



City of the Village of Clarkston
375 Depot Rd
Clarkston, Michigan 48346
City Council Regular Meeting
04 26 2021

You may join the meeting from your computer, tablet or smartphone using the following link:

<https://global.gotomeeting.com/join/953827013> Or you may call in using the following phone number and access code: (571) 317-3122 ,
Access Code: 953-827-013

This meeting is being held pursuant to Public Act 254, which was adopted by the legislature on December 22, 2020, allowing virtual meetings to continue upon a local Declaration of Emergency, which was adopted by the Clarkston City Council on March 30, 2021 to continue virtual meetings until June 30, 2021.

1. Call To Order
2. Pledge Of Allegiance
3. 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: Clarkston Optimist Club Flags For Kids Project 2021

Documents:

[CLARKSTON OPTIMIST FLAGS FOR KIDS PROJECT 2021 04 26 2021.PDF](#)

- 6.a. FYI: Planning Commission Public Hearing 05 17 2021
Planning Commission will hold a Public Hearing on 05 17 2021 @ 7pm regarding RPDD (Residential Planned Development District). This meeting will be held via GoToMeeting. Please visit our website for call/log in information.

Documents:

7. City Manager Report

Documents:

[CITY MGR REPORT 04 26 2021.PDF](#)

8. Motion Acceptance Of The Consent Agenda As Presented

Minutes and Treasurer's Report

Minutes

Final 03 22 2021

Draft 03 30 2021

Draft 04 12 2021

Treasurer's Report 04 26 2021

Documents:

[04 26 2021 CONSENT AGENDA.PDF](#)

9. Old Business

10. New Business

10.a. Resolution: Budget Amendment

Documents:

[RESOLUTION BUDGET AMENDMENT 04 26 2021.PDF](#)

10.b. Resolution: Board Of Review Poverty Exemption Update

Documents:

[RESOLUTION BOR POVERTY EXEMPTION UPDATE 04 26 2021.PDF](#)

11. Adjourn

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



CLARKSTON OPTIMIST CLUB FLAGS-FOR-KIDS PROJECT 2021

The Clarkston Optimist Club shares their optimism and patriotic spirit in the Clarkston/Independence Township community with their Flags-for-Kids Project. Club members and other volunteers will place American Flags on a 10 foot high flagpole in front of homes and businesses on six National holidays. Subscribers pay \$45 per year, for a flag to be placed in their yard, for the following six holidays:



Memorial Day (varies with the calendar)
Fourth of July (7/04)
September 11th (9/11)

Flag Day (6/14)
Labor Day (date varies with the calendar)
Veteran's Day (11/11)

Flags will be placed one or two days ahead of the holiday and removed within two days, after the holiday. Flags will remain up between Labor Day and 9/11.

The Clarkston Optimist Club supports Clarkston Kids!

Ice skating rink in Depot Park

Playground equipment in Depot Park

Junior Optimist Clubs in the Schools

Student Citizen of the Month Recognition Breakfasts

Clarkston Family Farm Hoop House

Deer Lake Beach

Essay Contest for students

Oratorical Contest for students

College Scholarships for 12th graders

Leader-in-Me Training Grants – Elementary Schools

Christmas Connection Elves

SCAMP Field Day

School Construction Classroom grants

CHS Picnic & Graduation Party grants

To subscribe for the Flags-For-Kids Project, please complete a Flags-For-Kids Subscription Application
The application is available online at: www.clarkstonoptimists.org

For more information, contact us at: info@clarkstonoptimists.org

PUBLIC NOTICE

**CITY OF THE VILLAGE OF CLARKSTON
Artemus M. Pappas Village Hall
375 Depot Rd.
Clarkston MI 48346**

**PLANNING COMMISSION
PUBLIC HEARING
Monday, May 17, 2021, 7:00 PM**

Because the City has declared a COVID State of Emergency through June 30, 2021, this will be an online, virtual meeting only. There will not be an in-person meeting.

You may join the meeting from your computer, tablet or smartphone using the following link: <https://global.gotomeeting.com/join/429172893> . Or you may call in using the following phone number and access code: [\(571\) 317-3122](tel:5713173122) , Access Code: 429-172-893

The City of the Village of Clarkston will hold a Special Planning Commission Meeting and Public Hearing to consider the following:

Amend Article 8, Residential Planned Development District of the City of the Village of Clarkston Zoning Ordinance. The purpose of the proposed amendments are to modify Article 8, Residential Planned Development District to be consistent with the City of the Village of Clarkston Master Plan. Specifically, the following sections Article 8 are proposed to be modified:

- Section 8.03
- Section 8.04
- Section 8.05
- Section 8.08
- Section 8.11
- Section 8.13
- Section 8.16
- Section 8.17
- Section 8.18
- Section 8.19
- Section 8.20

Please be advised that there may be other sections of Article 8 that will be discussed.

Public participation at the May 17, 2021 Special Planning Commission Meeting will be via teleconference and videoconference. Further instructions on participating in public comment will be provided once the meeting has been called to order to ensure two-way communication between the Planning Commission and the members of the public.

Written comments may be delivered to the City Office or emailed to the City Clerk at speaglej@villageofclarkston.org until 3:00 PM the day of the hearing. Any person who wishes to provide verbal input or ask questions prior to the meeting may do so by calling the City Office at (248) 625-1559 or emailing the City Clerk at speaglej@villageofclarkston.org.

Anyone planning to attend the meeting who has need of special assistance under the Americans with Disabilities Act (ADA) is asked to contact the City Clerk at (248) 625-1559 at least 48 hours prior to the meeting.

This notice is in compliance with PA 267 of 1976 (as amended) Open Meetings Act, MCLA 41.72 (2)(3) and the Americans with Disabilities Act (ADA).

Jennifer Speagle, Clerk

City of the Village of Clarkston
City Manager Report
April 26, 2021

“Your Speed” Sign on Northbound Main Street

The malfunctioning “Your Speed” sign on Northbound Main Street has now been fully repaired under the manufacturer’s warranty, returned to the City and reinstalled.

Official Closeout of the Bisio Lawsuit

The City was notified today by the Honorable Leo Bowman that the attached Final Order for Dismissal with Prejudice had been approved and signed, officially closing the Bisio v Clarkston case and ending 5 years of litigation. Also attached is a factual summary of the case prepared by the City to address questions asked by residents.

Sewer Billing for the Oakland-Macomb Interceptor Drain Repair

In the February 8th City Council meeting, Council approved the recovery of the \$98,921 Oakland-Macomb Interceptor Drain repair expense from our sewer customers on a proportional basis. This week, in advance of the May 1st Sewer Bill, the attached letter was sent to all sewer customer in the City, explaining the rationale behind a \$43.93 increase that customers will see in their quarterly statement for the next four quarters.

Carpentry Crew Thank You

The City is appreciative of a crew of carpenters who recently volunteered to complete several badly needed repairs to the Depot Park Gazebo. Our thanks to **Ken Ermer, Tom Lowrie, Tom Middleton, John McDonald and Mike Walkowski** for a job well done! In the coming week we’ll prime and paint the new wood.

Respectfully submitted, **Jonathan Smith, City Manager, April 22, 2021**

FILED Received for Filing Oakland County Clerk 4/22/2021 10:15 AM

STATE OF MICHIGAN

IN THE CIRCUIT COURT FOR THE COUNTY OF OAKLAND

SUSAN BISIO,

Plaintiff,

vs.

Hon. Leo Bowman

Case No.: 2015-150462-CZ

THE CITY OF THE
VILLAGE OF CLARKSTON,

Defendant.

KEMP KLEIN LAW FIRM
RICHARD BISIO (P30246)
Attorney for Plaintiff
201 W. Big Beaver Road, Ste. 600
Troy, MI 48084
(248) 740-5698
richard.bisio@kkue.com

KERR, RUSSELL AND WEBER, PLC
James E. Tamm (P38154)
Kevin A. McQuillan (P79083)
Attorneys for Defendant
500 Woodward Avenue
Suite 2500
Detroit, MI 48226
(313) 961-0200
jtamm@kerr-russell.com
kmcquillan@kerr-russell.com

FINAL ORDER FOR DISMISSAL WITH PREJUDICE

At a session of said Court on: 4/22/2021

Present: Hon: Leo Bowman

This matter having come before the Court upon the stipulation of the parties, the parties having reached a settlement; and the Court being otherwise fully advised in the premises;

NOW, THEREFORE:

IT IS HEREBY ORDERED that the case is dismissed with prejudice and without costs, fees, and interest to either party.

IT IS FURTHER ORDERED that Plaintiff's Motion for an Award of Fees, Costs, and Disbursements, filed on October 26, 2020, and the City's Motion for Costs and Fees, filed on November 1, 2016, are dismissed with prejudice.

IT IS SO ORDERED.

This Final Order disposes of the last pending claim and closes the case.

/s/ Leo Bowman

Hon. Leo Bowman
Circuit Judge

vk

Approved as to form and substance by:

/s/ Richard Bisio

Richard Bisio (P30246)
Attorney for Plaintiff

/s/ James E. Tamm

James E. Tamm (P38154)
Attorney for Defendant

Order prepared by:

James E. Tamm (P38154)
Attorney for Defendant
jtamm@kerr-russell.com

City of the Village of Clarkston

Summary of the Bisio v City of the Village of Clarkston Lawsuit

On March 31, 2021 the City of the Village of Clarkston signed a settlement agreement for a Freedom of Information Act (FOIA) lawsuit, ending a 5-year litigation. With the case now closed, the City would like to take this opportunity to summarize the case and address some often-asked questions.

Background

In June 2015, resident Susan Bisio filed a FOIA request with the City of the Village of Clarkston, seeking public records pertaining to city business, including correspondence between Clarkston's City Attorney and others regarding proposed real estate developments in the city. The City provided a large volume of documents, but 18 emails in the possession of the City Attorney were not, on the basis that the emails were not considered public records because they were never in the possession of the City or used in the performance of an official function. In December 2015, resident Susan Bisio, represented by husband/attorney Richard Bisio, filed suit against the City, asking that the 18 emails be released as public records.

In October 2016, Oakland County Trial Court Judge Leo Bowman ruled that the documents at issue were not public records because there was no evidence showing that the City had used or retained them in the performance of an official function. In 2018 the Bisio's appealed the decision to the Michigan Court of Appeals where judges P.J. Beckering, M.J. Kelly and J.J. Obrien affirmed the Trial Court's ruling, stating that the City Attorney was an agent of the City and not a Public Body, therefore documents only in his possession were not subject to the FOIA request. In 2019, the Bisio's appealed the matter to the Michigan Supreme Court.

The Michigan Freedom of Information Act defines Public Records as "a writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created." The Act includes various references to "public body", but none suggest that a contract City Attorney is one, a point agreed to by both the City and the Bisio's. However, in January 2020, the Michigan Press Association (MPA) submitted a Press Amici to the Supreme Court, arguing that the *Office of the City Attorney*, even though one does not physically exist, is part of the Public Body and that documents utilized in the performance of his official functions must be considered subject to FOIA requests.

In July 2020, the Michigan Supreme Court, largely echoing the MPA's Press Amici, ruled in favor of Ms. Bisio, stating that Clarkston's contract City Attorney is, in fact, an agent of the public body and, as such, any written communications while representing the City are subject to disclosure under FOIA. In October 2020, the requested 18 emails were released to the Bisio's and discussions were initiated regarding fees or costs they may have incurred. In December 2020 the City hired attorney Mark Peyser of the firm Howard and Howard to assist the City in reaching a settlement pertaining to the Bisio's request for \$319,000 in attorney fees. Mark is credited with facilitating discussions between the Bisio's, the City, the City's insurer, the Michigan Municipal League and the City Attorney's insurer. On March 31st a Settlement

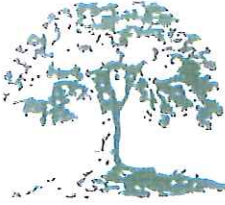
Agreement was signed and total payment of \$160,000 was issued to Richard Bisio's Law Firm, Kemp Klein. The City's portion of the \$160,000 was negotiated to be just \$35,000.

Frequently Asked Questions

1. **Why did the City withhold the 18 emails?** The City followed the FOIA guidelines that state that only documents that are in the possession of the City Office or used in the performance of an official function must be disclosed. The 18 emails were never in the City Office and never used in the performance of an official function. The Trial Court and Court of Appeals agreed with our interpretation of the guidelines. The Supreme Court's ruling that the possession clause should include the contract City Attorney represents a new interpretation of the guidelines.
2. **What information was included in the 18 emails?** The emails contained communication between the City Attorney, the City Engineer and private attorneys pertaining to potential real estate development in the City. The documents are now public record to anyone wishing to see them.
3. **Will the City have to pay the full \$160,000 settlement amount?** No, of the total \$160,000 payment, the City will pay \$35,000 from the City's Fund Balance reserve. The remaining \$125,000 will be paid by the City's insurer, the Michigan Municipal League, and the City Attorney's insurer.
4. **Why did the City hire a separate attorney, Mark Peyser, to complete the settlement?** The risk of having to pay the full \$319,000 in attorney fees being requested by the Bisio's was simply too high. The City Council felt that an attorney experienced in settlement facilitation and unconnected to the 5-year case was a must. Of particular concern was the fact that the City's insurer, the Michigan Municipal League, had issued a Reservation of Rights letter to the City stating that attorney fees from the prevailing party will not be covered under the policy unless damages or costs are also awarded. In the end, Mark was instrumental in reducing the City's potential obligation from \$319,000 to just \$35,000. Even after accounting for Mark's fees, hiring him was absolutely the right decision for the City and its taxpayers.
5. **In retrospect, what should have the City done differently? What will be done differently going forward?** The City always has and always will fully support the Freedom of Information Act. The fact that 18 emails were withheld from the hundreds of documents provided was not because the City had something to hide, but because the FOIA guidelines as we understood them – and many other communities in Michigan understood them – indicated the documents not in the City's possession or not used in the performance of an official function were not subject to disclosure. The Supreme Court's decision, closely mirroring the recommendation of the Michigan Press Association, is a new interpretation that Clarkston and all of Michigan will need to recalibrate to.

Conclusion

The City of the Village of Clarkston understands and fully respects the importance of the Freedom of Information Act. We also fully respect the ruling of the Michigan Supreme Court and their decision that Susan Bisio is the prevailing party. The lawsuit has been a significant focus for the City for the last five years and we are anxious to return our focus to the operations and protection of our beautiful and historic Village, especially in these difficult times. Of equal importance will be our mission to ensure government transparency. Residents or members of the public that have questions about City operations are strongly encouraged to visit or contact the City office, where the staff will openly share all available information on any topic. City Council meetings on the 2nd and 4th Mondays of every month are another opportunity for anybody wishing to speak on a topic or ask a question.



April 21, 2021

To: All Clarkston Sanitary Sewer Customers

Subject: Sewer Line Repair Costs

Clarkston Residents and Business Owners,

The **Oakland-Macomb Interceptor Drain (OMID)** is a 20-mile long sanitary sewer line that carries sewage from residents and businesses in Oakland and Macomb county to the Northeast Sewage Pumping Station in Detroit. OMID is a critical component of the Great Lakes Water Authority's sewage disposal system. In June 2020, the City was notified of a required \$84M repair of the OMID. The City's share of this repair bill has been confirmed to be \$98,921.

The City maintains a Sewer Fund which provides a buffer between inbound and outbound sewer payments as well as a surplus to cover minor sewer repair costs. In November 2020 the City paid the \$98,921 OMID charges from the Sewer Fund. However, after making that payment, less than \$60K remains in the fund, which is insufficient for ongoing operations. Therefore, it will be necessary to recoup the OMID repair charges from our sewer customers.

In their February 8, 2021 meeting, our City Council accepted a recommendation from the Finance Committee to recoup the \$98,921 charges from our Sewer customers proportionately based on the number of Residential Equivalent Units (REU) of each customer, as follows:

\$98,921 Expense / 563 City-wide REUs = \$175.70 per REU

To lessen the financial burden of this charge, Council approved a four-payment plan of \$43.93 per quarter per REU. Therefore, **please be aware that your next four quarterly sewer bills - May 1st, August 1st, November 1st and February 1st - will be increased by \$43.93.** A typical residential customer with one REU who normally pays \$117.42 will instead pay \$161.35 for the next four quarterly cycles.

A related question that is often asked is, *"I heard that the City borrowed from the Sewer Fund to pay for the City Hall renovation and expansion, is it because of this borrowing that the City needs to recoup the OMID repair costs from the residents?"*. Initially, the City did borrow from both the Water Fund (66%) and Sewer Fund (33%) as a low cost way of funding the City Hall renovation, but the City has since restructured the loan to be 100% from the Water Fund and made the Sewer Fund whole once again. So no, the decision to recover the OMID cost from residents is not related in any way to the City Hall renovation/expansion.

Lastly, I would like to take this opportunity to inform you that the City was recently informed by the Oakland County Water Resource Commission that Sewage Disposal rates will be increasing 2%-6% effective July 1st. It is too early to say specifically how much our rates will change, but it is certain that some increase will be necessary. The City has not increased its Sewer rate since July 2016.

Thank you and, as always, feel free to contact me at any time with any questions or concerns you may have.

Respectfully,

Jonathan Smith

Jonathan Smith

City Manager, City of the Village of Clarkston

375 Depot, Clarkston, MI 48346

smithj@villageofclarkston.org

Office: (248) 625-1559, Cell: (248) 909-3380



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
03 22 2021 Final Minutes

3/22/2021 - Minutes

1. Call To Order
@ 7:pm by Mayor Haven
2. Pledge Of Allegiance
3. Roll Call
Haven, Bonser, Casey, Kneisc, Luginski, Wylie - Present (all calling in from Clarkston, Mi) Avery - Absent
4. Approval Of Agenda - Motion
Motion by Wylie Seconded by Bonser to approve the Agenda as presented. Haven, Bonser, Casey, Kneisc, Lugingski, Wylie - Yes Motion carries.
5. Public Comments:

Chet Pardee in reference to the Bisio v Clarkston lawsuit asked who is managing the lawyers and what role is the council playing in what the city's lawyers have decided to file. Have the City officials read the public filings? He goes on to ask if James Tamm is still active on the case and estimates that the City's MML representation costs paid by the citizens is more than a half million dollars. The City's approval of \$14k was for facilitation involvement by Atty Peyser. Now I read that Atty Peyser DID NOT participate in the facilitation per his email. Is this true? Council will review Atty Peyser's February invoice tonight confirming his costs have significantly exceeded what council had approved, once again violating Michigan budget laws. How accurate will tonight's budget amendment be? The public filings show there was an agreement in facilitation that Susan Bisio was willing to accept less than one-half of Bisio legal costs: \$160,000. This was also less than one-half of Mr. Tamm's estimate per Jonathan's acknowledgment in the June 2020 budget approval council meeting. And the filings indicate that the \$35,000 approved and paid by the city is the City's share. How can the insurance companies participate now that the settlement has been withdrawn? Had the insurance companies required the stipulations by Atty. Peyser? Atty. Peyser added requirements that make no sense. Seemingly, requiring the Bisio's to agree that the City did no harm and Susan Bisio's FOIA suit never existed.

Atty Tom Ryan asked to reply to Chet Pardee's comments. The City has hired Mr. Peyser as outside council to handle the Bisio facilitation due to Ryan's conflict in the matter. Mr Peyser has advised the City that there will be a settlement in the case however none have been finalized as it has not been signed by both parties as of yet. They are still working on some of the terms of the settlement as is common. As far as the Council overseeing the Attorneys, the Attorneys are doing their jobs as in Mr Tamm and Mr Peyser, they had filled a motion on the City's behalf to enforce the settlement agreement based on facilitation. It has not been entered and finalized as of yet but hopeful it will be in the near future.

In regards to another lawyer participating with the same Surname, Ryan was not sure what Chet was referring to. As far as the MML representation cost paid by the citizens is one-half million dollars, Ryan states he does not know the cost but that is why we have insurance. The MML has covered all of Mr Tamms legal costs, it has not been paid by the citizens, the insurance company is covering cost on behalf of the city. Atty Mark Peyser was involved in the facilitation and the initial \$14,000 was to bring him up to speed on everything. No one knew what the total budget would be for his involvement. No money is spent without City Council approval of the the budget amendment.

Ryan goes on to state that it is inaccurate that the settlement was withdrawn. There has been no inappropriate statements or clauses made by Peyser. Peyser received another draft of the settlement today and hopefully the matter will be resolved soon. We don't have a settlement agreement signed by everyone as of tonight. We have been working on it since early February.

6. FYI:
None

7. City Manager Report

8. Motion Acceptance Of The Consent Agenda As Presented

Motion by Luginski Second by Casey to approve the Consent Agenda as presented. Haven, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motion carries.

Chet Pardee stated that as Council approves the consent agenda they are once again violating Michigan Budget Law. Peyser's February invoice exceeds the dollar amount previously approved by Council. Wylie asked that this issue be moved out of the consent agenda as it is on the agenda to approve later today. Smith said that it doesn't violate the overall dept budget which is not overdrawn by make this payment. He agreed that the original \$14,000.00 estimate was established before the City knew how much was involved. There are many aspects of the case that are still ongoing. The costs are higher than originally planned but there is still money left in the budget for attorney fees.

9. Old Business

9.a. Discussion/Motion Short Term Rentals

Haven Stated that Avery isn't present and there is a desire on Council's part to have all members present before taking action on short term rentals. Smith stated that they may need to table the decision again so that there can be discussion and approval with the full Council. Resident and Short Term Rental owner Theresa Fabrizio was aware earlier in the day that this item would be pushed to a later date. She was under the impression that the discussion wouldn't happen until all Council members were present. She had a few people lined up to speak on her behalf and it is frustrating as she wants them to have the opportunity to talk. Commission Chair Rich Little commented that in Oct/Nov of 2019 the Council discussed short term rentals and asked PC to look at issue on whether to regulate or ban them. PC researched many examples of regulating and banning and came back to Council in Jan/Feb of 2020 with a list of recommendations of regulations if that is the way Council was leaning. Discussion lead to possibly banning them. In April 2020 Tom Ryan stated that there was some action in the Supreme Court regarding short term rentals so PC decided they should wait for the Supreme Court decision was issued to see if it effect local control. It has been tabled a couple of times and Council has stated that they would like every Council member to be present when voting on the short term rentals.

Motion by Casey second by Wylie to table the decision. Haven, Casey, Kneisc, Luginski Wylie - Yes Avery- Absent Bonser- Recused.

9.b. Discussion: In Person Meetings

City Manager Jonathan Smith stated there has been a lot of effort and discussion recently about the ability to continue in person meetings. Senate Bill 207 was proposed to allow the continuation of the no reason virtual meetings but it expires on March 31st 2021. It is not likely that Bill 207 will be extended as the Senate will be on a 2 week spring break. As of right now the April 12th Council meeting will be in

person unless a local State of Emergency is declared. To adhere to the 6 foot social distancing guidelines our conference room would only be able to hold 16 people with 7 council members and 3 staff members that would only allow 6 members of the public to attend any other would have to be turned away and that would be a violation of the Open Meetings Act. Kneisc and Luginski suggested looking at other venues like the Methodist Church or Library. Wiley recalled that Monday wasn't a good day with the Library and using the Methodist Church would create an extra burden of cleaning and sanitizing after the meeting. Wylie is in favor of continuing virtual meetings by declaring a state of emergency so the council has the flexibility. Rich Little (PC Chair) ask that Smith keep PC and HDC in mind as this will effect their meetings as well. Tom Ryan suggested that the council schedule a meeting for Tuesday, March 30th to give Smith time to look for different locations to hold meetings and that maybe legislature will enact Senate Bill 207 and push things to June 30th.

Motion by Haven Second by Wylie to set up a meeting for March 30th to discuss the need for any further action relative to virtual meetings. Haven, Bonser, Casey, Kneisc, Luginski, Wylie - Yes

10. New Business

10.a. Discussion: American Rescue Plan Status

Along with slides giving Council an idea of what the American Rescue Plan was all about Smith explained that the American Rescue Plan (ARP) includes significant funds for local municipalities for the first time. Michigan will get \$10.3 billion and from there it breaks down to what the State, Counties and local Municipalities will keep. The City of Clarkston is projected to receive \$90,938.00. The projection is broken down at \$105 per person for the census counts. Smith believes there is 866 residents, multiplied by \$105 brings you to \$90,938.00. This is an early estimate and subject to change. The total amount will come in two tranches. 90 days from now we will receive the first half and the other half will be paid approximately 12 months later. There are four categories in which this money can be used. 1. COVID related public health emergencies and the negative impact on local households, small businesses, nonprofits, etc. 2. Essential workers that have had or will have additional expenses because of COVID. 3. Replenishing lost revenue. For example the City lost approximately \$100,000.00 by closing down the paid parking. 4. Infrastructure funding but only relating to water, sewer or broadband. There are more details to come on this. Treasury is responsible for putting together the details regarding what can and can't qualify as an approved expense before we receive the money and we have until Dec 31, 2024 to use the funds.

10.b. Resolution: Budget Amendment

Motion by Bonser Second by Casey to authorize the City Treasurer to complete a budget amendment in the amount of \$20,320.00. \$320.00 to cover an overdraft of the election supplies and \$20,000.00 to be added to the legal fees account. Haven, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motion Carries.

10.c. Discussion: FODP Report

Jim Brueck provided a status update from the FODP Committee.

10.d. Motion: Agenda Amendment

Motion by Haven Second by Bonser to amend the agenda to include a Resolution for Depot Park Gazebo Repairs. Haven, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motion carries.

10.e. Resolution: Depot Park Gazebo Repair

Motion by Casey Second by Luginski to authorize the City Manager to spend up to \$4000.00 for materials to repair the Depot Park Gazebo. Haven, Bonser, Casey, Kneisc, Luginski, Wylie - Yes Motion carries.

10.f. Discussion: Fourth Of July Parade

Clerk Speagle spoke with Joette Kunse (organizer of past parades) and was told that she believed The Optimist canceled this years 4th of July Parade because of the number of people it would attract. Clerk Speagle has a call into Kathy Novak, Optimist President to confirm.

11. Adjourn

Motion by Casey Second by Wylie to adjourn at 8:46pm Haven, Bonser, Casey, Kneisc, Lugingski, Wylie -
Yes Motion carries.

Respectfully Submitted by Jennifer Speagle, City Clerk.



City of the Village of Clarkston
Artemus M. Pappas Village Hall
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City Council Regular Meeting Minutes
03 30 2021 **Final Minutes**

3/30/2021 - Minutes

1. Call To Order
@ 7:01pm by Mayor Haven
2. Pledge Of Allegiance
3. Roll Call
Haven, Avery, Casey, Luginski calling in from Clarkston Mi. Kneisc from Vancouver Wa. Wylie from Saugatuck Mi. Bonser absent.
4. Approval Of Agenda - Motion
Motion by Wiley Second by Avery to approve the Agenda as present. Haven, Avery, Casey, Kneisc, Luginski, Wylie - Yes. Motion Carries.
5. Public Comments:
Made by Chet Pardee regarding The Bisio settlement.
6. Discussion: In Person Meetings
Smith provided a summary of the current state of affairs relative to the topic.
7. Resolution: Continuing Of The Local State Of Emergency
Motion by Wiley Second by Casey that it be Resolved and Declared by the City Manager, Mayor and City Council of the City of the Village of Clarkston, Oakland County, Mi. that there is a continuing Local State of Emergency in the City due to COVID-19, and MDHHS orders the City of the Village of Clarkston Preparedness Plan be implemented to ensure that local resources are to be used as needed and to the fullest extent. Haven, Avery, Casey, Kneisc, Wiley - Yes. Lunginski - No. Motion Carries to extend the Local State of Emergency until June 30th 2021.
8. Resolution: Closed Session To Discuss Pending Litigation

Motion by Avery Second by Wylie to enter into closed session as permitted by State Statute MCL 15.268 (e) to discuss the Bisio v Clarkston lawsuit (Oakland County Circuit Court case Number 2015-150462-CZ pending before the Honorable Leo Bowman.

Haven, Avery, Casey, Kneisc, Luginski, Wiley - Yes Motion Carries.
- 8.a. Call To Order
By Mayor Haven @ 7:39pm
- 8.b. Roll Call
Haven, Avery, Casey, Luginski calling in from Clarkston Mi. Kneisc from Vancouver Wa. Wylie from Saugatuk Mi. Bonser absent.
- 8.c. Discussion: Pending Litigation With Atty Mark Peyser
- 8.d. Motion: End Of Closed Session

Motion by Casey Second by Avery to end Closed Session @ 8:00pm. Haven, Avery, Casey, Kneisc, Luginski, Wiley - Yes Motion Carries.

9. Resume Open Session
@ 8:01 pm by Mayor Haven

10. Motion: Bisio Lawsuit Settlement Agreement

Motion by Avery Second by Casey for the City Manager to execute the Susan Bisio settlement agreement whereby in addition to the City paying directly the sum of \$35,000.00 to Ms. Susan Bisio's counsel, the Kemp Klein Law firm in settlement of the total fee claim, both the City and Ms. Bisio has agreed to release each other from any and all claims they may have against the other arising out the FOIA litigation. Haven, Avery, Casey, Kneisc, Luginski, Wiley - Yes Motion Carries.

11. Adjourn

Motion by Wiley, Second by Avery to adjourn @ 8:08 pm. Haven, Avery, Casey, Kneisc, Luginski, Wiley - Yes Motion Carries.

Smith stated that he was having trouble starting the recording of this open session portion of the meeting. He went on to notate that the recording started in enough time to capture the vote on the Bisio Lawsuit Agreement but not Chet Pardees comments asking why the full agreement was not shown. The answer to that is because the agreement has not been fully excepted by all parties involved. At some point it will be but as of right now we do not know the exact date of when that will be. Chet acknowledge the question and answer for the record.

Respectfully Submitted by Jennifer Speagle, City Clerk.



City of the Village of Clarkston
Artemus M. Pappas Village Hall
375 Depot Road
Clarkston, Michigan 48346
City Council Regular Meeting Minutes
04 12 2021 Draft Minutes

4/12/2021 - Minutes

1. Call To Order
@7:00pm by Mayor Haven
2. Pledge Of Allegiance
3. Roll Call
Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wiley - Present (all calling in from Clarkston)
4. Approval Of Agenda - Motion
Motion by Wiley Second by Avery to approve the Agenda as presented. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wiley - Yes. Motion carried.
5. Public Comments:
Made by Chet Pardee and Lily Johnson.
6. FYI: CAYA Pinwheels For Prevention
7. Sheriff Report For March 2021
8. City Manager Report
9. Motion Acceptance Of The Consent Agenda As Presented
Motion by Wylie Second by Bonser to accept the Consent Agenda as presented. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes. Motion Carried.
10. Old Business
 - 10.a. Motion: Short Term Rentals

Motion by Kneisc Second by Casey to allow Short-Term Rentals (STR) in VC, Village Commercial and /or R-1 and R-2 Residential Districts with regulations and limiting the number of STR's in the City. Casey, Kneisc, Luginski - Yes. Wylie, Haven, Avery - No. Bonser - Recused. Motion Defeated 3-3.

Motion by Wylie Second by Avery To ban short-term rentals in the R-1 and R-2 Residential Districts but allow in other limited districts such as VC, Village Commercial adding an amortization schedule to help current STR owners/operators to faze out their current reservations. Haven, Avery, Luginski, Wylie - Yes. Casey, Kneisc - No. Bonser - Recused. Motion Carries 4-2.

- 10.b. Motion: Church St Continued Closure

Motion by Haven Second by Luginski to accept the Planning Commission's recommendation to remove the large Quonset tent on E. Church St during the first week of May and to extend the outdoor dining and closure of E. Church St Until July 7th, 2021. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes. Motion Carried.

10.c. Resolution: Resuming Paid Parking

Motion by Casey Second by Bonser to resume paid parking and parking enforcement throughout the City on May 1st, 2021. Bonser, Casey - Yes. Avery, Haven, Kneisc, Luginski, Wylie - No. Resolution Defeated 2-5.

Motion By Wylie Second by Avery to resume paid parking and parking enforcement July 13th, 2021. Avery, Haven, Kneisc, Luginski, Wylie - Yes. Bonser, Casey - No. Motion Carries. 5-2.

11. New Business

11.a. Solicitation Request

Motion by Wylie Second by Bonser to table topic until more detail from applicant has been obtained. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes. Motion Carried.

11.b. Resolution: Mental Health Awareness Month

Motion by Wylie Second by Avery to declare May 2021 Mental Health Awareness Month in the City of the Village of Clarkston. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes. Resolution Adopted.

12. Adjourn

Motion by Avery Second by Luginski to adjourn at 9:03pm. Haven, Avery, Bonser, Casey, Kneisc, Luginski, Wylie - Yes. Motion Carries.

Respectfully Submitted by Jennifer Speagle, City Clerk.

Treasurer's Report

I. Revenue/Expenditure Actual vs. Budget as of 03/31/2021 General Fund 101

II. Revenue/Expenditure Actual vs. Budget as of 03/31/2021 Major Roads Fund 202

III. Revenue/Expenditure Actual vs. Budget as of 03/31/2021 Local Roads Fund 203

IV. Revenue/Expenditure Actual vs. Budget as of 03/31/2021 Capital Projects Fund 401

TREASURER'S DOCUMENTS FOR MEETING - NEW BUSINESS:

VI. Invoices for review

Carlisle Wortman -

Monthly Retainer (March 2021) \$ 1,500.00

2021 General Consultation \$ 1,086.40

2021 Grant Writing

Brochure Prep

Sub Total \$ **2,586.40**

HRC -

Downtown Parking Study Assistance

MS4 Permit Assistance \$ -

Professional \$ -

Restroom Facilities & Gazebo Relocation

Sub Total \$ -

Tom Ryan-

Court/Prosecution \$ 570.00

Professional Services \$ 1,591.25

\$ 2,161.25

Sub total Invoices for review \$ **4,747.65***VII. Other Checks for Review*

Howard & Howard \$ -

\$ -

Total Other Checks for Review \$ -**Grand Total** \$ **4,747.65**

04/22/2021

REVENUE AND EXPENDITURE REPORT FOR CITY OF THE VILLAGE OF CLARKSTON
PERIOD ENDING 03/31/2021

GL NUMBER	DESCRIPTION	2020-21 ORIGINAL BUDGET	2020-21 AMENDED BUDGET	YTD BALANCE 03/31/2021	AVAILABLE BALANCE	% BDGT USED
Fund 101 - GENERAL						
Revenues						
Dept 000 - GENERAL						
101-000-402.000	CURRENT TAX REVENUES	540,750.00	540,750.00	530,610.10	10,139.90	98.12
101-000-445.000	INTEREST & PENALTY REVENUES	1,182.00	1,182.00	243.29	938.71	20.58
101-000-452.000	CABLE TV REVENUES	13,219.00	13,219.00	7,223.83	5,995.17	54.65
101-000-452.001	IN-KIND FEES/PEG FEES AT&T	6,699.00	6,699.00	2,485.56	4,213.44	37.10
101-000-477.000	PERMIT FEES	28,062.00	28,062.00	13,818.00	14,244.00	49.24
101-000-478.000	DOG LICENSES REVENUE	1,662.00	1,662.00	935.75	726.25	56.30
101-000-501.000	COMM DEV BLOCK GRANT - CDBG	8,000.00	8,000.00	0.00	8,000.00	0.00
101-000-502.000	P- GRANTS	0.00	0.00	2,544.84	(2,544.84)	100.00
101-000-573.000	LOCAL COMMUNITY STABILIZATION SHARE-PP	2,642.00	2,642.00	684.15	1,957.85	25.90
101-000-574.001	STATE REVENUE SHARING/SALES TAX	85,428.00	85,428.00	46,034.00	39,394.00	53.89
101-000-574.002	STATE LIQUOR CONTROL COMM	3,775.00	3,775.00	3,494.15	280.85	92.56
101-000-580.000	ENHANCED ACCESS REVENUE SHARING	546.00	546.00	573.05	(27.05)	104.95
101-000-606.000	DISTRICT COURT REVENUE	9,784.00	9,784.00	1,105.46	8,678.54	11.30
101-000-626.000	BANNER REVENUES	2,000.00	2,000.00	400.00	1,600.00	20.00
101-000-664.000	INTEREST EARNED	3,524.00	3,524.00	1,238.85	2,285.15	35.15
101-000-666.000	DIVIDENDS AND REBATES	1,500.00	1,500.00	1,005.00	495.00	67.00
101-000-667.000	GAZEBO RENTALS	1,000.00	1,000.00	2,475.00	(1,475.00)	247.50
101-000-668.000	EQUIPMENT RENTAL	24,884.00	24,884.00	17,436.95	7,447.05	70.07
101-000-671.000	MISCELLANEOUS INCOME	2,000.00	2,000.00	8,760.15	(6,760.15)	438.01
101-000-671.001	SPECIAL EVENTS REVENUE	1,500.00	1,500.00	0.00	1,500.00	0.00
101-000-673.000	SALE OF ASSETS	0.00	0.00	294.00	(294.00)	100.00
101-000-699.390	TRANSFER IN FROM FUND BALANCE	139,101.00	208,101.00	0.00	208,101.00	0.00
Total Dept 000 - GENERAL		877,258.00	946,258.00	641,362.13	304,895.87	67.78
TOTAL REVENUES		877,258.00	946,258.00	641,362.13	304,895.87	67.78
Expenditures						
Dept 101 - COUNCIL						
101-101-703.000	COUNCIL & MAYOR SALARIES	7,750.00	7,750.00	0.00	7,750.00	0.00
101-101-955.000	MISC EXPENSE	308.00	308.00	321.64	(13.64)	104.43
101-101-958.000	DUES & CONFERENCES	4,100.00	4,100.00	4,097.40	2.60	99.94
Total Dept 101 - COUNCIL		12,158.00	12,158.00	4,419.04	7,738.96	36.35
Dept 215 - CLERK						
101-215-703.001	CLERK SALARY	28,000.00	28,000.00	21,912.28	6,087.72	78.26
101-215-726.000	SUPPLIES	150.00	150.00	0.00	150.00	0.00
101-215-901.000	PUBLICATIONS	2,150.00	2,150.00	2,150.00	0.00	100.00
101-215-958.000	DUES & CONFERENCES	500.00	500.00	78.70	421.30	15.74
Total Dept 215 - CLERK		30,800.00	30,800.00	24,140.98	6,659.02	78.38
Dept 223 - AUDIT						
101-223-805.000	AUDIT FEES	11,100.00	11,100.00	11,090.00	10.00	99.91
Total Dept 223 - AUDIT		11,100.00	11,100.00	11,090.00	10.00	99.91
Dept 247 - BOARD OF REVIEW						
101-247-900.000	BOARD OF REVIEW PUBLICATIONS	50.00	50.00	0.00	50.00	0.00
Total Dept 247 - BOARD OF REVIEW		50.00	50.00	0.00	50.00	0.00
Dept 253 - TREASURER						
101-253-703.002	TREASURER SALARY	30,000.00	30,000.00	22,307.76	7,692.24	74.36
101-253-726.000	SUPPLIES	1,261.00	1,261.00	733.61	527.39	58.18
101-253-800.000	BANK FEES	1,200.00	1,200.00	225.00	975.00	18.75
101-253-853.000	COMPUTER SUPPORT	3,500.00	3,500.00	2,140.00	1,360.00	61.14
Total Dept 253 - TREASURER		35,961.00	35,961.00	25,406.37	10,554.63	70.65
Dept 257 - ASSESSOR						
101-257-804.000	ASSESSING - OAKLAND COUNTY	8,000.00	8,000.00	7,847.89	152.11	98.10
Total Dept 257 - ASSESSOR		8,000.00	8,000.00	7,847.89	152.11	98.10
Dept 262 - ELECTIONS						
101-262-701.000	ELECTION FEES/PER DIEM	2,000.00	2,850.00	2,830.00	20.00	99.30
101-262-726.000	SUPPLIES	1,000.00	1,320.00	1,736.40	(416.40)	131.55
101-262-901.000	PUBLICATIONS	400.00	400.00	0.00	400.00	0.00
Total Dept 262 - ELECTIONS		3,400.00	4,570.00	4,566.40	3.60	99.92

Dept 264 - ADMINISTRATIVE						
101-264-701.002	ADMIN ASSISTANT SALARY	12,000.00	12,000.00	11,237.00	763.00	93.64
101-264-703.003	CITY MANAGER SALARY	38,000.00	38,000.00	29,076.95	8,923.05	76.52
101-264-727.000	OFFICE SUPPLIES	3,600.00	3,600.00	3,605.68	(5.68)	100.16
101-264-805.001	PROFESSIONAL & CONTRACTUAL SERVICES	2,000.00	2,000.00	2,560.00	(560.00)	128.00
101-264-850.000	TELEPHONE EXPENSE	8,000.00	8,000.00	5,770.65	2,229.35	72.13
101-264-851.000	WEBSITE MAINTENANCE	350.00	350.00	0.00	350.00	0.00
101-264-852.000	TECHNOLOGY/INTERNET EXPENSE	12,000.00	12,000.00	5,172.33	6,827.67	43.10
101-264-860.000	MILEAGE/CONFERENCE	1,000.00	1,000.00	316.15	683.85	31.62
101-264-890.000	GRANT WRITING	4,000.00	2,830.00	0.00	2,830.00	0.00
101-264-941.000	RICOH COPIER LEASE	2,500.00	2,500.00	1,823.85	676.15	72.95
101-264-955.000	DOG LICENSES FEES	1,000.00	1,000.00	643.75	356.25	64.38
Total Dept 264 - ADMINISTRATIVE		84,450.00	83,280.00	60,206.36	23,073.64	72.29
Dept 265 - BUILDING AND GROUNDS						
101-265-705.000	BUILDING MAINTENANCE LABOR	4,500.00	4,500.00	5,139.75	(639.75)	114.22
101-265-705.001	BUILDING MAINTENANCE O/T LABOR	200.00	200.00	510.00	(310.00)	255.00
101-265-706.000	VILLAGE GROUNDS PARK LABOR	29,000.00	29,000.00	12,506.25	16,493.75	43.13
101-265-706.001	DPW-VILL GROUNDS OT PARK LABOR	100.00	100.00	1,083.75	(983.75)	1,083.75
101-265-726.004	SUPPLIES-VH BUILDING	3,400.00	3,400.00	2,918.12	481.88	85.83
101-265-728.000	PARK MATERIALS	20,000.00	20,000.00	16,193.64	3,806.36	80.97
101-265-818.000	RUBBISH COLLECTION	700.00	700.00	680.23	19.77	97.18
101-265-920.000	DETROIT EDISON-VH	1,864.00	1,864.00	1,929.37	(65.37)	103.51
101-265-921.000	CONSUMERS ENERGY-VH	1,544.00	1,544.00	792.84	751.16	51.35
101-265-923.000	DTE UPPER PARKING LOT	2,234.00	2,234.00	1,506.21	727.79	67.42
101-265-923.001	DTE DEPOT PARK	238.00	238.00	125.47	112.53	52.72
101-265-924.000	SEWER & WATER-VH	684.00	684.00	488.32	195.68	71.39
101-265-931.000	BUILDING MAINTENANCE-VH	1,000.00	1,000.00	416.78	583.22	41.68
101-265-934.000	MILL POND ASSESSMENT	165.00	165.00	117.23	47.77	71.05
101-265-935.000	STORM WATER DISCHARGE PERMIT	800.00	800.00	500.00	300.00	62.50
101-265-956.000	WATER LEVEL CONTROL	100.00	100.00	107.35	(7.35)	107.35
101-265-957.000	CDBG DISBURSEMENTS	8,000.00	8,000.00	0.00	8,000.00	0.00
101-265-961.001	PROPERTY INSURANCE	950.00	950.00	800.00	150.00	84.21
101-265-961.003	GENERAL LIABILITY INSURANCE	4,514.00	4,514.00	4,113.00	401.00	91.12
101-265-961.004	PROPERTY INSURANCE-OPEN SPACES	910.00	910.00	702.00	208.00	77.14
Total Dept 265 - BUILDING AND GROUNDS		80,903.00	80,903.00	50,630.31	30,272.69	62.58
Dept 266 - ATTORNEY						
101-266-803.000	LEGAL FEES	30,000.00	64,000.00	41,497.50	22,502.50	64.84
101-266-803.001	LEGAL SETTLEMENTS	0.00	35,000.00	35,000.00	0.00	100.00
Total Dept 266 - ATTORNEY		30,000.00	99,000.00	76,497.50	22,502.50	77.27
Dept 281 - WATERSHED COUNCIL						
101-281-956.002	CLINTON RIVER WATERSHED EXPENSES	815.00	815.00	315.00	500.00	38.65
Total Dept 281 - WATERSHED 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	96,329.62	31,050.38	75.62
Total Dept 301 - POLICE		127,380.00	127,380.00	96,329.62	31,050.38	75.62
Dept 336 - FIRE						
101-336-802.001	FIRE PROTECTION - IND TWP	150,894.00	150,894.00	114,568.38	36,325.62	75.93
Total Dept 336 - FIRE		150,894.00	150,894.00	114,568.38	36,325.62	75.93
Dept 371 - BUILDING INSPECTION						
101-371-703.004	BLDG INSPECTORS' SALARIES	11,000.00	11,000.00	5,720.00	5,280.00	52.00
101-371-809.000	BLDG DEPT PROFESSIONAL FEES	18,000.00	18,000.00	12,000.00	6,000.00	66.67
Total Dept 371 - BUILDING INSPECTION		29,000.00	29,000.00	17,720.00	11,280.00	61.10
Dept 441 - DPW						
101-441-709.000	HEALTH INSURANCE	10,000.00	8,288.00	2,853.00	5,435.00	34.42
101-441-710.000	DPW LEAVE & HOLIDAY PAY	3,700.00	3,700.00	1,920.00	1,780.00	51.89
101-441-711.001	DPW WAGES FOR TASTE OF CLARKSTON	1,200.00	1,200.00	0.00	1,200.00	0.00
101-441-711.006	DPW WAGES FOR CONCERTS IN THE PARK	200.00	200.00	0.00	200.00	0.00
101-441-711.007	DPW WAGES FOR ART IN THE VILLAGE	150.00	150.00	0.00	150.00	0.00
101-441-720.000	PHYSICAL EXPENSE	300.00	300.00	289.88	10.12	96.63
101-441-750.000	DPW SUPPLIES	2,000.00	2,000.00	1,665.34	334.66	83.27
101-441-850.001	TELEPHONE EXPENSE - DPW	900.00	900.00	675.00	225.00	75.00
101-441-932.001	EQUIPMENT MAINTENANCE	1,000.00	1,000.00	364.97	635.03	36.50
101-441-940.004	NEW LEASE SPACE	21,637.00	21,637.00	0.00	21,637.00	0.00
Total Dept 441 - DPW		41,087.00	39,375.00	7,768.19	31,606.81	19.73
Dept 446 - HIGHWAY, STREETS, BRIDGES						
101-446-704.001	DPW LABOR-PICKUP TRUCK	250.00	250.00	758.78	(508.78)	303.51
101-446-704.002	DPW LABOR-DUMP TRUCK	400.00	400.00	1,825.00	(1,425.00)	456.25
101-446-704.003	DPW LABOR-LOADER	0.00	0.00	257.50	(257.50)	100.00
101-446-704.004	DPW LABOR-TRACTOR	400.00	400.00	1,077.95	(677.95)	269.49

101-446-704.005	DPW LABOR-SWEEPER	0.00	0.00	232.00	(232.00)	100.00
101-446-704.007	DPW LABOR-LIFT	100.00	100.00	15.00	85.00	15.00
101-446-726.005	SUPPLIES	100.00	100.00	99.32	0.68	99.32
101-446-817.001	TREE TRIMMING & MAINTENANCE	5,000.00	5,000.00	5,140.00	(140.00)	102.80
101-446-860.001	MILEAGE/CONFERENCE/TRAINING	250.00	250.00	300.00	(50.00)	120.00
101-446-861.001	MATERIAL & OUTSIDE LABOR-PICKUP TRUCK	500.00	500.00	342.62	157.38	68.52
101-446-861.004	MATERIAL & OUTSIDE LABOR-LIFT	750.00	750.00	169.70	580.30	22.63
101-446-861.007	MATERIAL & OUTSIDE LABOR-DUMP TRUCK	800.00	800.00	761.73	38.27	95.22
101-446-862.000	FUEL & OIL FOR EQUIPMENT	4,500.00	4,500.00	1,797.07	2,702.93	39.93
101-446-961.005	EQUIPMENT INSURANCE	3,024.00	3,024.00	3,326.58	(302.58)	110.01
101-446-970.001	DPW EQUIPMENT	4,000.00	4,000.00	3,555.58	444.42	88.89
Total Dept 446 - HIGHWAY, STREETS, BRIDGES		20,074.00	20,074.00	19,658.83	415.17	97.93
Dept 448 - STREET LIGHTING						
101-448-926.000	DTE STREET LIGHTING	11,000.00	11,000.00	9,993.39	1,006.61	90.85
Total Dept 448 - STREET LIGHTING		11,000.00	11,000.00	9,993.39	1,006.61	90.85
Dept 721 - PLANNING						
101-721-717.000	PLANNING COMMISSION	2,000.00	2,000.00	315.00	1,685.00	15.75
101-721-810.001	ENGINEERING SERVICES	14,500.00	14,500.00	12,317.50	2,182.50	84.95
101-721-811.000	PLANNER FEES	6,500.00	6,500.00	6,767.50	(267.50)	104.12
Total Dept 721 - PLANNING		23,000.00	23,000.00	19,400.00	3,600.00	84.35
Dept 723 - HISTORIC DISTRICT						
101-723-956.003	HISTORIC DIST COMMISSION EXP	3,000.00	3,000.00	1,410.00	1,590.00	47.00
Total Dept 723 - HISTORIC DISTRICT		3,000.00	3,000.00	1,410.00	1,590.00	47.00
Dept 851 - INSURANCES						
101-851-961.002	ERRORS & OMISSIONS INSURANCE	6,357.00	8,069.00	8,069.00	0.00	100.00
Total Dept 851 - INSURANCES		6,357.00	8,069.00	8,069.00	0.00	100.00
Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY						
101-862-715.000	CITY FICA EXPENSE	11,000.00	11,000.00	8,310.11	2,689.89	75.55
Total Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY		11,000.00	11,000.00	8,310.11	2,689.89	75.55
Dept 870 - UNEMPLOYMENT INSURANCE						
101-870-719.000	CITY SUTA MESC EXPENSE	3,000.00	3,000.00	1,847.50	1,152.50	61.58
Total Dept 870 - UNEMPLOYMENT INSURANCE		3,000.00	3,000.00	1,847.50	1,152.50	61.58
Dept 871 - WORKERS COMPENSATION						
101-871-722.000	WORKMAN'S COMPENSATION	2,561.00	2,561.00	1,245.00	1,316.00	48.61
Total Dept 871 - WORKERS COMPENSATION		2,561.00	2,561.00	1,245.00	1,316.00	48.61
Dept 999 - TRANSFERS OUT						
101-999-999.203	TRANSFER OUT TO LOCAL STREETS	6,966.00	6,966.00	0.00	6,966.00	0.00
101-999-999.401	TRANSFER OUT TO CAPITAL PROJECT FUND	144,302.00	144,302.00	0.00	144,302.00	0.00
Total Dept 999 - TRANSFERS OUT		151,268.00	151,268.00	0.00	151,268.00	0.00
TOTAL EXPENDITURES		877,258.00	946,258.00	571,439.87	374,818.13	60.39
Fund 101 - GENERAL:						
TOTAL REVENUES		877,258.00	946,258.00	641,362.13	304,895.87	67.78
TOTAL EXPENDITURES		877,258.00	946,258.00	571,439.87	374,818.13	60.39
NET OF REVENUES & EXPENDITURES		0.00	0.00	69,922.26	(69,922.26)	100.00

Fund 202 - MAJOR STREET

Revenues					
Dept 000 - GENERAL					
202-000-574.000	STATE SHARED REVENUES	70,430.00	70,430.00	42,832.86	27,597.14 60.82
Total Dept 000 - GENERAL		70,430.00	70,430.00	42,832.86	27,597.14 60.82
TOTAL REVENUES					
		70,430.00	70,430.00	42,832.86	27,597.14 60.82
Expenditures					
Dept 451 - NON-WINTER					
202-451-703.005	SALARIES - NON-WINTER MAINTENANCE	12,000.00	12,000.00	6,034.87	5,965.13 50.29
202-451-703.008	SALARIES - NON-WINTER O/T MAINT	200.00	200.00	268.28	(68.28) 134.14
202-451-726.001	SUPPLY & MTLs - NON-WINTER MAINT	1,839.00	1,839.00	1,415.29	423.71 76.96
202-451-775.000	TOOLS - NON-WINTER MAINTENANCE	400.00	400.00	328.97	71.03 82.24
202-451-776.000	CRACK FILL - MAJOR RD - NON-WINTER	3,000.00	3,000.00	0.00	3,000.00 0.00
Total Dept 451 - NON-WINTER		17,439.00	17,439.00	8,047.41	9,391.59 46.15
Dept 452 - TRAFFIC					
202-452-777.000	TRAFFIC SERVICES	2,000.00	2,000.00	198.08	1,801.92 9.90
202-452-945.000	EQUIPMENT RENTAL	7,500.00	7,500.00	7,309.75	190.25 97.46
202-452-966.000	STATE TRUNKLINE OVERHEAD	234.00	234.00	0.00	234.00 0.00
Total Dept 452 - TRAFFIC		9,734.00	9,734.00	7,507.83	2,226.17 77.13
Dept 453 - WINTER					
202-453-703.006	SALARIES - WINTER MAINTENANCE	11,000.00	11,000.00	9,094.68	1,905.32 82.68
202-453-703.009	SALARIES - WINTER MAINT O/T	4,000.00	4,000.00	2,284.73	1,715.27 57.12
202-453-726.002	SUPPLIES & MTLs - WINTER MAINT	500.00	500.00	516.07	(16.07) 103.21
202-453-775.001	SMALL TOOLS - WINTER MAINT	200.00	200.00	39.99	160.01 20.00
202-453-778.000	SIDEWALK - SALT - WINTER	250.00	250.00	363.44	(113.44) 145.38
202-453-778.001	SALT - WINTER MAINTENANCE	6,500.00	6,500.00	6,810.31	(310.31) 104.77
202-453-945.001	EQUIPMENT RENTAL - WINTER	14,000.00	14,000.00	3,672.03	10,327.97 26.23
Total Dept 453 - WINTER		36,450.00	36,450.00	22,781.25	13,668.75 62.50
Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY					
202-862-715.000	CITY FICA EXPENSE	2,100.00	2,100.00	1,352.71	747.29 64.41
Total Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY		2,100.00	2,100.00	1,352.71	747.29 64.41
Dept 870 - UNEMPLOYMENT INSURANCE					
202-870-719.000	CITY SUTA MESC EXPENSE	500.00	500.00	476.83	23.17 95.37
Total Dept 870 - UNEMPLOYMENT INSURANCE		500.00	500.00	476.83	23.17 95.37
Dept 999 - TRANSFERS OUT					
202-999-999.203	TRANSFER OUT TO LOCAL STREETS	4,207.00	4,207.00	0.00	4,207.00 0.00
Total Dept 999 - TRANSFERS OUT		4,207.00	4,207.00	0.00	4,207.00 0.00
TOTAL EXPENDITURES					
		70,430.00	70,430.00	40,166.03	30,263.97 57.03
Fund 202 - MAJOR STREET:					
TOTAL REVENUES		70,430.00	70,430.00	42,832.86	27,597.14 60.82
TOTAL EXPENDITURES		70,430.00	70,430.00	40,166.03	30,263.97 57.03
NET OF REVENUES & EXPENDITURES		0.00	0.00	2,666.83	(2,666.83) 100.00

Fund 203 - LOCAL STREET

Revenues

Dept 000 - GENERAL						
203-000-574.000	STATE SHARED REVENUES	23,477.00	23,477.00	14,904.84	8,572.16	63.49
203-000-699.101	TRANSFER IN FROM GENERAL FUND	6,966.00	6,966.00	0.00	6,966.00	0.00
203-000-699.202	TRANSFER IN FROM MAJOR ROAD FUND	4,207.00	4,207.00	0.00	4,207.00	0.00
Total Dept 000 - GENERAL		34,650.00	34,650.00	14,904.84	19,745.16	43.02
TOTAL REVENUES		34,650.00	34,650.00	14,904.84	19,745.16	43.02

Expenditures

Dept 451 - NON-WINTER						
203-451-703.005	SALARIES - NON-WINTER MAINTENANCE	4,000.00	4,000.00	2,232.13	1,767.87	55.80
203-451-703.008	SALARIES - NON-WINTER O/T MAINT	100.00	100.00	99.22	0.78	99.22
203-451-726.001	SUPPLY & MTLs - NON-WINTER MAINT	500.00	500.00	749.39	(249.39)	149.88
203-451-775.000	TOOLS - NON-WINTER MAINTENANCE	200.00	200.00	145.75	54.25	72.88
203-451-776.001	LOCAL CRACK FILL	3,000.00	3,000.00	0.00	3,000.00	0.00
Total Dept 451 - NON-WINTER		7,800.00	7,800.00	3,226.49	4,573.51	41.37
Dept 452 - TRAFFIC						
203-452-945.000	EQUIPMENT RENTAL	5,000.00	5,000.00	2,131.77	2,868.23	42.64
203-452-966.000	STATE TRUNKLINE OVERHEAD	100.00	100.00	0.00	100.00	0.00
Total Dept 452 - TRAFFIC		5,100.00	5,100.00	2,131.77	2,968.23	41.80
Dept 453 - WINTER						
203-453-703.006	SALARIES - WINTER MAINTENANCE	4,800.00	4,800.00	3,363.82	1,436.18	70.08
203-453-703.009	SALARIES - WINTER MAINT O/T	1,500.00	1,500.00	845.03	654.97	56.34
203-453-726.002	SUPPLIES & MTLs - WINTER MAINT	100.00	100.00	100.00	0.00	100.00
203-453-775.001	SMALL TOOLS - WINTER MAINT	100.00	100.00	37.80	62.20	37.80
203-453-778.000	SIDEWALK - SALT - WINTER	250.00	250.00	363.44	(113.44)	145.38
203-453-778.001	SALT - WINTER MAINTENANCE	2,000.00	2,000.00	2,518.88	(518.88)	125.94
203-453-945.001	EQUIPMENT RENTAL - WINTER	12,000.00	12,000.00	4,323.40	7,676.60	36.03
203-453-955.001	MISC EXPENSE - WINTER MAINT	100.00	100.00	0.00	100.00	0.00
Total Dept 453 - WINTER		20,850.00	20,850.00	11,552.37	9,297.63	55.41
Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY						
203-862-715.000	CITY FICA EXPENSE	650.00	650.00	500.33	149.67	76.97
Total Dept 862 - EMPLOYER MEDICARE AND SOCIAL SECURITY		650.00	650.00	500.33	149.67	76.97
Dept 870 - UNEMPLOYMENT INSURANCE						
203-870-719.000	CITY SUTA MESC EXPENSE	250.00	250.00	176.38	73.62	70.55
Total Dept 870 - UNEMPLOYMENT INSURANCE		250.00	250.00	176.38	73.62	70.55
TOTAL EXPENDITURES		34,650.00	34,650.00	17,587.34	17,062.66	50.76
Fund 203 - LOCAL STREET:						
TOTAL REVENUES		34,650.00	34,650.00	14,904.84	19,745.16	43.02
TOTAL EXPENDITURES		34,650.00	34,650.00	17,587.34	17,062.66	50.76
NET OF REVENUES & EXPENDITURES		0.00	0.00	(2,682.50)	2,682.50	100.00

Fund 401 - CAPITAL PROJECT FUND

Revenues						
Dept 000 - GENERAL						
401-000-699.101	TRANSFER IN FROM GENERAL FUND	144,302.00	144,302.00	0.00	144,302.00	0.00
401-000-699.231	TRANSFER IN FROM PARKING FUND	100,000.00	100,000.00	0.00	100,000.00	0.00
Total Dept 000 - GENERAL		244,302.00	244,302.00	0.00	244,302.00	0.00
TOTAL REVENUES		244,302.00	244,302.00	0.00	244,302.00	0.00
Expenditures						
Dept 265 - BUILDING AND GROUNDS						
401-265-727.000	CITY HALL / DPW BUILDING	8,352.00	8,352.00	1,239.30	7,112.70	14.84
401-265-728.000-FY17FRIEND	FRIENDS OF DEPOT PARK	6,000.00	6,000.00	837.10	5,162.90	13.95
Total Dept 265 - BUILDING AND GROUNDS		14,352.00	14,352.00	2,076.40	12,275.60	14.47
Dept 446 - HIGHWAY, STREETS, BRIDGES						
401-446-817.000	TREE PLANTING	1,000.00	1,000.00	0.00	1,000.00	0.00
401-446-819.000	STREET SIGNS & POSTS	26,000.00	26,000.00	7,629.00	18,371.00	29.34
Total Dept 446 - HIGHWAY, STREETS, BRIDGES		27,000.00	27,000.00	7,629.00	19,371.00	28.26
Dept 901 - CAPITAL OUTLAY						
401-901-805.001	PROFESSIONAL & CONTRACTUAL SERVICES	3,000.00	3,000.00	1,939.50	1,060.50	64.65
401-901-970.005	SIDEWALK REPAIR	12,000.00	12,000.00	0.00	12,000.00	0.00
401-901-970.006	RESURFACING OF ROADS	76,000.00	76,000.00	20,040.97	55,959.03	26.37
401-901-970.007	SAFETY CROSSWALK PAINT/TAPE	4,000.00	4,000.00	0.00	4,000.00	0.00
401-901-970.010	STREEL LIGHT EXPANSION	7,000.00	7,000.00	0.00	7,000.00	0.00
401-901-970.011	DPW TRUCKS & LARGE EQUIPMENT	1,750.00	1,750.00	648.95	1,101.05	37.08
401-901-970.012	NEW DEPOT PARK GAZEBO	69,500.00	69,500.00	0.00	69,500.00	0.00
401-901-970.013	OFFICE FURNITURE	3,200.00	3,200.00	0.00	3,200.00	0.00
401-901-970.014	SECURITY SYSTEMS AND CAMERA	8,500.00	8,500.00	0.00	8,500.00	0.00
401-901-970.015	ELECTRONIC SPEED CONTROL & MAINT.	12,000.00	12,000.00	9,554.06	2,445.94	79.62
401-901-970.016	CITY CLOCK REPAIR	6,000.00	6,000.00	0.00	6,000.00	0.00
Total Dept 901 - CAPITAL OUTLAY		202,950.00	202,950.00	32,183.48	170,766.52	15.86
TOTAL EXPENDITURES		244,302.00	244,302.00	41,888.88	202,413.12	17.15
Fund 401 - CAPITAL PROJECT FUND:						
TOTAL REVENUES		244,302.00	244,302.00	0.00	244,302.00	0.00
TOTAL EXPENDITURES		244,302.00	244,302.00	41,888.88	202,413.12	17.15
NET OF REVENUES & EXPENDITURES		0.00	0.00	(41,888.88)	41,888.88	100.00
TOTAL REVENUES - ALL FUNDS						
		1,226,640.00	1,295,640.00	699,099.83	596,540.17	53.96
TOTAL EXPENDITURES - ALL FUNDS						
		1,226,640.00	1,295,640.00	671,082.12	624,557.88	51.80
NET OF REVENUES & EXPENDITURES		0.00	0.00	28,017.71	(28,017.71)	100.00



Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Code Enforcement Services Division

TIN# 38-298-9393

INVOICE

Jonathan Smith, City Mgr.
City of the Village of Clarkston
375 Depot Street
Clarkston, MI 48346

Invoice No. 2160401
Client No.: 1035
Date: 04/09/21
Period End: 3/31/2021

Building Administration

3/1/2021 SW Monthly Retainer

Monthly Retainer = \$1,500

(*New rate for 2018)

SUBTOTAL DUE THIS INVOICE

\$1,500.00



Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

Code Enforcement Services Division

TIN# 38-298-9393

INVOICE

Jonathan Smith, City Mgr.
City of the Village of Clarkston
375 Depot Street
Clarkston, MI 48346

Invoice No. 2160400
Client No.: 1035
Date: 04/09/21
Period End: 3/31/2021

31 S. Main

3/4/2021 CS Plan review.

3/30/2021 CS Dept admin

Plan review fee of 308 x 80%

SUBTOTAL DUE THIS INVOICE

\$246.40

JS



Carlisle | Wortman

ASSOCIATES, INC.

117 NORTH FIRST STREET SUITE 70 ANN ARBOR, MI 48104 734.662.2200 734.662.1935 FAX

INVOICE

Jonathan Smith, City Mgr.
The City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

Invoice No. 2160341
Client No.: 273
Date: 04/09/21
Period End: 3/31/2021

Planning Consultation

3/1/2021	BC	Short Term Rental Memo.	2.00 @ 105.00/hr =	210.00
3/8/2021	BC	Clarkston City meeting preparation and attendance regarding Short Term Rentals.	2.00 @ 105.00/hr =	210.00
3/26/2021	BC	Residential Planned Development District Ordinance revision memo.	4.00 @ 105.00/hr =	420.00

AMOUNT DUE THIS INVOICE:

\$840.00

JS

Thomas J. Ryan, P.C.
 2055 Orchard Lake Road
 Sylvan Lake, MI 48320

Invoice submitted to:
 Jonathan Smith
 City Manager
 375 Depot Road
 Clarkston, MI 48346

April 02, 2021

In Reference To: Clarkston Court/Prosecution
 Invoice #10956

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
3/2/2021 Correspondence to Mr. Powers re: forwarded police report re Clarkston vs Thrift)	0.50 95.00/hr	47.50 ✓
Review correspondence from Mr. Powers re: representation of Mr. Thrift re: Clarkston vs. Thrift)	0.50 95.00/hr	47.50 ✓
3/3/2021 Appear for prosecutions at 52-2 District Court before Judge Kostin in the morning.	0.50 95.00/hr	47.50 ✓
3/8/2021 Review correspondence from 52/2 District Court re: Notice to Appear (Clarkston vs. Thrift)	0.50 95.00/hr	47.50 ✓
3/10/2021 Correspondence to Mr. Marsh re: (Clarkston vs. Thrift)	0.50 95.00/hr	47.50 ✓
3/17/2021 Phone call from Jade Marsh re: Clarkston vs. Zachary Thrift	0.50 95.00/hr	47.50 ✓
3/18/2021 Review Legislative Analysis of Public Act and Issuance of Warrants instead of Appearance Tickets	2.00 95.00/hr	190.00 ✓
3/23/2021 Correspondence to Mr. Powers re: discovery request (Clarkston vs. Thrift)	0.50 95.00/hr	47.50 ✓
3/25/2021 Review correspondence from 52/2 District Court re: court docket for 4/7/21 before Judge Kostin	0.50 95.00/hr	47.50 ✓
For professional services rendered	6.00	\$570.00
Previous balance	101-266-803.000	\$570.00

Amount

Accounts receivable transactions

3/11/2021 Payment - Thank YouNo. 10164

(\$570.00)

Total payments and adjustments

(\$570.00)

Balance due

\$570.00

Thomas J. Ryan, P.C.

2055 Orchard Lake Road
Sylvan Lake, MI 48320

Invoice submitted to:
Jonathan Smith
City Manager
City of the Village of Clarkston
375 Depot Road
Clarkston, MI 48346

April 02, 2021

Invoice #10957

Professional Services

	<u>Hrs/Rate</u>	<u>Amount</u>
3/2/2021 Phone conference with Ben Carlisle re: short term rental memo to City Council and City Council meeting 3/8.	0.50 95.00/hr	47.50 ✓
Correspondence to City Planner, Ben Carlisle re: response to his memo re: Short Term Rentals	0.50 95.00/hr	47.50 ✓
3/4/2021 Review draft memo to City Council re: short term rentals.	0.50 95.00/hr	47.50 ✓
Review Claim of Appeal and accompanying documents; Amended Claim of Appeal; Preparation of Appearance on behalf of Appellee and efiled with Circuit Court re: Lehman vs. Clarkston HDC - 42 W. Washington	1.50 95.00/hr	142.50 ✓
3/8/2021 Review council packet	0.50 95.00/hr	47.50 ✓
Attend City Council meeting (7:00 -9:00)	2.00 95.00/hr	190.00 ✓
3/9/2021 Review correspondence from City Manager re: violation letter re: 35 Madison Court	0.50 95.00/hr	47.50 ✓
3/12/2021 Review Petitioner's Witness List and Exhibit List re: SHPO hearing (McLean v Clarkston/HDC)	1.00 95.00/hr	95.00 ✓
3/16/2021 Phone call to Mr. Meloche re: Exhibit List for McLean vs. HDC SHPO hearing	0.50 95.00/hr	47.50 ✓
3/18/2021 Phone call from City Manager re: miscellaneous city matters	0.50 95.00/hr	47.50 ✓
Phone conference with Mr. Meloche and Mrs. Luginski re: Petitioner's exhibits and supplemental exhibits by City for SHPO hearing re: McLean vs. HDC	0.50 95.00/hr	47.50 ✓

	<u>Hrs/Rate</u>	<u>Amount</u>
3/22/2021 Review Council packet for 3/22/21 Council Meeting	0.50 95.00/hr	47.50 ✓
Attend City Council Meeting, via zoom (7pm to 8:45 pm)	1.75 95.00/hr	166.25 ✓
Preparation of Respondent's Supplemental Exhibit List re; 177 N. Main (McLean v. HDC); Filing with SHPO	1.00 95.00/hr	95.00 ✓
3/23/2021 Review correspondence from Mr. Powers re: discovery (Clarkston vs. Thrift)	0.50 95.00/hr	47.50 ✓
3/24/2021 Phone call from Jim Meloche re: 177 N. Main Street; Correspondence to Mr. Bagley re: 177 N. Main Street	1.00 95.00/hr	95.00 ✓
Preparation of Resolution to Continue State of Emergency (COVID 19)	1.00 95.00/hr	95.00 ✓
3/25/2021 Review correspondence from City Manager re: East Alley with attached map reference	0.50 95.00/hr	47.50 ✓
3/26/2021 Phone call with City Manager re: East Alley; Review correspondence from Mr. Ben Carlisle re: East Alley; Correspondence to City Manager and Mr. Ben Carlisle re: East Alley	1.00 95.00/hr	95.00 ✓
3/30/2021 Attend Special City Council Meeting, via zoom (7pm to 7:30 pm)	0.50 95.00/hr	47.50 ✓
3/31/2021 Phone call to attorney, Mr. Bagley, re: HDC SHPO hearing on 4/5/21 re: McLean vs. HDC	0.50 95.00/hr	47.50 ✓
For professional services rendered	16.75	\$1,591.25
Previous balance		\$1,140.00 JS
Accounts receivable transactions		
3/11/2021 Payment - Thank You No. 10164		(\$1,140.00)
Total payments and adjustments		(\$1,140.00)
Balance due		\$1,591.25

101-266-803.000

City of the Village of Clarkston

375 Depot Road
Clarkston, Michigan 48346

Resolution - Budget Amendment

WHEREAS, the City budget finalized in June, 2020 estimated the 20/21 FY cost for DTE Street Lighting to be \$11,000 based on expenses to date in the 19/20 FY, and;

WHEREAS, it is now estimated that the 20/21 FY cost for DTE Street Lighting will be closer to \$13,500, and;

NOW THEREFORE, BE IT RESOLVED that the City of the Village of Clarkston hereby authorizes the City Treasurer to complete a Budget Amendment in the amount of \$2,500.00, as detailed in the attached schedule.

Avery	Bonser	Casey	Haven	Kneisc	Luginski	Wylie	Totals
<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes	<input type="checkbox"/> Yes
<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No	<input type="checkbox"/> No
<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain	<input type="checkbox"/> Abstain
<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent	<input type="checkbox"/> Absent

Resolution is Adopted

Resolution is Defeated

Jennifer Speagle, City Clerk

April 26, 2021

Date

City of the Village of Clarkston

20/21 FY Budget Amendment Request - April 26, 2021

No	Amount	From Account #	To Account #	Reason for Change
1	\$2,500.00	101-264-890.000	101-448-926.000	Realign excess Grant Writing budget to DTE Street Lighting
Total	\$2,500.00			

DRAFT-City of the Village of Clarkston

Adopted Policy Relative to The Review and Granting of Poverty Exemptions by the City of the Village of Clarkston Board of Review

WHEREAS, Public Act 253 of 2020, which amended Section 7u of Act No. 206 of the Public Acts of 1893, as amended by Act No. 313 of the Public Acts of 1993, being sections 211.7u of the Michigan Compiled Laws, requires that the governing body of the local assessing unit determine and make available to the public the policy and guidelines used by the Board of Review in granting reductions in property assessments due to limited income and assets, referred to as "Poverty Exemptions."

NOW THEREFORE, BE IT RESOLVED that in order to be eligible for poverty exemption in the City of the Village of Clarkston, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy as a principal residence the property for which an exemption is requested.
2. The subject property must be classified as an "improved single family residential" or "residential condominium" property with a valid Homeowner's Principal Residence Exemption currently in effect.
3. Submit a completed Poverty Exemption Application Form 5737, which can be obtained from the city office or Oakland County Equalization.
4. Submit the most recent year's copies of the following for all persons residing in the homestead:
 - a. Federal Income Tax Return-1040, 1040A or 1040E
 - b. Michigan Income Tax Return-MI1040, MI1040A or MI1040EZ.
 - c. Senior Citizens Homestead Property Tax Form MI-1040CR-1 or General Homestead Property Tax Claim MI-1040CR-4.
 - d. Statement from Social Security Administration and/or Michigan Social Services as to moneys paid to you during previous year (including a signed Form 4988).
 - e. Produce a valid driver's license or Michigan State Identification card for all persons residing in the household.
 - f. Produce a deed, land contract or other evidence of ownership of the property if the board requests it.

BE IT FURTHER RESOLVED that the applicant's total household income cannot exceed the most current Federal Poverty Guidelines from the prior tax year set

forth by the U.S. Department of Health and Human Services as established by the State Tax Commission-to be updated annually.

BE IT FURTHER RESOLVED that the total value of the assets of the applicant and each member of the applicant's household shall not exceed \$50,000. Excluding the property for which the exemption is requested and the principal vehicle BUT including all other property; including from all other persons residing in the household. Property shall include, but is not limited to: cash, savings, stocks, mutual funds, certificates of deposit, insurance commodities, coin collections, boats, jewelry, art, motor vehicles, recreation vehicles, second homes, cottages or any other saleable real property or other tangible items.

BE IT FURTHER RESOLVED that a hardship exemption shall not be granted to an applicant with cash on deposit in excess of the proposed tax obligation for the ensuing year unless the applicant can show evidence that the cash is subject to a legitimate cost of living expense.

BE IT FURTHER RESOLVED that for applicants meeting the income level and asset test guidelines, the Board may approve a partial or full exemption if deemed appropriate. Those applicants granted partial or full exemption will be required to pay a property tax based on a twenty-five (25%), fifty (50%) or one hundred percent (100%) reduction in taxable value for the tax year in which the exemption is granted.

BE IT FURTHER RESOLVED that a hardship exemption shall not be granted to an applicant whose investments will produce an income, which when added to the applicant's household income exceeds the federal poverty guidelines.

BE IT FURTHER RESOLVED a hardship exemption shall not be granted to any applicant who owns real property whether singly or jointly, regardless of location, other than his or her homestead.

BE IT FURTHER RESOLVED that any reduction in the State Equalized Value of a property is granted for one year only and must be applied for and reviewed annually.

BE IT FURTHER RESOLVED that the application for an exemption shall be filed after January 1, but one day prior to the last day of the Board of Review.

BE IT FURTHER RESOLVED that the filing of this application constitutes an appearance before the Board of Review for the purpose of preserving the right of appeal to the Michigan Tax Tribunal.

BE IT FURTHER RESOLVED that a person filing a poverty exemption claim is not prohibited from also appealing the assessment on the property for which that claim is made before the March Board of Review in the same year.

BE IT FURTHER RESOLVED that in order to ease the burden on taxpayers, the assessor and the Board of Review, and to ensure that all taxpayers have an equal opportunity to be heard by the Board of Review, the City of the Village of Clarkston hereby resolves, according to provisions of MCL 211.30(8) of the General Property Tax Act, that the Board of Review shall receive letters of protest regarding assessments from resident taxpayers from the first Tuesday in March until it adjourns from the public hearings for which it meets to hear such protests. All notices of assessment change and all advertisements of Board of Review meetings are to include a statement that the resident taxpayers may protest by letter to the Board.

BE IT FURTHER RESOLVED that to conform with the provisions, PA 253 of 2020, this resolution is hereby given immediate effect and will stay in effect for subsequent years until amended or voided.

**VOTE: [DECISION ENTERED HERE]
RESOLUTION DECLARED ADOPTED.**

Clerk

OFFICE USE ONLY (Date Stamp)

City of the Village of Clarkston

2021

Poverty/Hardship
Exemption Application

OFFICE USE ONLY

NAME:

PARCEL NUMBER:

CITY OF THE VILLAGE OF CLARKSTON

BOARD OF REVIEW

City of The Village of Clarkston Policy for Applicants Requesting Consideration Under SECTION 211.7u of the GENERAL PROPERTY TAX ACT OF 1893: THE MICHIGAN HOMESTEAD POVERTY EXEMPTION.

To be eligible, a person shall do all of the following on an annual basis:

1. Be an owner of and occupy, as a principal residence, the property for which an exemption is requested.
2. The subject property must be classified as a single family residential parcel or residential condominium property with a valid homeowner's Principle Residence Exemption (PRE) currently in effect.
3. File a completed application with the Board of Review on a form provided by the municipality or Oakland County Equalization. The form must be accompanied by all supporting documentation.
4. Submit the most recent year's copies of the following for all individuals living in the household:
 - a. Federal Income Tax Return-1040, 1040A or 1040E
 - b. Michigan Income Tax Return-MI1040, MI1040A or MI1040EZ for all individuals residing in the homestead.
 - c. Michigan Homestead Property Tax Form MI-1040CR-1 (attached to the most current State Income Tax Return).
 - d. Statement from Social Security Administration and/or the Michigan Social Services as to monies paid to applicant(s) during the previous calendar year along with a current Form 4988 Poverty Exemption Affidavit (if this is the sole source of income).
5. Produce a copy of the applicant's valid driver's license or other form of identification such as a passport or State Identification Card.
6. Produce a copy of the deed, land contract, or other evidence of ownership of all real property owned by the applicant if requested by the Board of Review.
7. The Board of Review can request any other additional information including additional tax returns, financial statements, land contracts, personal or family trust documents, vehicle titles and any other records or affidavits that the Board may deem necessary in order to make a poverty exemption determination, asset limit determination or income level determination.
8. A hardship exemption shall not be granted to an applicant with cash on deposit in excess of the proposed tax obligation for the ensuing year unless the applicant can show evidence that the cash is subject to a legitimate cost of living expense.
9. For applicants meeting the income level and asset test guidelines, the Board may approve

a partial or full exemption if deemed appropriate. Those applicants granted partial or full exemption will be required to pay a property tax based on a twenty-five (25%), fifty (50%) or one hundred percent (100%) reduction in taxable value for the tax year in which the exemption is granted.

10. A hardship exemption shall not be granted to an applicant whose investments will produce an income, which when added to the applicant's household income exceeds the federal poverty guidelines.
11. A hardship exemption shall not be granted to any applicant who owns real property whether singly or jointly, regardless of location, other than his or her homestead.
12. Any reduction in the State Equalized Value of a property is granted for one year only and must be applied for and reviewed annually.
13. Poverty exemption applications shall be filed after January 1, but one day prior to the last day of the Board of Review.

2021 FEDERAL POVERTY GUIDELINES

US Department of Health & Human Services

STC Bulletin 17 of 2020

Size of Family Unit	Poverty Guidelines
1	\$12,760
2	\$17,240
3	\$21,720
4	\$26,200
5	\$30,680
6	\$35,160
7	\$39,640
8	\$44,120
For each additional person	\$4,480

ASSETS-the total value of the assets of the applicant and each member of the applicant's household shall not exceed \$50,000. Excluding the property for which the exemption is requested and the principal vehicle **BUT** including all other property; including from all other persons residing in the household. Property shall include, but is not limited to: cash, savings, stocks, mutual funds, certificates of deposit, insurance commodities, coin collections, boats, jewelry, art, motor vehicles, recreation vehicles, second homes, cottages or any other saleable real property or other tangible items.

REQUIRED DOCUMENTS

Hardship Exemption applicants shall submit copies of the documents listed below to be considered for eligibility. For each member of the household, please attach copies of the applicable documents to your application.

- COPY OF APPLICANT'S DRIVERS LISENCE OR OTHER FORM OF IDENTIFICATION
- ASSESSMENT CHANGE NOTICE
- CURRENT YEAR FEDERAL INCOME TAX RETURN
- CURRENT YEAR MICHIGAN INCOME TAX RETURN
- CURRENT YEAR GENERAL HOMESTEAD PROPERTY TAX MI-1040CR
-or- SENIOR CITIZEN HOMESTEAD PROPERTY TAX MI-1040CR-1
- STATEMENT FROM SOCIAL SECURITY ADIMINSTARTION AND/OR THE MICHIGAN SOCIAL SERVICES AS TO MONIES PAID TO APPLICANT(S) DURING THE PREVIOUS CALENDAR YEAR, ALONG WITH A CURRENT FORM 4988 POVERTY EXEMPTION AFFIDAVIT (IF THIS IS THE SOLE SOURCE OF INCOME)

IN ADDITION, PLEASE INCLUDE DOCUMENTATION OF OTHER INCOME SOURCES FOR ALL MEMBERS OF THE HOUSEHOLD.

Application for MCL 211.7u Poverty Exemption

This form is issued under the authority of the General Property Tax Act, Public Act 206 of 1893, MCL 211.7u.

MCL 211.7u of the General Property Tax Act, Public Act 206 of 1893, provides a property tax exemption for the principal residence of persons who, by reason of poverty, are unable to contribute toward the public charges. This application is to be used to apply for the exemption and must be filed with the Board of Review where the property is located. This application may be submitted to the city or township the property is located in each year on or after January 1.

To be considered complete, this application must: 1) be completed in its entirety, 2) include information regarding all members residing within the household, and 3) include all required documentation as listed within the application. Please write legibly and attach additional pages as necessary.

PART 1: PERSONAL INFORMATION: Petitioner must list all required personal information.

Petitioner's Name:		Daytime Phone Number:		
Age of Petitioner:	Marital Status:	Age of Spouse:	Number of Legal Dependents:	
Property Address of Principal Residence:		City:	State:	ZIP Code:
<input type="checkbox"/> Check if applied for Homestead Property Tax Credit		Amount of Homestead Property Tax Credit:		

PART 2: REAL ESTATE INFORMATION: List the real estate information related to your principal residence. Be prepared to provide a deed, land contract or other evidence of ownership of the property at the Board of Review meeting.

Property Parcel Code Number:		Name of Mortgage Company:		
Unpaid Balance Owed on Principal Residence:	Monthly Payment:	Length of Time at this Residence:		
Property Description:				

PART 3: ADDITIONAL PROPERTY INFORMATION: List information related to any other property owned by you or any member residing in the household.

<input type="checkbox"/> Check if you own, or are buying, other property. If checked, complete the information below			Amount of Income Earned from Other Property:	
1	Property Address:	City:	State:	ZIP Code:
	Name of Owner(s):	Assessed Value:	Date of Last Taxes Paid:	Amount of Taxes Paid:
2	Property Address:	City:	State:	ZIP code:
	Name of Owner(s):	Assessed Value:	Date of Last Taxes Paid:	Amount of Taxes Paid:

PART 4: EMPLOYMENT INFORMATION: List your current employment information.

Name of Employer:			
Address of Employer:	City:	State:	ZIP Code:
Contact Person:	Employer Telephone Number:		

PART 5: INCOME SOURCES: List all income sources, including but not limited to: salaries, Social Security, rents, pensions, IRAs (individual retirement accounts), unemployment compensation, disability, government pensions, worker's compensation, dividends, claims and judgments from lawsuits, alimony, child support, friend or family contribution, reverse mortgage, or any other source of income, for all persons residing at the property.

Source of Income	Monthly or Annual Income (indicate which)

PART 6: CHECKING, SAVINGS AND INVESTMENT INFORMATION: List any and all savings owned by all household members, including but not limited to: checking accounts, savings accounts, postal savings, credit union shares, certificates of deposit, cash, stocks, bonds, or similar investments, for all persons residing at the property.

Name of Financial Institution or Investments	Amount of Deposit	Current Interest Rate	Name on Account	Value of Investment

PART 7: LIFE INSURANCE: List all policies held by all household members.

Name of Insured	Amount of Policy	Monthly Payments	Policy Paid in Full	Name of Beneficiary	Relationship to Insured

PART 8: MOTOR VEHICLE INFORMATION: All motor vehicles (including motorcycles, motor homes, camper trailers, etc.) held or owned by any person residing within the household must be listed.

Make	Year	Monthly Payment	Balance Owed

PART 9: HOUSEHOLD OCCUPANTS: List all persons living in the household.

First and Last Name	Age	Relationship to Applicant	Place of Employment	\$ Contribution to Family Income

PART 10: PERSONAL DEBT: List all personal debt for all household members.

Creditor	Purpose of Debt	Date of Debt	Original Balance	Monthly Payment	Balance Owed

PART 11: MONTHLY EXPENSE INFORMATION: The amount of monthly expenses related to the principal residence for each category must be listed. Indicate N/A as necessary.

Heating	Electric	Water	Phone
Cable	Food	Clothing	Health Insurance
Garbage	Daycare	Car Expenses (gas, repair, etc.)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	
Other (type and amount)	Other (type and amount)	Other (type and amount)	

NOTICE: Per MCL 211.7u(2)(b), federal and state income tax returns for all persons residing in the principal residence, including any property tax credit returns, filed in the immediately preceding year or in the current year must be submitted with this application. Federal and state income tax returns are not required for a person residing in the principal residence if that person was not required to file a federal or state income tax return in the tax year in which the exemption under this section is claimed or in the immediately preceding tax year.

PART 12: POLICY AND GUIDELINES ACKNOWLEDGMENT:

The governing body of the local assessing unit shall determine and make available to the public the policy and guidelines used for the granting of exemptions under MCL 211.7u. In order to be eligible for the exemption, the applicant must meet the federal poverty guidelines published in the prior calendar year in the Federal Register by the United States Department of Health and Human Services under its authority to revise the poverty line under 42 USC 9902, or alternative guidelines adopted by the governing body of the local assessing unit so long as the alternative guidelines do not provide income eligibility requirements less than the federal guidelines. The policy and guidelines must include, but are not limited to, the specific income and asset levels of the claimant and total household income and assets. The combined assets of all persons must not exceed the limits set forth in the guidelines adopted by the local assessing unit.

<input type="checkbox"/> The applicant has reviewed the applicable policy and guidelines adopted by the city or township, including the specific income and asset levels of the claimant and total household income and assets.

PART 13: CERTIFICATION:

I hereby certify to the best of my knowledge that the information provided in this form is complete, accurate and I am eligible for the exemption from the property taxes pursuant to Michigan Compiled Law, Section 211.7u.

Printed Name	Signature	Date

This application shall be filed after January 1, but before the day prior to the last day of the local unit's December Board of Review.

Decision of the March Board of Review may be appealed by petition to the Michigan Tax Tribunal by July 31 of the current year. A July or December Board of Review decision may be appealed to the Michigan Tax Tribunal by petition within 35 days of decision. A copy of the Board of Review decision must be included with the petition.

Michigan Tax Tribunal
PO Box 30232
Lansing MI 48909

Phone: 517-335-9760
E-mail: taxtrib@michigan.gov

Poverty Exemption Affidavit

This form is issued under authority of Public Act 206 of 1893; MCL 211.7u.

INSTRUCTIONS: When completed, this document must accompany a taxpayer's Application for Poverty Exemption filed with the supervisor or the board of review of the local unit where the property is located. MCL 211.7u provides for a whole or partial property tax exemption on the principal residence of an owner of the property by reason of poverty and the inability to contribute toward the public charges. MCL 211.7u(2)(b) requires proof of eligibility for the exemption be provided to the board of review by supplying copies of federal and state income tax returns for all persons residing in the principal residence, including property tax credit returns, or by filing an affidavit for all persons residing in the residence who were not required to file federal or state income tax returns for the current or preceding tax year.

I, _____, swear and affirm by my signature below that I reside in the principal residence that is the subject of this Application for Poverty Exemption and that for the current tax year and the preceding tax year, I was not required to file a federal or state income tax return.

Address of Principal Residence: _____

Signature of Person Making Affidavit

Date