TREASURER 101-253-703.002 101-253-726.000 101-253-800.000 101-253-853.000	Total Dept 253 - TREASURER	Dept 257 - ASSESSOR 101-257-804.000	Total Dept 257 - ASSESSOR	Dept 262 - ELECTIONS 101-262-701.000 101-262-726.000 101-262-901.000	Total Dept 262 - ELECTIONS	Dept 264 - ADMINISTRATIVE 101-264-701.002 101-264-703.003 101-264-805.000 101-264-805.001-FY160NETME 101-264-855.000 101-264-852.000 101-264-852.000 101-264-890.000 101-264-941.000 101-264-955.000	Total Dept 264 - ADMINISTRATIVE	Dept 265 - BUILDING AND GROUNDS 101-265-705.000 BUI 101-265-705.001 BLDC 101-265-706.001 DPW 101-265-706.001 DPW 101-265-728.000 DPW 101-265-728.000 DPW 101-265-921.000 DET 101-265-921.000 DTE 101-265-923.001 DTE 101-265-923.001 DTE 101-265-931.000 DTE 101-265-931.000 BUI

	REVENUE AND EXPENDITURE	REPORT FOR CITY OF	THE VILLAGE OF CLARKSTON	STON	Page: 3/11	
USEr: TREASURERS DB: Clarkston		PERIOD ENDING 07/31/202	0			
GL NUMBER	DESCRIPTION	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 07/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL Expenditures 101-265-934.000 101-265-935.000 101-265-956.000 101-265-956.000 101-265-961.001 101-265-961.003 101-265-961.003	MILL POND ASSESSMENT STORM WATER DISCHARGE PERMIT WATER LEVEL CONTROL CDBG DISBURSEMENTS PROPERTY INSURANCE GENERAL LIABILITY INSURANCE PROPERTY INSURANCE-OPEN SPACES	165.00 800.00 8,000.00 4,514.00 910.00	165.00 800.00 8,000.00 4,514.00	000000000000000000000000000000000000000	165.00 800.00 8,000.00 8,000.00 4,514.00 910.00	
Total Dept 265 - BUILDING	; AND GROUNDS	80,903.00	80,903.00	3,422.06	77,480.94	4.23
Dept 266 - ATTORNEY 101-266-803.000	LEGAL FEES	30,000.00	30,000.00	225.00	29,775.00	0.75
Total Dept 266 - ATTORNEY		30,000.00	30,000.00	225.00	29,775.00	0.75
Dept 281 - WATERSHED COUNCIL 101-281-956.002 C	NCIL CLINTON RIVER WATERSHED EXPENSES	815.00	815.00	315.00	500.00	38.65
Total Dept 281 - WATERSHED	ED COUNCIL	815.00	815.00	315.00	500.00	38.65
Dept 301 - POLICE 101-301-802.000	LAW ENFORCEMENT	127,380.00	127,380.00	0.00	127,380.00	0.00
Total Dept 301 - POLICE		127,380.00	127,380.00	0.00	127,380.00	0.00
Dept 336 - FIRE 101-336-802.001	FIRE PROTECTION - IND TWP	150,894.00	150,894.00	0.00	150,894.00	0.00
Total Dept 336 - FIRE		150,894.00	150,894.00	0.00	150,894.00	0.00
Dept 371 - BUILDING INSP 101-371-703.004 101-371-809.000	INSPECTION BLDG INSPECTORS' SALARIES BLDG DEPT PROFESSIONAL FEES	11,000.00 18,000.00	11,000.00 18,000.00	0.00	11,000.00 18,000.00	0.00
Total Dept 371 - BUILDING	G INSPECTION	29,000.00	29,000.00	0.00	29,000.00	0.00
Dept 441 - DFW 101-441-709.000 101-441-710.000 101-441-711.001 101-441-711.006 101-441-711.007 101-441-720.000 101-441-720.000 101-441-850.001 101-441-932.001 101-441-932.001	HEALTH INSURANCE DPW LEAVE & HOLIDAY PAY DPW WAGES FOR TASTE OF CLARKSTON DPW WAGES FOR ASTE OF CLARKSTON DPW WAGES FOR ART IN THE VILLAGE PHYSICAL EXPENSE DPW SUPPLIES TELEPHONE EXPENSE - DPW EQUIPMENT MAINTENANCE NEW LEASE SPACE	10,000.00 3,700.00 1,200.00 150.00 2,000.00 2,000.00 21,637.00	10,000.00 3,700.00 1,200.00 150.00 300.00 2,000.00 1,000.00 21,637.00	160.00 0.00 0.00 0.00 75.00 0.00	10,000.00 3,540.00 1,200.00 1500.00 300.00 2,000.00 2,000.00 1,000.00 2,000.00	000 00 00 00 00 00 00 00 00 00 00 00 00
Total Dept 441 - DPW		41,087.00	41,087.00	235.00	40,852.00	0.57

08/19/2020 03:06 PM	REVENUE AND EXPENDITURE REPORT F	FOR CITY OF THE V	VILLAGE OF CLARKSTON	NC	Page: 4/11	
User: TREASURER2 DB: Clarkston	PERIOD ENDING	ING 07/31/2020				
UMBER	DESCRIPTION	2020-21 ORIGINAL BUDGET A	2020-21 AMENDED BUDGET	YTD BALANCE 07/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL Expenditures Dept 446 - HIGHWAY, STREETS, 101-446-704.001 101-446-704.002 101-446-704.007 101-446-704.007 101-446-817.001 101-446-817.001 101-446-861.001 101-446-861.001 101-446-861.007 101-446-861.007 101-446-861.007 101-446-861.007 101-446-861.007 101-446-961.007 101-446-961.005 101-446-961.007 101-446-961.007 101-446-961.005 101-446-961.007 101-446-961.007 101-446-961.005 101-446-961.005 101-446-961.007 101-446-961.005	, BRIDGES DPW LABOR-PICKUP TRUCK DPW LABOR-DUMP TRUCK DPW LABOR-DUMP TRUCK DPW LABOR-TRACTOR SUPPLIES TREE TRIMMING & MAINTENANCE MILEAGE/CONFERENCE/TRAINING MATERIAL & OUTSIDE LABOR-PICKUP TRUCK MATERIAL & OUTSIDE LABOR-DIMP TRUCK FUEL & OIL FOR EQUIPMENT EQUIPMENT INSURANCE DPW EQUIPMENT	250.00 400.00 400.00 100.00 5,000.00 5,000.00 5,000.00 750.00 800.00 4,500.00 4,500.00 4,000.00	2550.00 400.00 400.00 100.00 5,000.00 5550.00 750.00 800.00 800.00 4,000.00	1,800.00 0.00 0.00 0.00 0.00 0.00 0.00 0.	250.00 300.00 300.00 100.00 100.00 250.00 550.00 750.00 800.00 4,5000 3,024.00	20000000000000000000000000000000000000
Total Dept 446 - HIGHWAY, STR	STREETS, BRIDGES	20,074.00	20,074.00	2,170.00	17,904.00	10.81
Dept 448 - STREET LIGHTING 101-448-926.000 D'	DTE STREET LIGHTING	11,000.00	11,000.00	0.00	11,000.00	0.00
Total Dept 448 - STREET LIGHTING	DIIG	11,000.00	11,000.00	0.00	11,000.00	0.00
Dept 721 - PLANNING 101-721-717.000 P 101-721-810.001 EI 101-721-811.000 P	PLANNING COMMISSION ENGINEERING SERVICES PLANNER FEES	2,000.00 14,500.00 6,500.00	2,000.00 14,500.00 6,500.00	000.00	2,000.00 14,500.00 6,500.00	0.00
Total Dept 721 - PLANNING		23,000.00	23,000.00	0.00	23,000.00	0.00
Dept 723 - HISTORIC DISTRICT 101-723-956.003 H	r Historic dist commission exp	3,000.00	3,000.00	200.00	2,800.00	6.67
Total Dept 723 - HISTORIC DIS	DISTRICT	3,000.00	3,000.00	200.00	2,800.00	6.67
Dept 851 - INSURANCE AND BONDS 101-851-961.002 ERE	IDS Errors & omissions insurance	6,357.00	6,357.00	00.0	6,357.00	00.00
Total Dept 851 - INSURANCE AI	AND BONDS	6,357.00	6,357.00	0.00	6,357.00	0.00
Dept 862 - EMPLOYER MEDICARE AND 101-862-715.000 CITY	5 AND SOCIAL SECURITY CITY FICA EXPENSE	11,000.00	11,000.00	1,183.36	9,816.64	10.76
Total Dept 862 - EMPLOYER ME	MEDICARE AND SOCIAL SECURITY	11,000.00	11,000.00	1,183.36	9,816.64	10.76
Dept 870 - UNEMPLOYMENT INSU 101-870-719.000 C	INSURANCE CITY SUTA MESC EXPENSE	3,000.00	3,000.00	69.25	2,930.75	2.31
Total Dept 870 - UNEMPLOYMENT INSURANCE	T INSURANCE	3,000.00	3,000.00	69.25	2,930.75	2.31

	% BDGT USED	45.22	45.22	0.00	0.00	4.05	0.74 4.05	5 5 5 1
Page: 5/11	AVAILABLE BALANCE	1,403.00	1,403.00	6,966.00 144,302.00	151,268.00	841,701.73	870,773.55 841,701.73 29.071.82	
STON	YTD BALANCE 07/31/2020	1,158.00	1,158.00	00.00	0.00	35,556.27	6,484.45 35,556.27 (20,071,82)	(40.4.0)
I VILLAGE OF CLARK	2020-21 AMENDED BUDGET	2,561.00	2,561.00	6,966.00 144,302.00	151,268.00	877,258.00	877,258.00 877,258.00 877,258.00	00.0
E REPORT FOR CITY OF THE VILLAGE OF CLARKSTON BRIOD ENDING 07/31/2020	2020-21 ORIGINAL BUDGET	2,561.00	2,561.00	6,966.00 144,302.00	151,268.00	877,258.00	877,258.00 877,258.00	00.0
REVENUE AND EXPENDITURE RI PERI	DESCRIPTION	ATION WORKMAN'S COMPENSATION		TSFR TO LOCAL STREETS TRANSFER OUT TO CAPITAL PROJECT FUND	-	, T		TURES
08/19/2020 03:06 PM User: TREASURER2	GL NUMBER	Fund 101 - GENERAL Expenditures Dept 871 - WORKERS COMPENSATION 101-871-722.000	Total Dept 871 - WORKERS COMPENSATION	Dept 999 - TRANSFERS OUT 101-999-999.203 101-999-999.401	Total Dept 999 - TRANSFERS OUT	TOTAL EXPENDITURES	Fund 101 - GENERAL: TOTAL REVENUES TOTAL EXPENDITURES	NET OF REVENUES & EXPENDITURES

e: 6/11	AVAILABLE % BDGT BALANCE USED	קביב רביב	6,507.18 5.5	66,507.18 5.57	11,115.99 7.37 200.00 0.00 1,839.00 0.00 400.00 0.00 3,000.00 0.00	16,554.99 5.07	2,000.00 0.00 6,713.12 10.49 234.00 0.00	8,947.12 8.08	11,000.00 0.00 4,000.00 0.00 500.00 0.00 220.00 0.00 6,500.00 0.00 14,000.00 0.00	36,450.00 0.00	2,032.37 3.22	2,032.37 3.22	490.12 1.98	490.12 1.98	4,207.00 0.00	4,207.00 0.00
Pag	YTD BALANCE 07/31/2020	0 000	922.8	92	884.01 0.00 0.00 0.00	884.01	0.00 786.88 0.00	786.88	000000000000000000000000000000000000000	0.00	67.63	67.63	88.0	9.88	0.00	00.0
HE VILLAGE OF CLARKSTON	2020-21 2020-21 AMENDED BUDGET		70.430.00	0,430.0	12,000.00 200.00 1,839.00 3,000.00	17,439.00	2,000.00 7,500.00 234.00	9,734.00	11,000.00 4,000.00 500.00 200.00 6,500.00 6,500.00	36,450.00	2,100.00	2,100.00	500.00	500.00	4,207.00	
REPORT FOR CITY OF TH	KLUU ENULNG UTTLEOL 2020-21 ORIGINAL BUDGET		70,430.00	0,430.0	12,000.00 200.00 1,839.00 3,000.00	17,439.00	2,000.00 7,500.00 234.00	9,734.00	11,000.00 4,000.00 200.00 250.00 6,500.00	36,450.00	2,100.00	2,100.00	500.00	500.00	4,207.00	
REVENUE AND EXPENDITURE	PESCRIPTION		STATE SHARED REVENUES		SALARIES - REGULAR MAINTENANCE SALARIES - REG MAINT O/T SUPPLY & MTLS - REGULAR MAINT REGULAR MAINTENANCE CRACK FILL MAJOR RD	NE	TRAFFIC SERVICES EQUIPMENT RENTAL STATE TRUNKLINE OVERHEAD		SALARIES - WINTER MAINTENANCE SALARIES WINTER MAINT O/T SUPPLIES & MTLS - WINTER MAINT SMALL TOOLS - WINTER MAINT SIDEWALK - SALT SIDEWALK - SALT SALT - WINTER MAINTENANCE EQUIPMENT RENTAL - WINTER		ARE AND SOCIAL SECURITY CITY FICA EXPENSE	EMPLOYER MEDICARE AND SOCIAL SECURITY	NSURANCE CITY SUTA MESC EXPENSE	UNEMPLOYMENT INSURANCE	TSER TO LOCAL STREETS	
08/19/2020 03:06 PM User: TREASURER2		Fund 202 - MAJOR STREET Revenues Dept 000 - GENERAL)0-574.000	Total Dept 000 - GENERAL TOTAL REVENUES	Expenditures Dept 451 - NON-WINTER 202-451-703.005 202-451-703.008 202-451-775.000 202-451-775.000 202-451-776.000	Total Dept 451 - NON-WINTER	Dept 452 - TRAFFIC 202-452-777.000 202-452-945.000 202-452-966.000	Total Dept 452 - TRAFFIC	Dept 453 - WINTER 202-453-703.006 202-453-703.009 202-453-725.001 202-453-775.001 202-453-778.000 202-453-778.001 202-453-945.001	Total Dept 453 - WINTER	Dept 862 - EMPLOYER MEDICARE 202-862-715.000 C	Total Dept 862 - EMPLOYER	Dept 870 - UNEMPLOYMENT INSURANCE 202-870-719.000 CITY 8	Total Dept 870 - UNEMPLOY	Dept 999 - TRANSFERS OUT 202-999-999.203	

		% BDGT USED		2.48	5.57 2.48 100.00
Page: 7/11		AVATLABLE BALANCE		68, 681.60	66,507.18 68,681.60 (2,174.42)
STON		YTD BALANCE 07/31/2020		1,748.40	3,922.82 1,748.40 2,174.42
NILLAGE OF CLARK		2020-21 AMENDED BUDGET		70,430.00	70,430.00 70,430.00 0.00
EXPENDITURE REPORT FOR CITY OF THE VILLAGE OF CLARKSTON	PERIOD ENDING 07/31/2020	2020-21 ORIGINAL BUDGET		70,430.00	70,430.00 70,430.00
REVENUE AND EXPENDITURE		DESCRIPTION			URES
08/19/2020 03:06 PM	User: TREASURER2 DR· Clarkston	GL NUMBER	Fund 202 - MAJOR STREET Expenditures	TOTAL EXPENDITURES	Fund 202 - MAJOR STREET: TOTAL REVENUES TOTAL EXPENDITURES NET OF REVENUES & EXPENDITURES

08/19/2020 03:06 PM	REVENUE AND EXPENDITURE	URE REPORT FOR CITY OF THE	HE VILLAGE OF CLARKSTON	STON	Page: 8/11	
User: TREASURER2 DR. Clarkston		PERIOD ENDING 07/31/2020	0			
5	DESCRIPTION	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 07/31/2020	AVAILABLE BALANCE	<pre>% BDGT USED</pre>
Fund 203 - LOCAL STREET Revenues Dept 000 - GENERAL 203-000-574.000	STATE SHARED REVENUES	23,477.00 6,966.00	23,477.00 6,966.00	1,365.12	22,111.88 6,966.00	5.81
203-000-099.202		4,207.0	207.0	0.00	207.0	<u>ං</u> . ි.
Total Dept 000 - GENERAL		4,65U.U			8 780 8	. 0
TOTAL REVENUES		34,650.00	00.000,45	-	0.104.0	
Expenditures Dept 451 - NON-WINTER 203-451-703.005 203-451-703.008 203-451-726.001 203-451-776.001 203-451-776.001	SALARIES - REGULAR MAINTENANCE SALARIES - REG MAINT O/T SUPPLY & MTLS - REGULAR MAINT REGULAR MAINTENANCE LOCAL CRACK FILL	4,000.00 100.00 500.00 3,000.00	4,000.00 100.00 500.00 200.00	326.99 0.00 0.00	3,673.01 100.00 500.00 200.00	8.17 0.00 0.00 0.00
Total Dept 451 - NON-WINTER	ER	7,800.00	7,800.00	326.99	7,473.01	4.19
Dept 452 - TRAFFIC 203-452-945.000 203-452-966.000	EQUIPMENT RENTAL STATE TRUNKLINE OVERHEAD	5,000.00 100.00	5,000.00 100.00	325.38 0.00	4,674.62 100.00	6.51 0.00
Total Dept 452 - TRAFFIC		5,100.00	5,100.00	325.38	4,774.62	6.38
Dept 453 - WINTER 203-453-703.006 203-453-703.009 203-453-726.002 203-453-775.001 203-453-775.001 203-453-778.000		4,800.00 1,500.00 100.00 100.00	4,800.00 1,500.00 100.00 250.00		4,800.00 1,500.00 100.00 100.00 250.00	000000000000000000000000000000000000000
203-453-778.001 203-453-945.001 203-453-955.001	SALT - WINTER MAINTENANCE EQUIPMENT RENTAL - WINTER WINTER MAINT - MISC	12,000.00	12,000.00			0.0
Total Dept 453 - WINTER		20,850.00	20,850.00	0.00	20,850.00	0.00
Dept 862 - EMPLOYER MEDICARE AND 203-862-715.000 CITY	ARE AND SOCIAL SECURITY CITY FICA EXPENSE	650.00	650.00	25.02	624.98	3.85
Total Dept 862 - EMPLOYER	MEDICARE AND SOCIAL SECURITY	650.00	650.00	25.02	624.98	3.85
Dept 870 - UNEMPLOYMENT INSURANCE 203-870-719.000 CITY S	NSURANCE CITY SUTA MESC EXPENSE	250.00	250.00	3.65	246.35	1.46
Total Dept 870 - UNEMPLOY	UNEMPLOYMENT INSURANCE	250.00	250.00	3.65	246.35	1.46
TOTAL EXPENDITURES		34,650.00	34,650.00	681.04	33,968.96	1.97

		% BDGT	1400		3.94	1.97	100.00
Page: 9/11		AVAILABLE	BALIANCE		33,284.88	33,968.96	(684.08)
STON		YTD BALANCE	0707/78//0		1,365.12	681.04	684.08
E VILLAGE OF CLARK		2020-21	AMENDED BUDGET		34,650.00	34,650.00	0.00
REPORT FOR CITY OF THE VILLAGE OF CLARKSTON	PERIOD ENDING 07/31/2020	2020-21 ORIGINAL	BUDGET		34.650.00	34,650.00	0.00
REVENUE AND EXPENDITURE	Ъ						
			DESCRIPTION				TURES
08/19/2020 03:06 PM	User: TREASURER2 DB: Clarkston		GL NUMBER	Fund 203 - LOCAL STREET	Fund 203 - LOCAL STREET:	TOTAL REVENUES	TOLAL EXPENDITORES & EXPENDITURES

Page: 9/11

~	REVENUE AND EXPENDITURE RE	REPORT FOR CITY OF T	THE VILLAGE OF CLARKSTON	STON	Page: 10/11	
User: TREASURER2 DB: Clarkston	PERIOD	OD ENDING 07/31/2020	0			
GL NUMBER	DESCRIPTION	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 07/31/2020	AVAILABLE BALANCE	% BDGT USED
Fund 401 - CAPITAL PROJECT Revenues Dept 000 - GENERAL 401-000-699.101 401-000-699.231	· FUND TRANSFER FROM GENERAL FUND TRANSFER IN FROM PARKING FUND	144,302.00 100,000.00	144,302.00 100,000.00	0.00	144,302.00 100,000.00	0.00
Total Dept 000 - GENERAL	l	244,302.00	244,302.00	0.00	244,302.00	0.00
TOTAL REVENUES	1	244,302.00	244,302.00	0.00	244,302.00	0.00
Expenditures Dept 265 - BUILDING AND GR 401-265-727.000 401-265-728.000-FY17FRIEND	GROUNDS CITY HALL / DPW BUILDING IND FRIENDS OF DEPOT PARK	8,352.00 6,000.00	8,352.00 6,000.00	0.00	8,352.00 5,200.00	0.00 13.33
Total Dept 265 - BUILDING AND	AND GROUNDS	14,352.00	14,352.00	800.00	13, 552.00	5.57
Dept 446 - HIGHWAY, STREETS, 401-446-817.000 401-446-819.000 S	IS, BRIDGES TREE PLANTING STREET SIGNS & POSTS	1,000.00 26,000.00	1,000.00 26,000.00	00.0	1,000.00 26,000.00	0.00
Total Dept 446 - HIGHWAY,	STREETS, BRIDGES	27,000.00	27,000.00	00.00	27,000.00	0.00
Dept 901 - CAPITAL OUTLAY 401-901-805.001 401-901-970.005 401-901-970.005 401-901-970.007 401-901-970.011 401-901-970.012 401-901-970.012 401-901-970.015 401-901-970.015 401-901-970.015	PROFESSIONAL & CONTRACTUAL SERVICES SIDEWALK REPAIR RESURFACING OF ROADS SAFETY CROSSWALK PAINT/TAPE STREEL LIGHT EXPANSION DPW TRUCKS & LARGE EQUIPMENT NEW DEPOT PARK GAZEBO OFFICE FURNITURE SECURITY SYSTEMS AND CAMERA ELECTRONIC SPEED CONTROL & MAINT. CITY CLOCK REPAIR	3,000.00 12,000.00 4,000.00 1,750.00 69,500.00 8,200.00 8,200.00 12,000.00 8,000.00 12,000.00	3,000.00 12,000.00 76,000.00 7,000.00 7,000.00 1,750.00 6,500.00 8,500.00 12,000.00 6,000.00 6,000.00		3,000.00 12,000.00 4,000.00 7,000.00 7,000.00 69,500.00 89,500.00 82,500.00 12,000.00 6,000.00	000000000000000000000000000000000000000
Total Dept 901 - CAPITAL (ОПТЬАУ	202,950.00	202,950.00	0.00	202,950.00	0.00
TOTAL EXPENDITURES		244,302.00	244,302.00	800.00	243, 502.00	0.33
Fund 401 - CAPITAL PROJECT FUN TOTAL REVENUES TOTAL EXPENDITURES NET OF REVENUES & EXPENDITURES	T FUND:	244,302.00 244,302.00 244,302.00	244,302.00 244,302.00 244,00	0.00 800.00 (800.00)	244,302.00 243,502.00 800.00	0.00 0.33 100.00
TOTAL REVENUES - ALL FUNDS TOTAL EXPENDITURES - ALL F	FUNDS ALL FUNDS	1,226,640.00 1,226,640.00	1,226,640.00 1,226,640.00	11,772.39 38,785.71	1,214,867.61 1,187,854.29	0.96 3.16

	% BDGT USED	100.00			
Page: 11/11	AVAILABLE BALANCE	27,013.32			
RKSTON	YTD BALANCE 07/31/2020	(27,013.32)			
THE VILLAGE OF CLARKSTON	20 2020-21 AMENDED BUDGET	0.00			
REVENUE AND EXPENDITURE REPORT FOR CITY OF 7	PERIOD ENDING 07/31/2020 2020-21 Original BUDGET	0.00			
	DESCRIPTION	DITURES			
08/19/2020 03:06 PM	DB: Clarkston GL NUMBER	NET OF REVENUES & EXPENDITURES			

City of the Village of Clarkston

City Council Meeting

August 24, 2020

(OMID) Extension and Improvement **Oakland-Macomb Interceptor Drain** Project

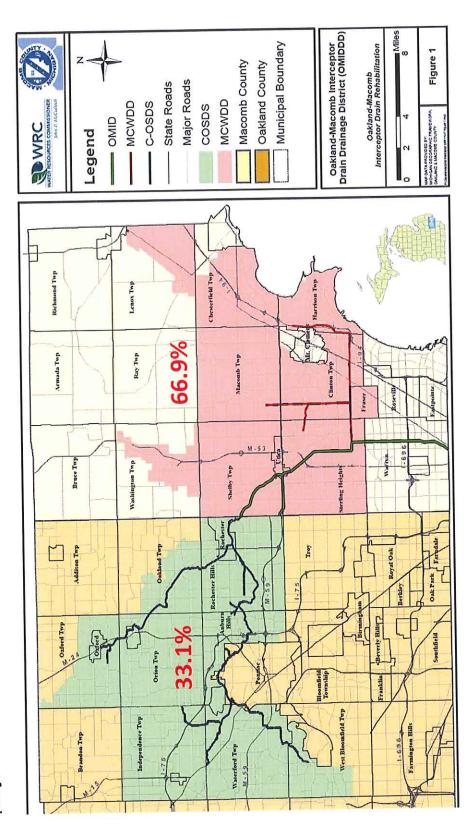
terminating at the Northeast Sewage Pumping Station (NESPS) just south of 8 Mile Road. The Oakland-Macomb Interceptor Drain (OMID) is a large diameter interceptor sewer that serves approximately 830,000 residents of Macomb and Oakland Counties. The OMID is approximately 20 miles in overall length, and generally flows from north to south,

Current Project Scope:

Replacement of electrical and mechanical equipment at the Northeast Sewage Pumping Station and rehabilitate approximately seven miles of the Northeast Interceptor-East Arm sanitary sewer.



Based on contract capacities in the 2013 Intermunicipal Agreement and the Apportionments approved by the Drainage Board, the Clinton-Oakland Communities share in the cost of all projects within the Oakland-Macomb Interceptor is <u>33.1%</u>.



Law Office of Thomas J. Ryan, P.C.

2055 Orchard Lake Road, Sylvan Lake, MI 48320

(248)334-9938

Memorandum

To: Mayor, Eric Haven, and Members of Council

From: Thomas J. Ryan, City Attorney

Date: August 18, 2020

Re: Short Term Rentals – Report on Supreme Court Decision June 5, 2020 *Reaume v Township of Spring Lake*

Dear Mayor Haven and Members of Council:

Before the pandemic in March stopped in person city council meetings, the matter of short term rentals had been discussed by City Council in January and February of 2020. Council delayed further action on this matter realizing the Michigan Supreme Court had granted leave to appeal in the <u>Reaume</u> case, which was to be decided this term. The Michigan Court of Appeals ruled that short-term rental was not allowed in R-1 "low density residential zoning district" but the Michigan Supreme Court had granted leave to appeal leaving the issue in doubt.

Thus, City Council decided to wait until an Opinion was released as to whether or not a Michigan municipality could lawfully regulate short-term rental uses in a single family residential district. The Michigan Supreme Court in this decision has stated in the affirmative that a Michigan municipal corporation may regulate such uses in a R-1 district.

The background of the <u>Reaume</u> case is in 2003 the Plaintiff purchased a home in the Township located within a R-1 low density residential zone district. Until 2014 the Plaintiff used this property as her full-time residence. In 2015, Plaintiff retained a property management company. The agent of that company made a telephone inquiry to the Township regarding restrictions on short-terms rentals for the property.

According to the agent, a Township employee stated Spring Lake Township had no restrictions on short-term or long-term rentals. Plaintiff then made substantial improvements on the property and in 2015 and 2016 rented it out seasonally for short-term vacation rental. In December 2016, the Township amended its zoning ordinance adopting Ordinance 255. This amendment prohibited short-term rentals in the R-1 zoned district; however, the ordinance allowed long-term rentals of more than 28 days. The ordinance provided that all short-term rentals had to be registered and licensed with the Community Development Director before rental activity could occur.

In 2017, the Township adopted Ordinance No. 257 amending the zoning ordinance to allow "short-term rentals" and "limited short-term rentals", which had independent definitions in certain zoning districts. Ordinance No. 257 permitted "limited short-term rentals", but not "short-term rentals" in R-1 zones. The amendment defined "limited short-term rentals" as "[t]he rental of any Dwelling for any one or two rental periods of up to 14 days, not to exceed 14 days total in a calendar year."

The Plaintiff applied for a short-term rental license, and the Township denied the application. The Plaintiff then appealed the decision to the Township's Zoning Board of Appeals, which denied her appeal. The Court of Appeals decision did not sustain the Plaintiff's position as to stopping the Township from enforcing its zoning ordinance based upon the statement made by a Township official as to the lack of ordinance restriction on short-term rentals. Further, the Court of Appeals did not find the short-term rental to be a lawful nonconforming use. Since the amendment for the R-1 zoned district did not allow short-term rentals, Plaintiff was not entitled to continue her use as a prior nonconforming use notwithstanding the Township's prior failure to enforce its zoning ordinance.

The Court of Appeals concluded that the Plaintiff's use of the property for short-term rental was never permitted under the Township's R-1 zoning. The Township's prior failure to enforce the ordinance did not confer upon Plaintiff a right to continue violating the ordinance. Thus, the Court of Appeals held that the Township was within its rights to enforce its zoning ordinance.

The Michigan Supreme Court issued an order vacating the leave to appeal granted in this

matter (Attached Exhibit A). The Supreme Court vacated the part of the Opinion of the Court of

Appeals analyzing Defendant's ordinances definition of single family dwelling and concluding:

"the definition excludes 'temporary occupancy' because family is defined to exclude 'transitory or seasonal' relationships. To the contrary, defendant's ordinance defines dwelling to include a [b]uilding . . . occupied . . . as a home, residence, or sleeping place either permanently or <u>temporarily</u>...' (Emphasis added.) "The Court of Appeals erred by conflating the concert of transient relationship between people with the concept that transient occupancy of the property."

The court concluded that "we thus conclude that Plaintiff's use of her property was not a permitted use of a single family dwelling under Defendant's ordinance. For this reason we AFFIRM the Court of Appeals Judgment."

Thus, the upshot of the case is that, in my opinion, short-term rental usage is not allowed

within R-1 single family residential zone.

I have spoken to our City Planner, Dick Carlisle about this case and the issue of short term

rentals within the City. Further steps to be taken by the City are:

- 1. To set regulations for the allowance of short term rentals; or
- 2. Prepare an ordinance to specifically prohibit short term rentals; and
- 3. Deal with the rental property, in general, within the City if the Council is of a mind to

pass some kind of a rental registration ordinance.

I would also be pleased to discuss this with you further.

Respectfully submitted,

Thomas J. Ryan, City Attorney

Ex. A

Michigan Supreme Court Lansing, Michigan

> Bridget M. McCormack, Chief Justice

> > David F. Viviano, Chief Justice Pro Tem

Stephen J. Markman Brian K. Zahra Richard H. Bernstein Elizabeth T. Clement Megan K. Cavanagh, Justices

SC: 159874 COA: 341654 Ottawa CC: 17-004964-AA

Order

June 5, 2020

159874

SUSAN REAUME, Plaintiff-Appellant,

v

TOWNSHIP OF SPRING LAKE, Defendant-Appellee.

On May 6, 2020, the Court heard oral argument on the application for leave to appeal the May 21, 2019 judgment of the Court of Appeals. On order of the Court, the application for leave to appeal is again considered and, pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal, we VACATE that part of the Court of Appeals judgment analyzing defendant's ordinance's definition of *single-family dwelling* and concluding that the definition excludes "temporary occupancy" because *family* is defined to exclude "transitory or seasonal" relationships. To the contrary, defendant's ordinance defines *dwelling* to include a "[b]uilding ... occupied ... as a home, residence, or sleeping place, either permanently or temporarily" (Emphasis added.) The Court of Appeals erred by conflating the concept of a transient relationship between people with the concept of transient occupancy of the property.

Nonetheless, the Court of Appeals was correct insofar as it concluded, in the alternative, that the ordinance's definition of *dwelling* excludes plaintiff's property because the property is a *motel*, which the ordinance defines to include a "[b]uilding... containing sleeping ... [u]nits which may or may not be independently accessible from the outside with garage or [p]arking [s]pace located on the [1]ot and ... occupied by transient residents." The term "sleeping unit" is reasonably understood to include a bedroom, of which the property contains seven. Although *motel* commonly is understood as "an establishment which provides lodging and parking and in which the rooms are usu[ally] accessible from an outdoor parking area," *Merriam-Webster's Collegiate Dictionary* (11th ed), we must follow the definition provided in the ordinance. See *W S Butterfield Theatres, Inc v Dep't of Revenue*, 353 Mich 345, 350 (1958) ("We need not, indeed we must not, search afield for meanings where the act supplies its own."). So

regardless of whether the property's bedrooms are "accessible from an outdoor parking area," we conclude that the property fits the ordinance's definition of *motel* since that definition expressly allows that sleeping units "may not be independently accessible from the outside."

We thus conclude that plaintiff's use of her property was not a permitted use of a single-family dwelling under defendant's ordinance. For this reason, we AFFIRM the Court of Appeals judgment.

BERNSTEIN, J. (concurring in part and dissenting in part).

I concur with the majority's decision to vacate a portion of the Court of Appeals opinion, because I agree that the Court of Appeals erred in conflating transient personal relationships with a transient occupancy of property. However, I disagree with the majority's decision to affirm that portion of the Court of Appeals opinion that concludes that plaintiff's property is a motel, and would instead reverse the Court of Appeals judgment and remand to the trial court for further proceedings.

The majority affirms the Court of Appeals' conclusion that plaintiff's property is a motel by holding that a "'sleeping unit' is reasonably understood to include a bedroom, of which the property contains seven." However, the term "sleeping unit" is not defined in defendant's ordinance. The majority does not supply its own definition, and merely states that a sleeping unit might include a bedroom, which is different from explaining what a sleeping unit is. The dictionary defines "unit" as "a single quantity regarded as a whole in calculation." *Merriam-Webster's Collegiate Dictionary* (11th ed). "Bedroom" is defined as "a room furnished with a bed and intended primarily for sleeping." *Id*. The definition of "unit" suggests that such a thing is used or rented separately from other units, as each unit is regarded as a whole. This understanding of a unit as comprising a complete entity makes sense in the context of a motel, where sleeping units can be rented separately, as individual units; although multiple units may be rented at once, they are rented independently from one another, unlike rooms in a single suite, which are rented together as a single unit.

As a result, it cannot be said that plaintiff's property contained "sleeping units" because there is nothing in the record that suggests that her property had various independent units that were "whole" on their own.¹ Plaintiff's property was originally

¹Plaintiff at one point advertised her property as two separate units, but changed the listing to one unit before either ordinance was passed. See MCL 125.3208(1) ("If the use of a dwelling, building, or structure . . . is lawful at the time of enactment of a zoning ordinance or an amendment to a zoning ordinance, then that use may be continued although the use does not conform to the zoning ordinance or amendment.")

designed as a house for a single family, and it was used and rented in its entirety, as a single unit altogether, and not as a collection of seven separate sleeping units.

Because I believe that plaintiff's property is not a "motel," I would remand to the trial court to determine if plaintiff otherwise met her burden for establishing prior nonconforming use. *Heath Twp v Sall*, 442 Mich 434, 444-446 (1993).



I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

June 5, 2020

5m Clerk

t0603

City of the Village of Clarkston

375 Depot Road arkston, Michigan 48346

Clarkston, Michigan 48346

Resolution - City Sign Project Funding

WHEREAS, on December 9, 2019 the City Council voted unanimously to approve a proposal from the City's Sign Committee to fabricate and install new Welcoming, Directional and Wayfinding signage and poles throughout the City at a total cost of \$32,758 from ASI Signage of Troy Michigan, pending a recommendation from the Finance Committee for funding and timing, and;

WHEREAS, on April 27, 2020 the City Council voted unanimously to accept the recommendation from City Auditor Rana Emmons and transfer the remaining balances of Special Assessment District 1, 2 & 4 (\$12,878) and Special Assessment District 3 (\$44,287) to the City General Fund as allowed to offset administrative expenses when representing less than 5% of the original bond, and;

WHEREAS, using the Special Assessment remaining balances to fund the City Sign project would facilitate the completion of this project while also providing a visual and uplifting improvement to the City for our residents, business owners and visitors during the trying Coronavirus outbreak, and;

WHEREAS, on May 6, 2020 the Finance Committee met to review the draft City Budget proposal and agreed that partial use of the remaining SAD funds to purchase and install new City signage is appropriate and fiscally responsible, and;

WHEREAS, on June 22, 2020 the City Council approved the 20-21 FY Budget which included \$26,000 of new funds, which when added to the \$7,500 funds remaining from the 19-20 FY Budget, would provide up to \$33,500, and;

NOW THEREFORE, BE IT RESOLVED that the City of the Village of Clarkston hereby authorizes the City Manager to contract with ASI Signage to fabricate and install the previously approved Welcoming, Directional and Wayfinding signage in the City at a cost of \$32,758 to be paid from the City General Fund.

Avery	Haven	Kneisc	Luginski	Marsh	Reynolds	Wylie	Totals
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	No	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain
Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
Resolution is Adopted Resolution is Defeated							
				August			
	Jennifer Speagle, City Clerk				D		



City of the Village of Clarkston Artemus M. Pappas Village Hall 375 Depot Road Clarkston, Michigan 48346 <u>City Council Regular Meeting Minutes</u> 12/09/2019 Final Minutes

12/9/2019 - Minutes

1. Call To Order

By Mayor Haven at 7:00pm

- 2. Pledge Of Allegiance
- 3. Roll Call Mayor Haven, Avery, Kneisc, Luginski, Reynolds, Wylie - Present. Marsh - Absent
- 4. Approval Of Agenda Motion Motioned by Avery, Seconded by Wylie to approve Agenda as presented. All Aye, Motion carried.
- 5. Public Comments: None
- 6. FYI
 - 6.a. Holiday Lights Parade
 - 6.b. OCC Letter Of Thanks
- Sheriff Report Lt. Perry presented the Sheriff's activity report for the month of November.
- 8. City Manager Report
- Acceptance Of The Consent Agenda As Presented Motion Motioned by Wylie, Seconded by Luginski. All Aye, Motion carried
- 10. Old Business: None
- 11. New Business
 - 11.a. Discussion: Planning Commission Recommendations
 - 11.a.l. Planning Commission Parking Deferment Final Recommendations

Motioned by Luginski, Seconded by Reynolds to repeal the Parking Deferment Ordinance. All Aye, Motion Carried.

Motioned by Reynolds, Seconded by Haven to Solicit bids to widen Buffalo between Church and Waldon. Kneisc, Luginski, Haven, Reynolds, Wylie - Yes. Avery - No, Marsh - Absent. Motion Carried.

- 11.a.ll. Planning Commission Medical Marijuana/Pleasantrees Recommendation No Recommendations due to the fact that the City has opted out.
- 11.a.III. Planning Commission Short Term Rental Recommendation Motioned by Wylie, Seconded by Avery to Allow short-term rentals in Residential areas, but introduce controls. Avery, Kneisc, Reynolds, Wylie - Yes. Luginski, Haven - No. Marsh - Absent. Motion Carries.
- 11.b. Motion: Planning Commission Appointment Motioned by Haven, Seconded by Avery to appoint Glen Gualdoni to the Planning Commission, replacing Joe Luginski, with a term expiration of June 30, 2022. Avery, Haven Kniesc, Luginski, Reynolds, Wylie - Yes (Marsh Absent) Motion Carried.
- 11.c. Motion: Sign Committee Bid Compare Motioned by Reynolds, Seconded by Kneisc to accept the recommendation from the Sign Committee to have ASI Signage Innovations fabricate and install Welcoming, Directional and Wayfinding signage, Conditional on HDC approval and upon an acceptable recommedation from the Finance Committee for funding and timing. Avery, Haven Kniesc, Luginski, Reynolds, Wylie - Yes (Marsh Absent) Motion Carried.
- 11.d. Resolution: Historic District Study Committee

Moved by Avery, Seconded by Luginski that the City of the Village of Clarkston hereby creates and establishes a Historic District Study Committee, the members of which shall be appointed by City Council. The Committee Shall consist of five (5) persons, a majority of whom shall have a clearly-demonstrated interest in or knowledge of historic preservation and shall contain representation from one or more duly organized local historic preservation organizations. The Historic District Study Committee shall perform the duties and responsibilities as prescribe in Sections 3 and 14 of 1970 PA 169.

Avery, Haven, Kneisc, Luginski, Reynolds, Wylie - Yes. Marsh Absent. Resolution Adopted.

11.e. Motion: Historic District Study Committee Appointments

Motioned by Avery, Seconded by Luginski to appoint Michael Moon, Nancy Moon, Keven Knapp, Mary Himburg and Steven Himburg to teh Clty of the Village of Clarkston Historic District Study Committee.

Avery, Haven, Kneisc, Luginski, Reynolds, Wylie - yes. Marsh - Absent. Motion Carried.

11.f. Motion: Audited Financial Report

Presented by Auditor Rana Emmons

Motioned by Kneisc, Seconded by Luginski to accept and file the Audited Financial Report for the Fiscal Year Ending June 30th, 2019.

Avery, Kneisc, Luginski, Haven, Reynolds, Wylie - Yes. Marsh Absent. Motion Carried.

- 11.g. Motion: 2020 Council Meeting Schedule Motioned by Wylie, Seconded by Reynolds to accept the 2020 Council Meeting Schedule as proposed. All Aye - Motion Carried.
- 11.h. Motion: Cancellation Of Dec 23rd 2019 Council Meeting Motioned by Luginski, Seconded by Haven to cancel the Monday December 23rd, 2019 City Council Meeting. All Aye - Motion Carried.
- 12. Adjourn

Quote No. DETR 402514

11/26/2019 Page 1 of 3

4.1 S¹ -4

1

CustomerCity of the Village of ClarkstonLocationPrimary LocationReference





Ship to City of the Village of Clarkston Mr. Jonathan Smith 375 Depot Clarkston, MI 48346 US T: (248) 625-1559 M: (248) 909-3380 Email: smithj@villageofclarkston.org

Valid Until	02/24/2020	Revision Date	11/26/2019	Lead Time	TBD	SR	Craig Breeden
F.O.B.	Shipping Point	Revision No		Ship Method	Installed	PM	Amy Davenport
Terms	1/2 Deposit balance Net 3	C					

No.	Item	Description	Qty	UOM	Unit Price	Extension
1.	SID	Sign Type SID with (2) street sign panels.	20	Each	345.00	6,900.00
					6.5 - 50	8 (10) I B
2.	SID	Sign Type SID with (1) street sign panel.	11	Each	288.00	3,168.00
33	383 C. C. B. 100000 11000				120. 12. 12.2	
3.	DIR	Sign Type DIR	1	Each	1,762.00	1,762.00
		na stanta na marana a marana a mara si muta ana a marana ana ana a		67 G 98 X	8 H N H 0 081	
4.	VID	Sign Type VID	3	Each	2,305.00	6,915.00
	e					
5.	VIDS	Sign Type VIDS.	3	Each	2,051.00	6,153.00
0.18	5 7				5.5 124 6	
6.	VIDS	Donation of (1) Sign Type VIDS.	1	Each	-2,051.00	-2,051.00
2014		An contrar course where there are the contrary of the matrix of the second se	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		address and the second	
7.	SID - Post	3" diameter x 122" long aluminum Type SID post for customer stock.	12	Each	148.00	1,776.00
1997 S 10	a way the arrest residence in the second	and and which there is a solution of the set	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		e se conserva con	
8.	INS	Installation. DIR, VID and VIDS signs will be installed with break-away	1	Each	8,135.00	8,135.00
		hardware. (6) SID signs will be flange mounted and (25) SID signs will be				
		installed via direct burial.				

32,758.00
0.00
16,379.00
32,758.00

Quote Valid Until: 02/24/2020

1 1 1

By signing below, I approve and authorize this quote and acknowledge that I have read and agree to the attached terms and conditions.

Submitted by	Date	Approved by	Date
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			X
10 K (24			50 0 °
A to a to A gran A			continued on next page

Quote No. DETR 402514

11/26/2019 Page 3 of 3

gar ya

Customer	City of the Village of Clarkston
Location	Primary Location
Reference	

Conditions

50% Deposit; Balance Net 30 days. Visa and MasterCard accepted. If you have any further questions or concerns, do not hesitate to contact me at the above number. Thank you for giving ASI Signage Innovations the opportunity to fulfill your signing needs.

GENERAL TERMS AND CONDITIONS

Unless otherwise noted, the following will apply:

* ASI Signage Innovations has a minimum order of \$120.00

- * Excludes sales tax (if applicable), unless included above.
- * Excludes bid, payment and performance bond.

* Excludes shipping/handling/crating charges. These costs are prepaid and actual charges will be invoiced.

* Quote is based upon quantities and descriptions as stated and not necessarily on any plans or specifications that exist.

* Quote is based upon ASI standard colors, typestyles, imprints and manufacture.

* Customer is to provide acceptable half size camera ready art. If submitted artwork is not half size, or requires touch-up, additional costs will be incurred and a revised quotation submitted.

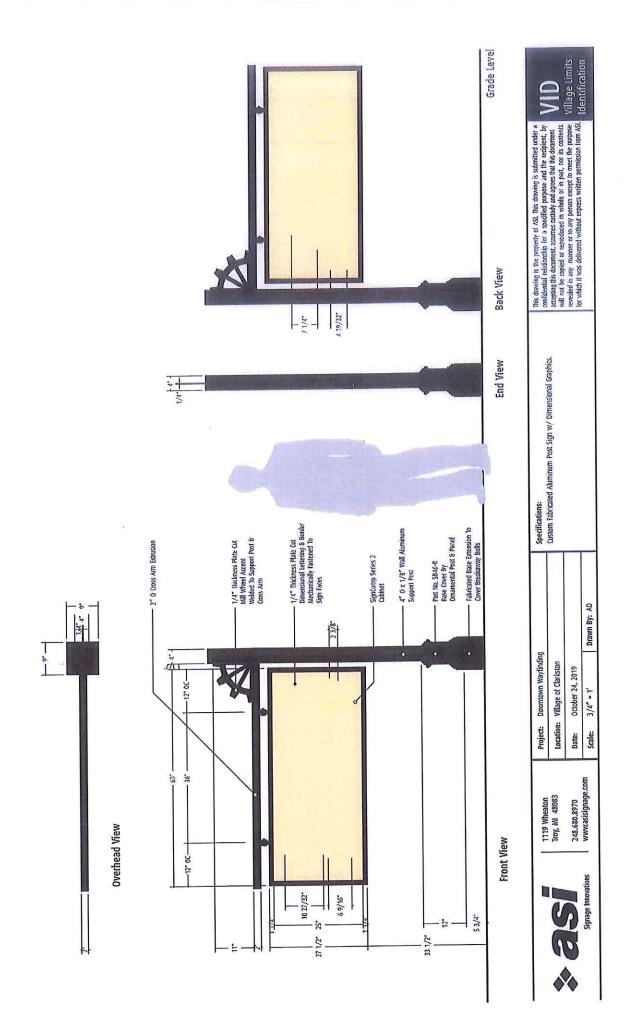
* Drawings (maps, plaques, layouts, etc.) will be submitted to client or representative for approval. The project will go on "hold" while approval is pending.

- * Lead time is based upon date of returned approved submittal drawings.
- * No determination has been made as to compliance with local signage codes.
- * Excludes permit fees unless included above. If ASI to provide permits, the cost of permits will be billed at the time of their receipt.
- * Excludes removal of existing signage.
- * ASI is not responsible for condition of wall surface after removal of existing signage.
- * ASI is not responsible for the replacement or repair to landscape should such damage occur in the normal installation of exterior signs.
- * Excludes installation, unless included above.
- * Excludes manufacture of any type base. Examples include brick and concrete.
- * Installation of posts are based on normal sandy conditions; installation through asphalt and/or concrete may be additional.
- * Electrical hookup and running of electrical to site is to be completed by others. ASI to supply electrical pigtail only.
- * Customer is to provide ASI with blueprints or diagrams noting sign locations and elevations at time of order and contact on day of installation.
- * If project is not ready at the time ASI is to install, client will be billed 100% of product, net 30 at that time. Installation will be billed when complete.
- * Orders that are canceled are subject to a cancellation fee equal to \$72.00 per hour of labor used plus the cost of materials used up to the date of cancellation.
- * Quote is void after 30 days.

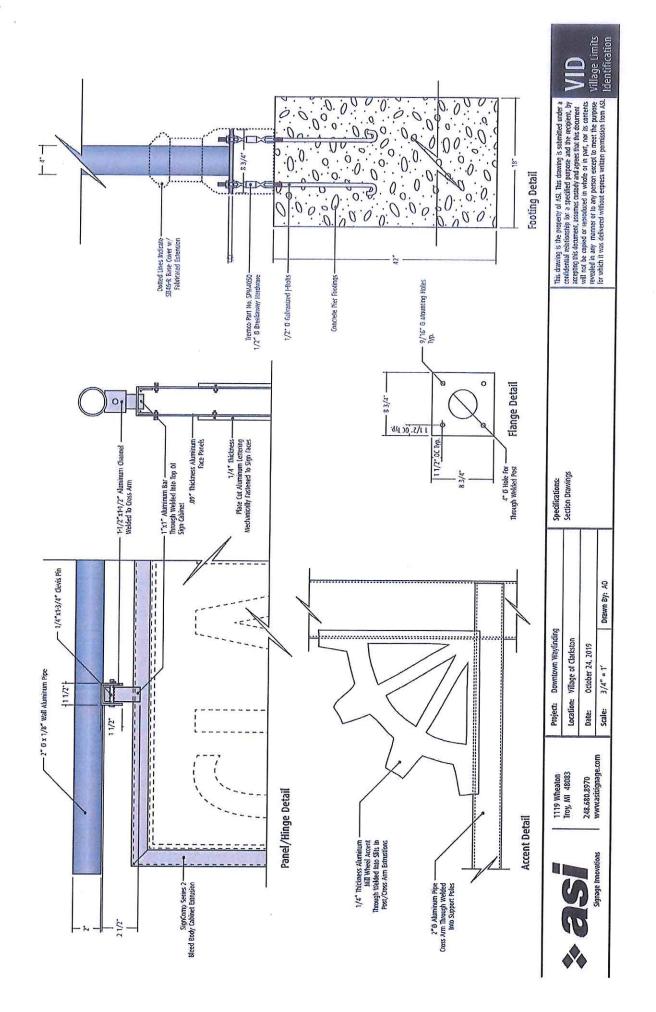
* If terms are negotiated to include progress payments (30% upon completion of submittal drawings, 30% upon receipt of materials, 30% upon shipment/installation, 10%

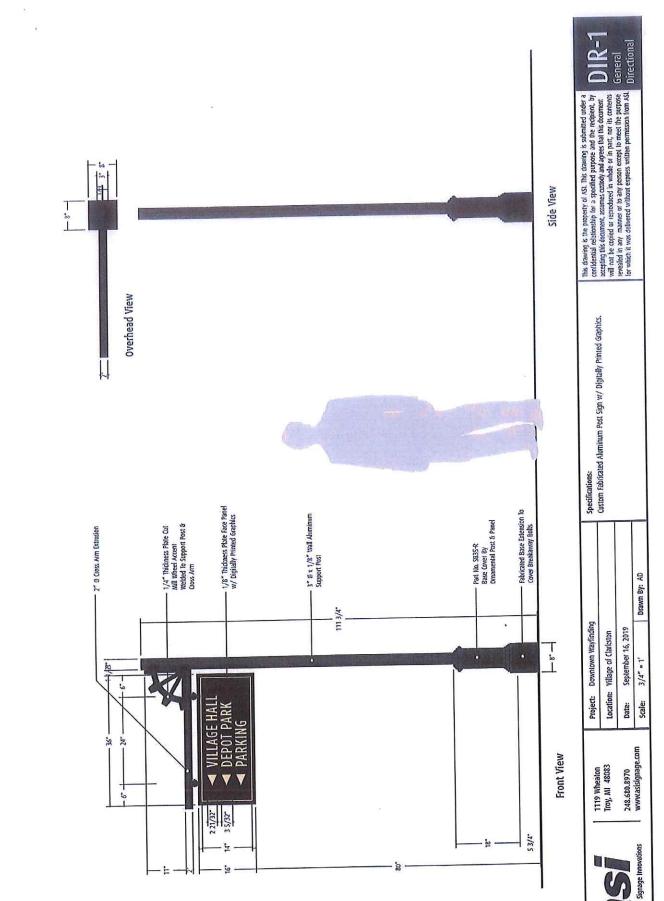
retainage), those payments are due at each stage of completion (NOT Net 30 days from each stage of completion).





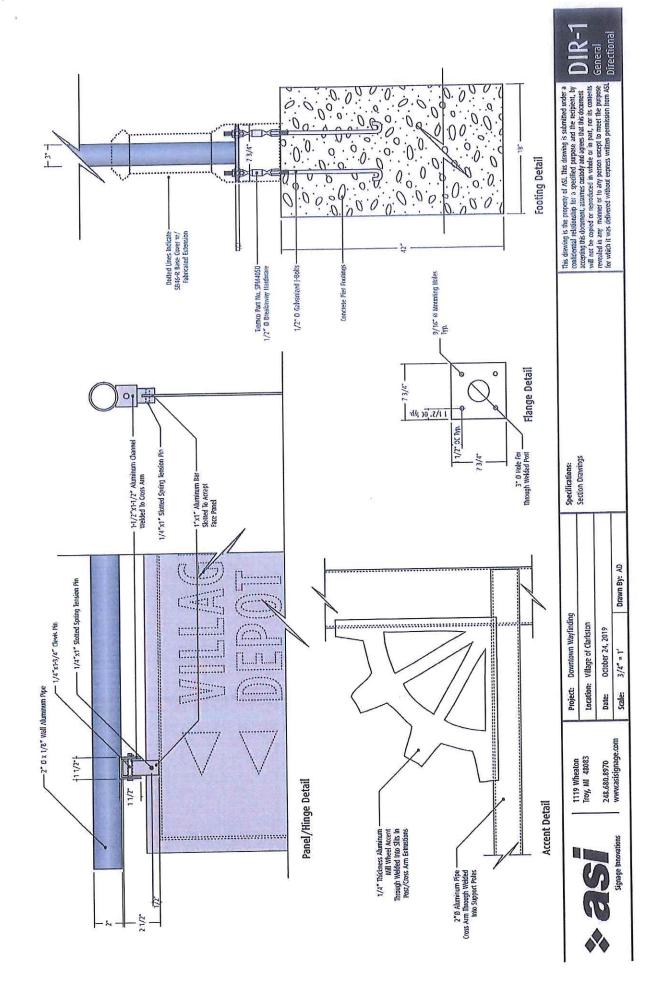
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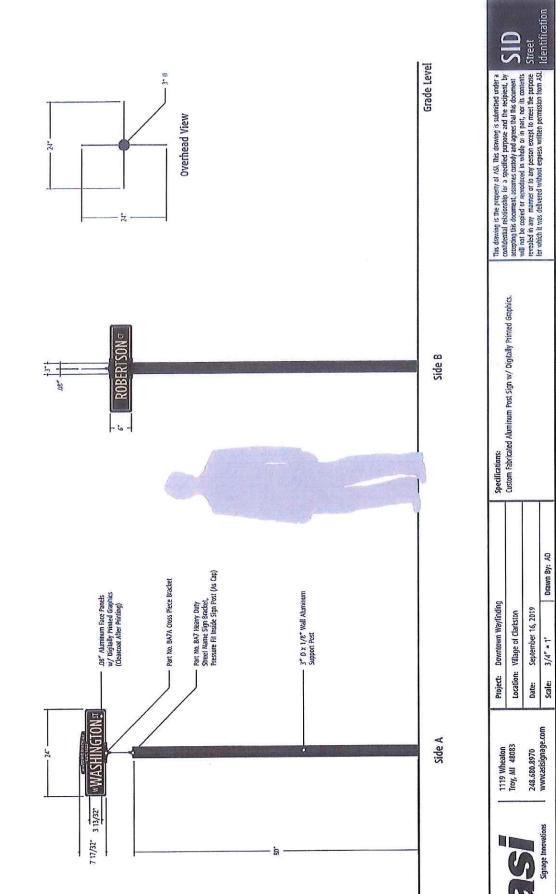


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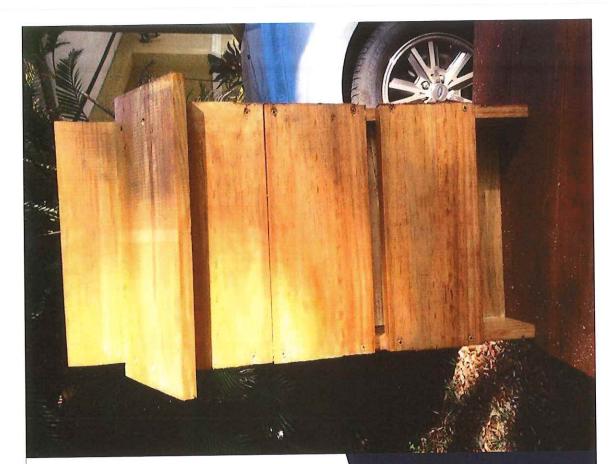
Map key	Sign key	post?	Sign Type	Historic District?*	Message	time line	Notes
100	DID	1A	Directional		Depot Park City Hall Parking		
100		1B			Village Limit	1	M-15/N. MAIN ST.
		¢	Gateway		Village Limit		WHITE LAKE ROAD
102		1B	Gateway		Village Limit		M-15/S. MAIN ST.
103	VID	<u>1</u> B	Gateway		Yndge Linne		N. HOLCOMB RD. @
104	VIDSM	1C	Small Gateway		Village Limit	3	MILLER RD.
105	VIDSM	1C	Small Gateway		Village Limit	3	CLARKSTON RD, @ border
106	VIDSM	1C	Small Gateway		Village Limit	3	WALDON RD. @ border
107	SID	1	panel A		WEST CT.	2	1/1
108			panel A		EAST CT.	2	1/1
109		ç	panel A	Historic	S. HOLCOMB RD.	2	1/1
109		Ì	panel B	(Historic)	W. CHURCH ST.	2	1/2
110		1	panel A		MADISON CT.	2	1/1
	SID		panel A	Historic	HOLCOMB RD.	2	1/2; in concrete
		†	1	1	W. WASHINGTON		
111	SID		panel B	(Historic)	ST.	2	2/2
	SID	1	panel A		SURREY LN.	2	1/1
113	SID	\$	panel A		GARDEN CT.	2	1/1
	SID		panel A	-	N. HOLCOMB RD.	2	1/2
114	SID	1	panel B	[MILLER RD.	2	2/2
		Ì			VALLEY PARK		
115	SID	1	panel A	Į	DRIVE	2	1/
116	SID	1	panel A	L	MILLER RD.	2	1/2
116	SID		panel B		GLENBURNIE DR.	2	2/2
117	SID	1	panel A	Historic	N. MAIN ST.	2	
117	SID		panel B	(Historic)	MILLER RD.	2	2/
118	SID	1	panel A	Historic	N. MAIN ST.	2	1/
118	SID	I	panel B	(Historic)	CLARKSTON RD.	2	2/
119	SID	1	panel A		WOMPOLE	2	1/
	SID	1	panel A		ROBERTSON CT.	2	1/
	SID	1	panel B	1	CLARKSTON RD.	2	1/ 2/ 1/
	SID	1	panel A	Historic	N. MAIN ST	2	1/
	SID	1	panel B		ROBERTSON CT.	2	2/
**********	SID	1	panel A	Historic	WASHINGTON ST.	2	1/2; Telephone Pole
122	SID	1	panel B	(Historic)	*	2	2/
	SID	1	panel A	Historic	MALL ALLEY	2	1/1; Telephone Pole
	SID	1	panel A	Historic	MILL ST.		1/1; Blacktop
	SID	1	panel A	Historic	BUFFALO ST.	2	
					E. WASHINGTON		-
125	SID		panel B	(Historic)		2	2/

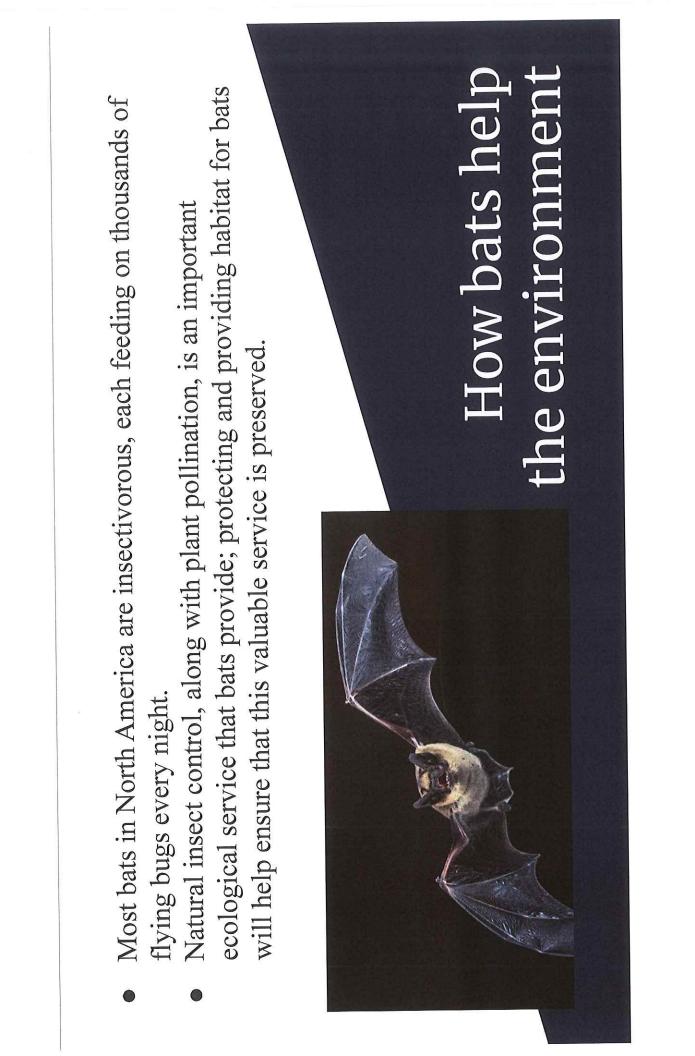
••••••			count for sto		ļ		
	VID (1B) poles VIDSM (1C) poles			3			
	SID poles DIR (1A) poles UD (4D) poles			1 2		i	
. .				31			
	Approx		counts		<u> </u>		
137	SID		panel B		MIDDLE LAKE RD.	2	2/
137	SID	1	panel A		S. MAIN ST.	2	1/
136			panel B		MIDDLE LAKE RD.	2	2/
136		1	panel A		PINEHURST CT.	2	1/ 2/
135		1	panel A		PARK LN.	2	1/
134			panel B		S. MAIN ST.	2	2/
134		1	panel A		PRINCESS LN.	2	1/
133			panel B		PRINCESS LN.	2	2/
133			panel A		OVERLOOK RD.	2	2/ 1/
132	****************		panel B		OVERLOOK RD.	2	2/
132		1	panel A		MIDDLE LAKE RD.	2	1/
131			panel B		S. MAIN ST.	2	2/
130			panel A	(Thistoric)	MIDDLE LAKE RD.	2	1/
130 130		I.	panel A panel B	(Historic)	······································	2	2/
129			panel B	Historic	S. MAIN ST.	2	1/
129			panel A	Historic	BUFFALO ST. WALDON RD.	2	2/
128			panel A	Historic	DEPOT RD.		171; DIICK
127			panel B		S. MAIN ST.		2/2; Concrete 1/1; Brick
127			panel A	Historic	E. CHURCH ST.		1/2; Concrete
126			panel B		BUFFALO ST.	Z	2/
	SID	1	panel A	Historic	E. CHURCH ST.	7	1/

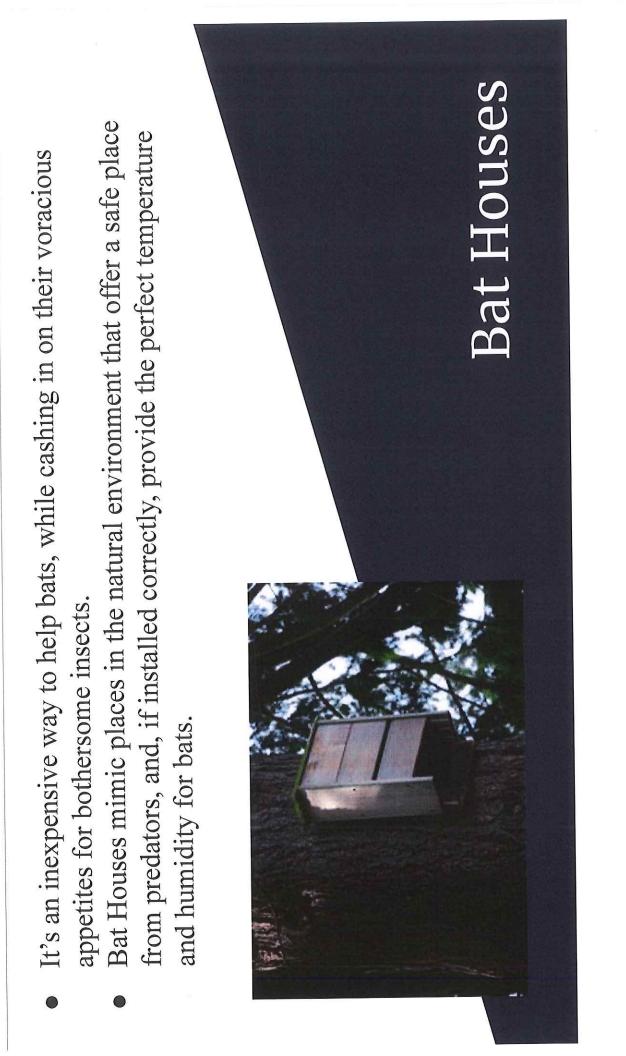
j A r

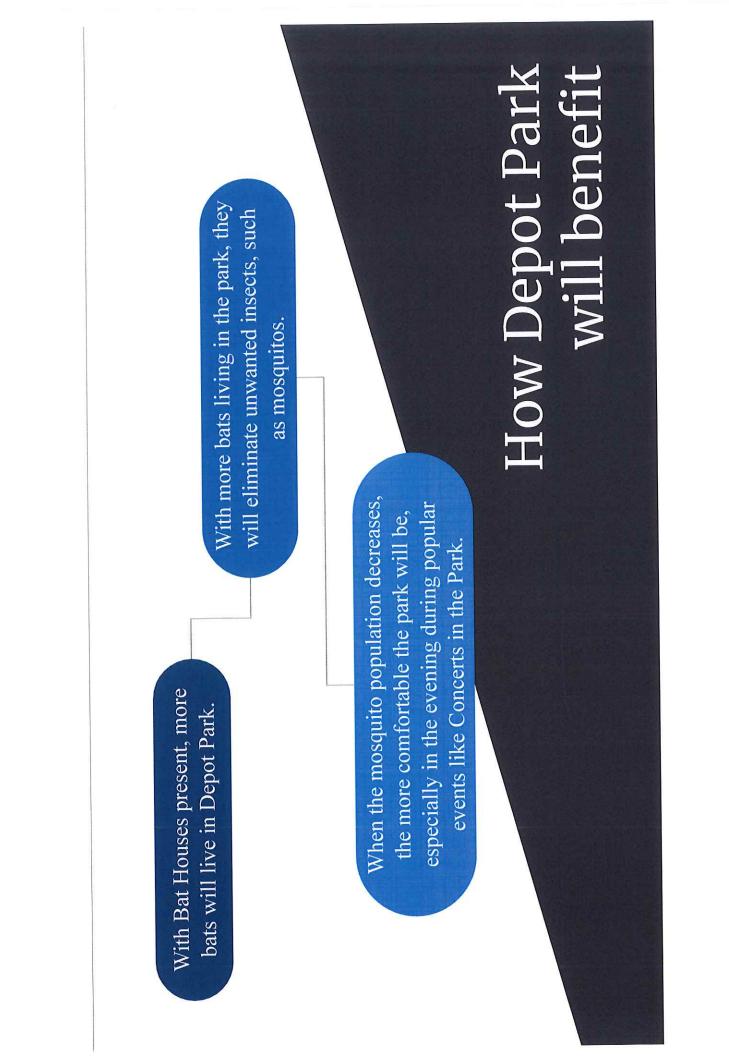
Bat Houses for Depot Park

Andrew Herrmann Boy Scout Troop 189 Eagle Project

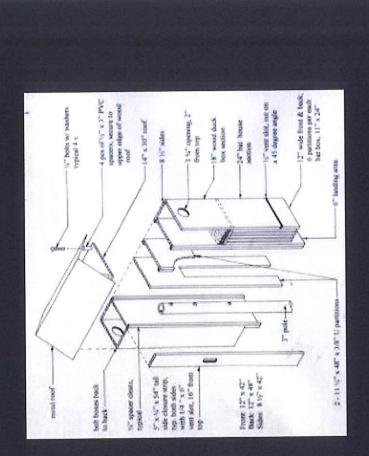








Bat House Construction



Step 1

You will need the following pieces of wood for this project, you may have them around the house. If not head up to your favorite hardware store or lumber yard:

- One 3' long 1 x 8" board (you may have to buy this at 6' long and cut it down) 1.
 - One 8' long 1 x 6" board d
- One 6' long 1 x 4" board ω. 4.
- One 3' long 1 x 1" (you may have to buy it at 6' long and cut it down)
 - One 2' x 2' sheet of T-111 exterior siding or rough sided plywood
 - $46 1 \, 1/2" \# 8$ galvanized or other exterior wood screws 5.
- Exterior grade silicone (to seal the bat house when complete) Ч.
- Roofing Shingles (optional, I had some extras at the house and used them) 8
 - Exterior grade deck sealer or stain (optional, helps your bat house last longer) 6.

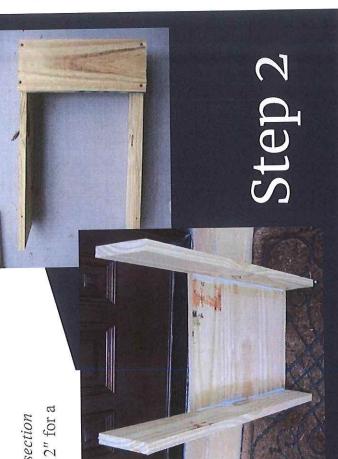






home improvement stores will cut wood down to your required sizes. It may cost you around .25 cents a cut but it's for sure a time Time to start making some cuts to your wood. If you are uncomfortable cutting wood or simply don't have the tools to do so most saver if you don't have proper equipment.

- From the $1 \times 8^{"}$ cut one 16" section (roof), and one 14" section (back).
 - From the $1 \times 6^{"}$ cut six 14" sections (front & back)
- From the 1×4^{m} cut one 14" section (back), and then cut two pieces at 23 1/2" long with a 21 1/2" cut on the front of the board (this creates a 30 degree angle needed for the slope of the roof, see picture below) .. v. w.
 - From the 1×1^{n} cut four 17" sections (spacers) 4.
- (if you have a larger piece of plywood you can cut at 12 1/2" instead of 12" for a From the $\overline{T-111}$ or plywood cut one $17'' \times 12''$ section and one $16'' \times 12''$ section flush fit. S
- best done with a circular or table saw and will ensure that the roof Bevel the 1x8x16" roof section that you cut to 30 degrees, this is fits properly on the bat house. 6.
 - Bevel one of the 14" X 6" pieces at 30 degrees. This piece will be used on the front of the bat house and the bevel is necessary to match the slope of the roof. 1.





At this point you should have all your pieces of wood cut, and ready for assembly. It is a good idea to go back and verify that you didn't make any mistakes in cutting before you start this step.

sure to drill pilot holes for all screws as this will prevent the wood from splitting. The plans recommend using a 3/32" bit for this, if you don't you cut earlier on top and align it with the bottom of the two side pieces (see image below). Use two wood screws per side to secure it. Be Begin assembly of the bat house by placing the two side pieces on a flat surface with the long sides up. Place one of the 14×6" pieces that have that just use something that is smaller than the diameter of your wood screws.



Bat House Installation



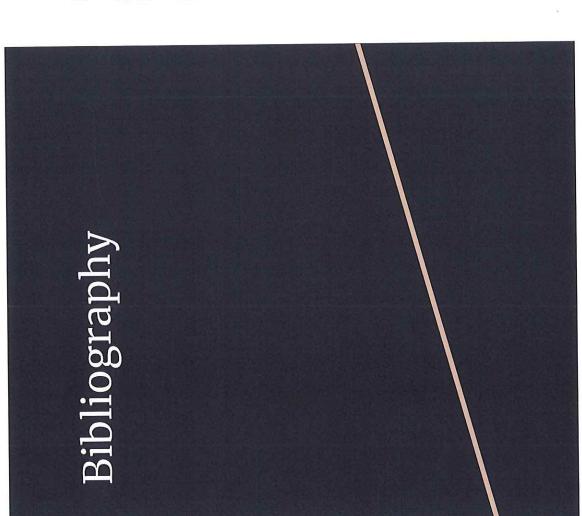
Map resource – Friends of Depot Park

 = possible bat house locations within Depot Park The Boy Scout Eagle Council has advised that in order for this project to be Eagle worthy, I must build and install a minimum of 10 bat houses. I have highlighted options that might be good locations to install the bat houses, with the possibility of holding a few for the wetlands area, after the boardwalk is constructed.

**If you feel that may be too many for the Depot Park area, I wondered about the residents that live around the Mill Pond within the City of Clarkston. I believe they have an association and could possibly use some bat houses to minimize the mosquito population in the residential area.



 If this project is approved. I think it would be helpful to everyone, under the Depot Park purposes of "education" and "repose", to post a sign in the park of the benefits of the park of the pa



https://content.yardmap.org/learn/habitat-feature-bat-houses/

http://www.batcon.org/resources/getting-involved/bat-houses/ bat-house-research

https://sweetteajunkie.com/how-to-make-a-bat-house/

Map of Depot Park - Friends of Depot Park

Law Office of Thomas J. Ryan, P.C.

2055 Orchard Lake Road, Sylvan Lake, MI 48320

(248)334-9938

Memorandum

To: Mayor, Eric Haven, and Members of Council

From: Thomas J. Ryan, City Attorney

Date: August 18, 2020

Re: Discussion of Resumption of In-Person City of the Village of Clarkston Public Meetings

Dear Mayor Haven and Members of Council:

Governor Whitmer has suspended portions of the Open Meeting Act, because of the COVID-19 pandemic beginning with her Executive Order issued in March 2020. The first Order and following Executive Orders allow remote public meetings. The last Executive Order dated July 17, 2020, Executive Order 2020-154 was titled "Alternative Meetings to Conduct Government Business During the COVID-19 Pandemic. In this Executive Order, the Governor did not list a specific date for the expiration of her Order allowing remote public meetings, but indicated in General Provisions, Section 4 "This order is effective immediately and remains in effect during any state of emergency or state of disaster arising out of the COVID-19 pandemic, and for 28 days thereafter to the extent necessary to permit reliable scheduling of hearings and meetings under Parts I and Part III."

Part III deals with "Remote Meetings of Public Bodies", which relates to the City of the Village of Clarkston public meetings.

Further, Executive Order 2020-153 entitled "Masks" indicates that:

- "1. Any individual who leaves their home or place of residence must wear a face mask covering over their nose and mouth:
 - (a) when in any indoor public space ... "

Lastly, Executive Order 2020-160 entitled "Amended Safe Start Order" issued by the Governor on July 30, 2020 and effective July 31, 2020 indicates at Section 7 Rules on gatherings, events and large venues.

- "a. A social gathering or organized event among persons not part of the same household is permitted, but only to the extent that:
- 1. The gathering or event is designed to ensure that persons not part of the same household maintain six feet of distance from one another;
- 2. Persons not part of the same household maintain six feet of distance from one another;

3. If it is indoors, the gathering or event does not exceed 10 people."

It is my opinion as City Attorney, because the Governor has allowed remote meetings to occur as an exception to the Open Meeting Act during the period of the COVID-19 pandemic; and since City Council meetings will be indoors with unrelated people not of the same household, a mask will be required and no more than 10 people would be allowed to attend the meeting in person.

My suggestion is if the City Council wishes to have some of the Council participate in person at City Hall, not knowing the number of public that may appear in person, the City implement a hybrid model to allow some staff and/or council members to appear remotely and some to appear in person at City Hall.

Other communities have placed a laptop or ipad at the in person meeting to allow a public member who appears in person to be accessible via the internet to those that are attending the meeting remotely.

In my experience, it has been awkward for an in person meeting of 10 people of the governing body and administration and/or consultants when somebody shows up and is not included in the 10 persons allowed so someone has to leave the in person meeting.

The City's public meeting, if held in person, would have to apply to the 10 person limit, socially distance and wear masks and this should be considered by City Council in your deliberation as to going forward for public meetings.

Respectfully submitted,

Thomas J. Ryan, City Attorney

Proposed City Council Motion, August 24, 2020

MOTION to establish a Committee of 1 PC member, and 1 or 2 Council members to undertake Steps A -B below. This committee would bring back their findings to Council. Council can then decide to continue to move in the direction of a social district or not.

The PC recommendation to Council:

Participation in a Social District may offer a significant boost to restaurants and retail shops and trigger a renewed interest in visiting our community. However, since this is a new concept and a new law, the PC recommends that Council execute the research steps listed above (below) to ensure due diligence before enacting a 2021 startup. The PC is available to partner with Council and the City Administration to do this.

A. Conduct Interviews with each Business owner to gauge willingness to participate and get feedback on business value and acceptance.

B. Understand and document the steps, level of effort and time duration necessary to set up a Social District.

C. Clearly designate responsibilities for the City, the Businesses and the Patrons to create and operate a successful and safe Social District

D. Understand and document any set-up and operating costs.

E. Develop a list of Pro's and Con's to be used by Council to evaluate a Go/No Go decision.

F. Seek opinions and feedback from community leaders and constituents.

City of the Village of Clarkston

375 Depot Road

Clarkston, Michigan 48346

Resolution - White Lake Road Invasive Species Sign

WHEREAS, since 2013 the City has worked with the Oakland County CISMA (Cooperative Invasive Species Management Area) to manage phragmites and other invasive species in Depot Park, particularly along White Lake Road adjacent to Middle Lake, and;

WHEREAS, an existing wood sign located on White Lake Road that describes the efforts to control the invasive species has deteriorated and is in need of replacement, and;

WHEREAS, the Friends of Depot Park Committee has reviewed and approved the content of a new proposed 24"W x 36"H CHPL (Custom High Pressure Laminate) sign similar to the existing Depot Park West Bank sign and the historic identifications signs in the area, and;

WHEREAS, quotes have been requested from Izone Imaging, Axiom Graphics and Express Signs, and;

WHEREAS, the City has received quotes of \$865 from iZone Imaging, \$1,059 from Axiom Graphics, and a third quote from Express Signs is expected 8/21/2020, and;

NOW THEREFORE, BE IT RESOLVED that the City of the Village of Clarkston hereby authorizes the City Manager to pay iZone Imaging a not-to-exceed amount of \$900.00 to manufacture and ship one (1) 24" x 36" CHPL sign to be funded by the Park Materials account (101-265-728.000).

Avery	Bonser	Casey	Haven	Kneisc	Luginski	Wylie	Totals
Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
No	No	No	No	Νο	No	No	No
Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain	Abstain
Absent	Absent	Absent	Absent	Absent	Absent	Absent	Absent
			Resolution i				
						: 24, 2020	-
	Jen	nifer Speagle, City	Clerk		E	Date	

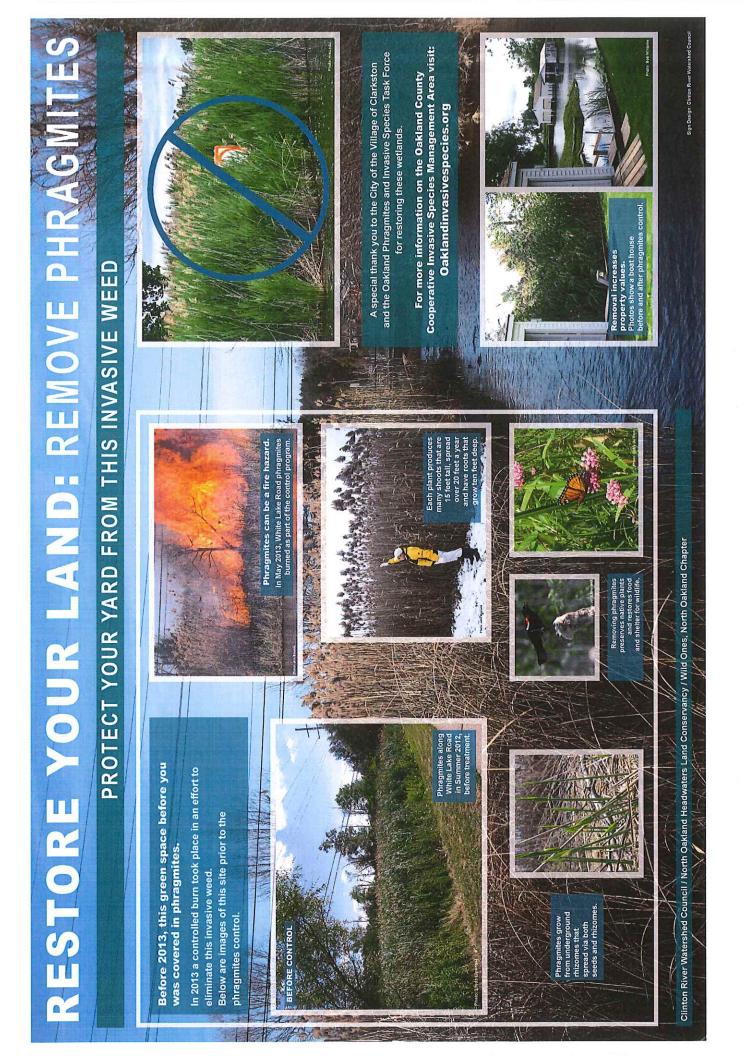
City of the Village of Clarkston - Comparison of Bids

Subject: White Lake Road Phragmite Sign

Quote#	Company, Location	Quotation	Comments
1	Axiom Graphics, Berkley, MI	\$1,059.00	
2	Express Signs, Chelmsford, MA	Quote Due 8/21/20	24"W x 36"H CHPL (Custom High Pressure Laminate) sign mounted on a metal pedestal base
3	Izone Imaging, Temple, TX	\$865.00	

August 24, 2020

Recommended Supplier





Axiom Graphics Inc 4152 W. Eleven Mile Berkley, MI 48072 US (866)262-2511x702 sales@axiom-graphics.com www.axiom-graphics.com

Estimate

ADDRESS

Clinton River Watershed Council

ESTIMATE # 4141 DATE 07/16/2020

DESCRIPTION	QTY	RATE	AMOUNT
Signage 1/2" Exterior CHPL Graphic. Panel Size: 24" x 36" 4 Threaded Inserts w/ Tamper Resistant Bolts.	1	619.00	619.00T
Signage Single Post Pedestal (12" x 12" Mounting Plate at 45 Degree) Black Powder Coated Aluminum. - In-Ground Mount. (Surface Mount available).	1	440.00	440.00T
	SUBTOTAL		1,059.00
	TAX		63.54
	TOTAL	\$	1,122.54

Accepted By

Accepted Date

Quote No. IZONE 42769

08/19/2020 Page 1 of 7

Customer City of Village of Clarkston

Reference Depot Park Sign

Bill to	Proof to	Ship to
City of Village of Clarkston	City of Village of Clarkston	City of Village of Clarkston
Jonathan Smith	Jonathan Smith	Jonathan Smith
375 Depot Road	375 Depot Road	375 Depot Road
Clarkston, MI 48346-1418	Clarkston, MI 48346-1418	Clarkston, MI 48346-1418
US	US	US
T: 248-625-1559	T: (248) 625-1559	T: 248-625-1559
Email: smithj@villageofclarkston.org	Email: smithj@villageofclarkston.org	Email: smithj@villageofclarkston.org

Terms	No Deposit - Balance Prior to Shipping	Due Date	Ship Date		SR	Lyndsay Blair
Client PO		Service Date	Ship Method	FedEx	SA	Michaela Mejia
Valid Until 10/18/2020		Revision Date 08/19/2020 F.O.B.		. B. N/A		Cody Shelton
Project Nan	ne Depot Park Sign	Hardware Ship			Opp Ref.	IZONE-39137
		Method				

No.	ltem	Description	Qty	UOM	Unit Price	Extension
1.	CHPL panels:1/2" XT	24 H X 36 W : 1/2" Exterior Panel Single Sided Standard 1/8" Beveled Edge Included (6.000 SQ FT) FINISHING OPTIONS: Matte Finish - Exterior	1	Each	452.43	452.43
		Qty (4) 1/4" Threaded Holes per panel, price includes 1/2" long 1/4"- 20 Button Socket Cap Black Oxide Screws				
2.	CFI	SINGLE POST PEDESTAL (45 DEG) - 6x6 MOUNT PLATE, 3x3 POST 44.5" LONG - 16x20 BACKER PLATE, DRILLED & C'SUNK - HARDWARE TO MOUNT BACKER PLATE TO POST - BASIC SURFACE MOUNT - BLACK TEXTURE POWDER COAT	1	Each	185.20	185.20
З.	CHPL Color Samples	8" x 10" images cropped from full-sized panel layouts.	1	Each	50.00	50.00
4.	PDF Proofs	PDF Proofs of each unique panel layout	1	Each	0.00	0.00
5.	Wrapping and Crating		1	each	45.00	45.00

Quote No. IZONE 42769

08/19/2020 Page 2 of 7

Customer City of Village of Clarkston

Reference Depot Park Sign

izono	5
	-
Imaging	U

No.	ltem	Description	Qty	UOM	Unit Price	Extension
6.	Shipping and Handling	*Estimated - business days transit to 48346	1	Each	132.09	132.09
		*HARDWARE WILL SHIP SEPARATELY FROM PANEL(S), ADDITIONAL TRANSIT TIME MAY BE REQUIRED.				
		*Estimate does NOT include any special delivery services such as a Lift Gate, Specific Delivery Scheduling or delivery to a residential or governmental address. Additional charges may apply if such services are required at time of delivery. International shipment estimates are in US Dollars they do NOT include Brokerage fees, duties, taxes or other customs clearance costs. International customers must have a Customs Broker of their choosing to handle customs clearance of their shipment and are responsible for all associated costs				

	Subtotal	864.72
	Sales Tax (6 %)	48.88
	Total (USD)	913.60
Quote Valid Until: 10/18/2020		

Quote Valid Until: 10/18/2020