

AGENDA

REGULAR MEETING OF THE PARCHMENT CITY COMMISSION

NOVEMBER 21, 2016

7 P.M.

PARCHMENT CITY COMMISSION

MAYOR ROBERT B. HEASLEY
COMMISSIONER TERRY HAGEMAN
COMMISSIONER JON HEASLEY

VICE MAYOR ROBERT D. BRITIGAN III
COMMISSIONER DOUGLAS FOOY
COMMISSIONER HOLLY EVANS

OFFICERS

CITY MANAGER DENNIS DURHAM
CITY TREASURER/CLERK SHANNON STUTZ

CITY ATTORNEY ROBERT SOLTIS

1. CALL TO ORDER
2. SWEARING IN OF NEW COMMISSIONER
3. ROLL CALL
4. APPROVAL OF MINUTES
 - A. City Commission Regular Meeting Minutes of November 7, 2016 - Accept
5. ADDITIONS OR CHANGES TO THE AGENDA

6. CITIZEN COMMENTS

Persons wishing to address the City Commission on items not already an agenda item, will be allowed five minutes. Please state your name and address for the record. If you require special accommodation, please notify the Clerk.

7. CONSENT AGENDA

Items included on the consent agenda will be dealt with upon one vote by the City Commissioner unless a Commissioner requests an item be dealt with individually.

A. Motion to APPROVE/ACCEPT as indicated:

- i. Warrant No. 1322 – Accept as Information Only
- ii. Riverview Drive Road Diet – Accept as Information Only
- iii. Advisory on Medical Marijuana Laws – Accept as Information Only
- iv. Traffic Signal Improvements – Accept as Information Only

8. UNFINISHED BUSINESS

- A. City of Parchment Rental Housing Code – Accept for Second Reading
- B. City of Parchment Rental Housing Code – Final Adoption

9. NEW BUSINESS

- A. Resolution Establishing Policies Governing the Use of City Credit Cards – Approve

10. BOARD AND COMMISSION REPORTS/MINUTES

11. CITIZEN COMMENTS

Persons wishing to address the City Commission on items not already an agenda item, will be allowed five minutes. Please state your name and address for the record. If you require special accommodation, please notify the Clerk.

12. MAYOR AND COMMISSIONER COMMENTS

13. CITY MANAGER COMMENTS/REPORTS

- A. City Manager's Report – Information Only

14. ADJOURNMENT

**MINUTES OF THE REGULAR MEETING OF THE PARCHMENT CITY
COMMISSION HELD ON MONDAY NOVEMBER 7, 2016.**

1. Call to order

Mayor Heasley called the meeting to order at 7:00 p.m. He led those present in the "Pledge of Allegiance".

2. Swearing in of New Commissioner.

Treasurer/Clerk Stutz administered the oath of office to Holly Evans.

3. Roll Call.

Present: Mayor Heasley, Vice Mayor Britigan, Commissioners Evans, Fooy, and Heasley. City Manager Durham, Treasurer/Clerk Stutz, and City Attorney Soltis.

Absent Commissioner Hageman.

Moved by Vice Mayor Britigan, supported by Commissioner Heasley to excuse Commissioner Hageman.

Motion Carried.

4. Minutes

Moved by Commissioner Heasley, supported by Vice Mayor Britigan to approve the amended Minutes of the October 17, 2016 regular meeting.

Motion Carried with one abstention.

5. Additions or Changes to the Agenda

None.

6. Citizen Comments

Mike Conner, 1150 Parchmount, brought up the jeeps at a property down the street from his house. He stated he brought them to the attention of the City months ago and says they are still there. According to Mr Conner, the three license plates are expired and don't correspond to the vehicles they are on. He wanted to know why nothing has been done. City Manager Durham agreed to follow up and find out where KTPD was on the situation.

Judy Resler, 218 Maple, asked what the process was for ordinance enforcement. City Manager Durham explained violators get a letter from the City, then a citation from the Police Department (if they don't remedy the violation), then a compliance order from the court. After the City turns it over to KTPD, it is out of our hands.

Aaron Parsons, 1109 Parchmount, asked where to find the ordinances. Mayor Heasley directed him to the City's website.

Deb Lawson, 507 Keyes, said that block captains will be chosen at the next neighborhood watch meeting. She indicated that there were currently 5-6 people willing to serve in that capacity. She also asked who to call if she knows of someone burning leaves in the city. She was told to call City Hall or KTPD dispatch, not the emergency line.

Karen Conner-Beck, 1124 Parchmount, expressed her displeasure regarding the crosswalks at Oak Grove, Parchmount and Glendale, saying this has been an issue since May. "There is no rhyme or reason", some are dim, some are out completely.

Rick Bogren, 318 Parchmount, asked if there was a specific reason for the traffic counters. City Manager Durham explained they were accumulating information for the Road Diet, to get fresh data to compare to

2009. Discussion ensued regarding using police to target certain times and places, street light timing, etc. City Manager Durham “begged” citizens to hold off on their judgment of the project until all information was gathered and a proposal was actually brought forward to the Commission.

7. Consent Agenda

A. Moved by Commissioner Heasley and supported by Vice Mayor Britigan, to receive the consent agenda items.

Motion Carried.

8. Unfinished Business

A. City of Parchment Rental Housing Code. Commissioner Heasley brought two typos to Attorney Soltis’s attention. Vice Mayor Britigan noted he thinks using an existing board for the appeals process, preferring the Planning Commission. After some discussion, Attorney Soltis discussed several other changes that could be made. Moved by Commissioner Heasley, supported by Vice Mayor Britigan to table the Rental Housing Code acceptance for Second Reading until next meeting, upon which time Attorney Soltis can amend the code as discussed.

Motion Carried.

9. New Business

A. Restrictive Covenant for City Right of Way - Approve. Attorney Soltis fielded questions from the Commissioners, noting that he had no objections to the covenant. More discussion ensued. Moved by Commissioner Heasley, supported by Vice Mayor Britigan to approve the proposed Restrictive Covenant for Public Right of Way as requested by the Parchment School District and authorize the City Manager to execute all documents related to this activity. Roll call vote was as follows:

Ayes: Britigan, Evans, Fooy, J Heasley, R Heasley.

Nays: None.

Absent: Hageman.

Abstain: None.

Motion Carried 5-0

B. Acceptance of Private Water Main – Approve. Commissioner Heasley asked what costs would the City bear, and the City Manager answered that future costs would be ours. Vice Mayor Britigan suggested having the company replace the old main as a condition of the agreement. City Manager Durham mentioned that might be difficult to negotiate considering our engineers deemed the Water Main to be of standard condition. Attorney Soltis noted that he contacted Prein and Newhof about the agreement. Attorney Soltis mentioned getting an easement to be able to get onto the property to service the hydrant and lines. Moved by Vice Mayor Britigan, supported by Commissioner Heasley to accept the private water main into the City’s public water system as requested by Cooper Charter Township and authorize the City Manager to execute all documents related to this activity. Roll call vote was as follows:

Ayes: Britigan, Evans, Fooy, J Heasley, R Heasley.

Nays: None.

Absent: Hageman.

Abstain: None.

Motion Carried 5-0

10. Standing Board and Committee Reports

None.

11. Citizen Comments

Aaron Parsons, 1109 Parchmount, suggested that citizens have a pot luck to get to know the fire and police departments. City Manager Durham agreed, suggesting the neighborhood watch might be able to coordinate citizen involvement.

Nicole Parsons, 1109 Parchmount, expressed her gratitude at having extra patrols out on Halloween night. She handed out 800 pieces of candy!

Judy Resler, 218 Maple, asked for consideration of a four way stop at Orient and Parchmount, considering it a safety issue.

12. Mayor and Commissioner Comments

Commissioner Fooy asked the City Manager in reference to the rental ordinance, how City Hall would be affected. City Manager Durham replied, "not at all" as we already field calls frequently.

Vice Mayor Britigan complimented the City Manager on his Michigan hat and tie and congratulated Holly Evans on joining the Commission. He also reminded everyone to vote tomorrow.

Mayor Heasley welcomed Commissioner Evans and asked the City Manager when the next newsletter would be out (answer - before wassailing).

13. City Manager Comments/Reports

A. City Manager Durham introduced DPW new employee Camron Boekhoven to the Commission, noting he began working for the City on October 24, 2016.

14. Adjournment

There being no further business to come before the Commission, it was moved by Commissioner Evans and supported by all to adjourn the meeting at 8:15 p.m.

Shannon S. Stutz
City Clerk



Warrants # 1322
November 21, 2016

City of Parchment

Attachment 1 - Check Register Report 1322

City of Parchment
Check Register Report
Warrant 1322

Check#	Check Dat	Vendor Name	Check Description	Amount
MERCANTILE Checks				
33443	11/04/2016	CINTAS CORPORATION LOC. 725	Uniform Rental & Towels	315.61
33444	11/04/2016	CLEAN EARTH ENVIRONMENTAL	Root Killer-Sewer Line-100 Blk	1,961.49
33445	11/04/2016	SARA COLLISON	2016 Election Insp Training	25.00
33446	11/04/2016	COMPANION LIFE	Life & AD&D Ins -November	57.00
33447	11/04/2016	void check	Void Check	0.00
33448	11/04/2016	CONSUMERS ENERGY	Monthly electricity	5,975.08
33449	11/04/2016	CT ELECTRICAL SERVICES, INC.	Trouble Shoot Water Tower Cont	95.00
33450	11/04/2016	DEVINE PAINTING	Paint Exterior of Water Plant	3,850.00
33451	11/04/2016	DEYOUNG LANDSCAPE SERVICE	Treatment #6-Stage	165.00
33452	11/04/2016	WENDY GAUL	Mileage Reimb- 9/14 to 10/19	39.40
33453	11/04/2016	KAL CO HEALTH & COMMUNITY SERV	HHW - 3rd 1/4	280.31
33454	11/04/2016	KALAMAZOO FENCE	Bal Due-Fence @ Geno's Pizza	947.05
33455	11/04/2016	KALAMAZOO TOWNSHIP	911 Fire Notif - 4th 1/4 2016	24,892.28
33456	11/04/2016	TREASURER CITY OF KALAMAZOO	Municipal Sewer - September	5,478.39
33457	11/04/2016	JOE LUKEMAN	2015 MTT Ruling	1,442.14
33458	11/04/2016	JOE LUKEMAN	Overpayment of Water Bill	100.00
33459	11/04/2016	MAINTENANCE MASTERS, INC.	Mowing of Right of Ways	175.00
33460	11/04/2016	MICHIGAN CAT	Insp. of Transfer Switch	2,175.00
33461	11/04/2016	MICHIGAN ELECTION RESOURCES	Election Supplies	184.00
33462	11/04/2016	MICHIGAN MUNICIPAL LEAGUE	MML Dues-7/1/16 to 6/30/17	1,477.00
33463	11/04/2016	PARCHMENT FAMILY PRACTICE, PC	Pre-Emp Physical-Camron Boekh	161.00
33464	11/04/2016	CITY OF PARCHMENT	Stage @ Kindleberger-Final Bil	122.14
33465	11/04/2016	PRECISION TREE CARE	Remove 4 Dead Pine Trees-Park,	2,225.00
33466	11/04/2016	RIVERRUN PRESS	City Newsletter & Mailing Fulf	827.74
33467	11/04/2016	ROSE PEST SOLUTIONS	Pest Control Contract	76.00
33468	11/04/2016	SIGNCRAFTERS	Lettering for Fire Station	985.00
33469	11/04/2016	VANGEMERT & SONS EXCAVATING	Stump Removal in front of Geno	200.00

Memorandum

Date: October 4, 2016

To: Dennis Durham

Company: City of Parchment

From: Daniel G. Lewis, P.E.

Project #: 2160373

Re: Riverview Drive Road Diet – From Mosel to G Avenue

Enclosed with this memo you will find our package for the Riverview Drive Road Diet which includes two preliminary cost estimates, 8 schematic drawings of proposed lane striping on Riverview Drive from Mosel to G Avenue, and a traffic signal impact report from Progressive AE.

The first cost estimate is for the restriping only and the traffic signal changes recommended in the Progressive AE report. The second cost estimate is for the restriping of Riverview Drive, the mill and repave of Riverview Drive from Parchmount to G Avenue, and the traffic signal changes recommended by Progressive AE. The 8 schematic drawings show the proposed lane striping for converting Riverview Drive from 4 to 3 lanes. The traffic signal impact report provided includes a narrative of the proposed changes to traffic signals with pictures of each intersection and all proposed changes. The end of the report includes an estimate of probable cost for the proposed changes, which has been included in both cost estimates previously mentioned.

Owner:

City of Parchment

Project Title:

Riverview Drive Road Diet - Restriping Only

Date:

October 4, 2016

Project #:

2160373

Item No.	Description	Quantity	Unit	Unit Price	Total Amount
<u>Pavement</u>					
1	Pavt Marking, Waterborne, 4 inch, Yellow	10,492	LF	\$0.20	\$2,098.40
2	Pavt Marking, Ovly Cold Plastic, Turn Arrow Sym	23	EA	\$200.00	\$4,600.00
3	Pavt Marking, Waterborne, 4 inch, White	10,427	LF	\$0.20	\$2,085.40
4	Pavt Marking, Bike Lane Symbol	12	EA	\$200.00	\$2,400.00
5	Traffic Control	1	LS	\$2,000.00	\$2,000.00
<u>Signals</u>					
6	Mobilization, Max	1	LS	\$3,000.00	\$3,000.00
7	Lighted Arrow, Type C, Furn	4	EA	\$400.00	\$1,600.00
8	Lighted Arrow, Type C, Oper	4	EA	\$8.00	\$32.00
9	Minor Traf Devices	1	LS	\$2,000.00	\$2,000.00
10	Plastic Drum, High Intensity, Furn	40	EA	\$40.00	\$1,600.00
11	Plastic Drum, High Intensity, Oper	40	EA	\$8.00	\$320.00
12	Sign, Type A, Temp, Prismatic, Furn	40	SF	\$3.00	\$120.00
13	Sign, Type A, Temp, Prismatic, Oper	40	SF	\$8.00	\$320.00
14	Sign, Type B, Temp, Prismatic, Furn	222	SF	\$3.00	\$666.00
15	Sign, Type B, Temp, Prismatic, Oper	222	SF	\$8.00	\$1,776.00
16	TS, Span Wire Mtd, Rem	2	EA	\$100.00	\$200.00
17	TS, One Way Span Wire Mtd, Salv	500	EA	\$2.00	\$1,000.00
18	Case Sign, Two Way, 24 inch by 30 inch, Non- Illuminated	1	EA	\$1,300.00	\$1,300.00
19	TS Head, Adj	3	EA	\$150.00	\$450.00
20	Case Sign, Two Way, 24 inch by 30 inch, Non- Illuminated	1	EA	\$1,300.00	\$1,300.00
21	TS Head, Adj	2	EA	\$150.00	\$300.00
22	TS Head, Adj	4	EA	\$150.00	\$600.00
23	Case Sign, Two Way, 24 inch by 30 inch, Non- Illuminated	2	EA	\$1,300.00	\$2,600.00
24	TS, Mast Arm Mtd, Rem	2	EA	\$150.00	\$300.00
25	Backplate, TS	2	EA	\$200.00	\$400.00
26	_ TS, One Way Mast Arm Mtd, Five Sect (LED)	2	EA	\$1,500.00	\$3,000.00

Item No.	Description	Quantity	Unit	Unit Price	Total Amount
27	Case Sign, Two Way, 24 inch by 30 inch, Non- Illuminated	1	EA	\$1,300.00	\$1,300.00
28	TS Head, Adj	3	EA	\$150.00	\$450.00
29	Span Wire	1	EA	\$500.00	\$500.00
30	Case Sign, One Way, 24 inch by 30 inch, Non- Illuminated	2	EA	\$1,300.00	\$2,600.00
31	TS Head, Adj	4	EA	\$150.00	\$600.00
32	Case Sign, Two Way, 24 inch by 30 inch, Non- Illuminated	2	EA	\$1,300.00	\$2,600.00
33	TS Head, Adj	4	EA	\$150.00	\$600.00
Subtotal					\$44,717.80
Engineering (15%)					\$6,707.67
Administration & Legal (5%)					\$2,235.89
Contingencies (10%)					\$4,471.78
Project Total					\$58,133.14

Owner:

City of Parchment

Project Title:

Riverview Drive Road Diet - Restriping + Mill and Repave

Date:

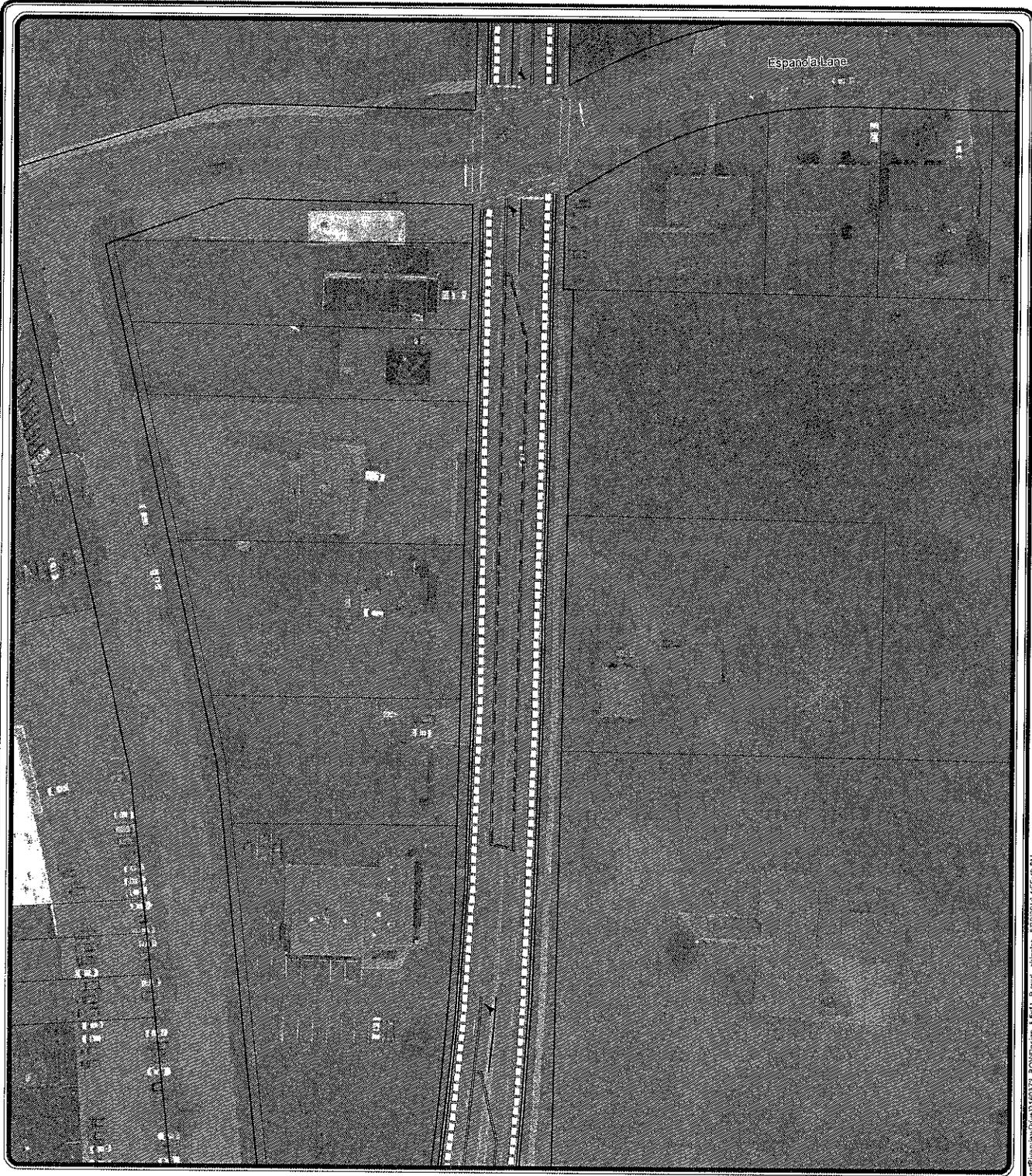
October 4, 2016

Project #:

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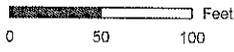
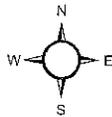
Item No.	Description	Quantity	Unit	Unit Price	Total Amount
<u>Pavement</u>					
1	Mill 2"	8,485	SY	\$4.00	\$33,940.00
2	2" KCRC 13A Top Course	1,030.00	TON	\$60.00	\$61,800.00
3	Pavt Marking, Waterborne, 4 inch, Yellow	10,492	LF	\$0.20	\$2,098.40
4	Pavt Marking, Ovly Cold Plastic, Turn Arrow Sym	23	EA	\$200.00	\$4,600.00
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<u>Signals</u>					
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32	Case Sign, One Way, 24 inch by 30 inch, Non- Illuminated	2	EA	\$1,300.00	\$2,600.00
33	TS Head, Adj	4	EA	\$150.00	\$600.00
34	Case Sign, Two Way, 24 inch by 30 inch, Non- Illuminated	2	EA	\$1,300.00	\$2,600.00
35	TS Head, Adj	4	EA	\$150.00	\$600.00
Subtotal					\$143,457.80
Engineering (15%)					\$21,518.67
Administration & Legal (5%)					\$7,172.89
Contingencies (10%)					\$14,345.78
Project Total					\$186,495.14



Legend

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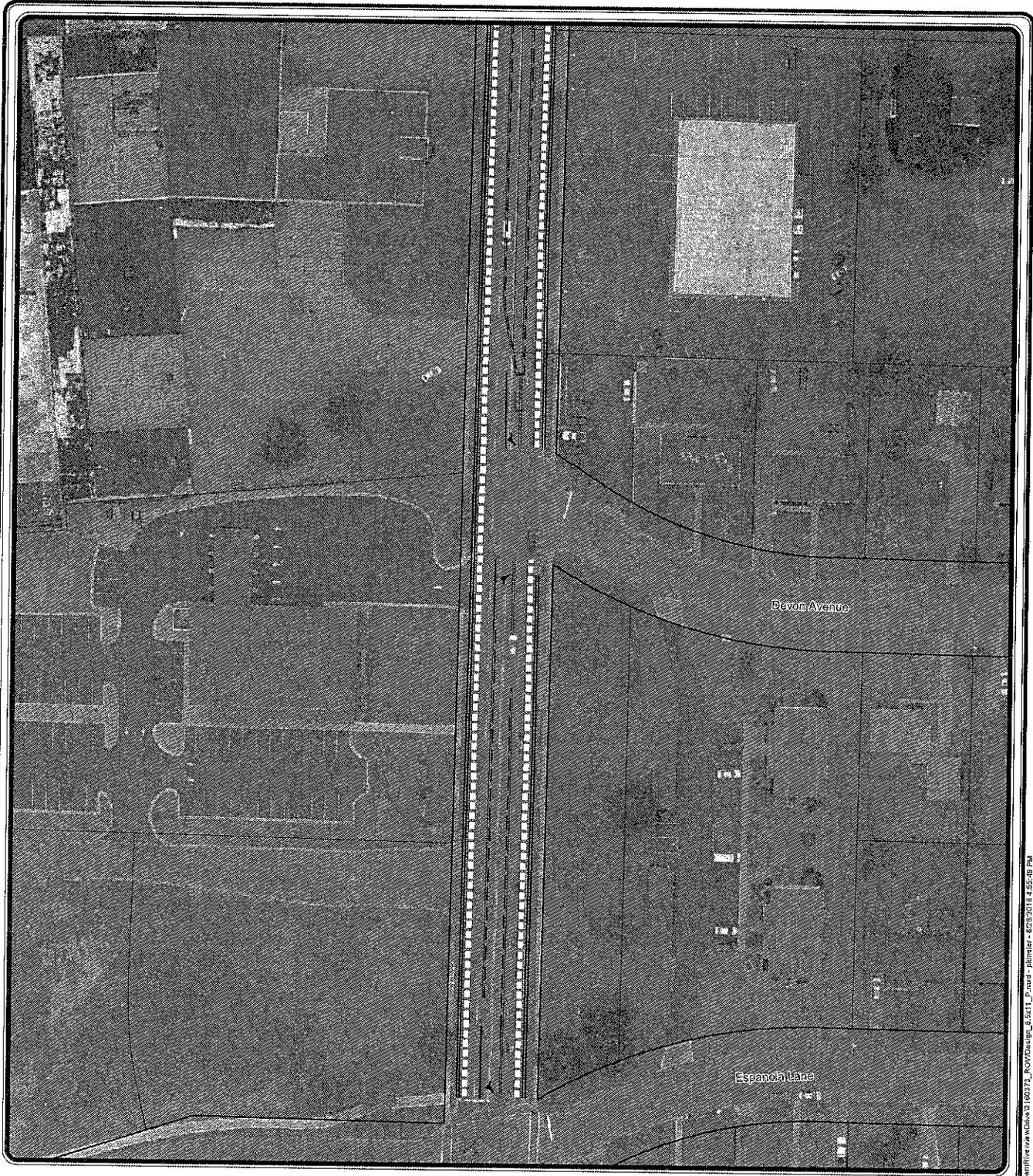
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City of Parchment
Kalamazoo County, Michigan
**Proposed Riverview
Drive Design**

November 2010

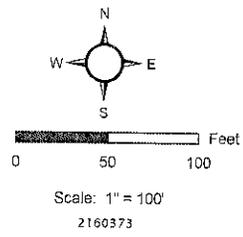
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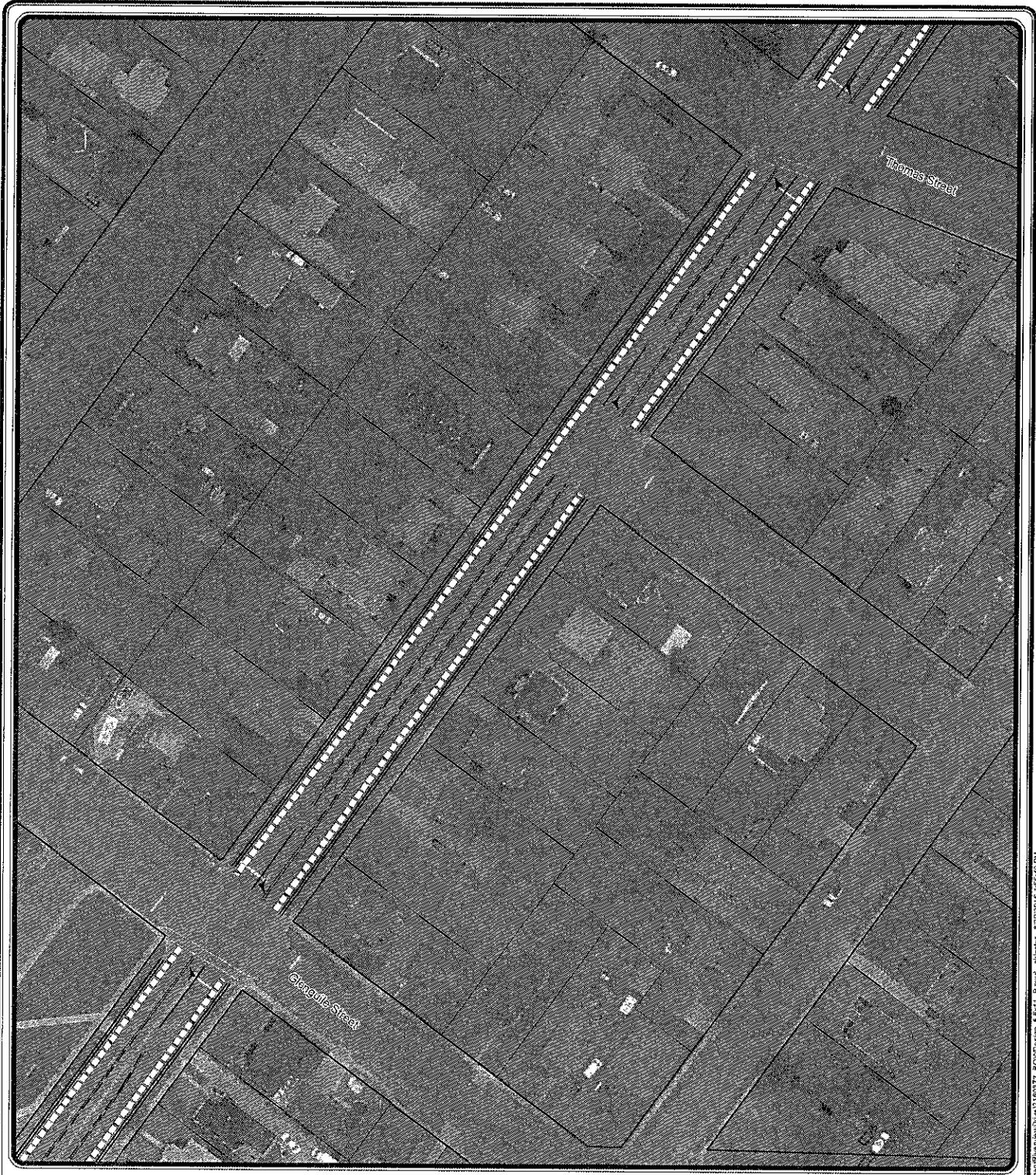


City of Parchment
 Kalamazoo County, Michigan
Proposed Riverview Drive Design

November 2019

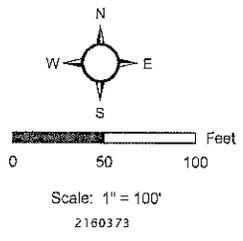
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City of Parchment
 Kalamazoo County, Michigan
Proposed Riverview Drive Design

November 2010

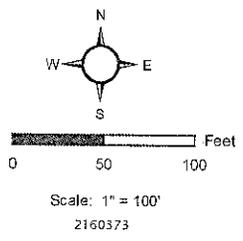
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- Curb
- Bike Path



City of Parchment
 Kalamazoo County, Michigan
Proposed Riverview Drive Design

October 2013
Prin & Newhof
 269-372-1158

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1811 4 Mile Road NE
Grand Rapids, MI 49525
phone 616.361.2664
fax 616.361.1493
progressiveae.com

September 30, 2016

Daniel Lewis, PE
Prein & Newhoff
7123 Stadium Drive
Kalamazoo, MI 49009

Re: City of Parchment, Riverview Drive Four-to-Three Lane Conversion
Traffic Signal Impacts

Dear Mr. Lewis:

PROJECT INTRODUCTION

The City of Parchment has been considering a future conversion of Riverview Drive from its current four-lane cross section to a three-lane cross section with intermittent raised medians, also commonly referred to as a "road diet". Consideration for this change is partly due to ongoing discussions regarding the daily and peak-hour traffic volumes prevalent on the corridor that are at a level that would allow for fewer lanes, providing a safer environment for left-turn movements, lower crash rates, safer environment for pedestrians, room for bike lanes, and encourages lower speeds and traffic calming.

In 2010, Progressive AE completed visioning documents for the three-lane section for Prein & Newhoff and the City of Parchment, including conceptual plan view sketches, at-grade renderings, and an overall conversion map.

In 2012, Progressive AE assisted the City of Parchment with design and installation of a box span traffic signal to the intersection of Riverview Drive and Bellisle Boulevard/Park Drive. This recent signal installation, at the time, was not yet supporting a three-lane section on Riverview Drive, but requires minimal modifications to do so.

Recently, the City of Parchment expressed further interest in moving forward with the road diet concept by engaging Prein & Newhoff and Progressive AE to investigate pavement re-striping and traffic signal modifications that may be necessary, along with associated probable estimate of construction costs. It is our understanding that Phase 1 of the conversion would re-stripe the roadway to a three-lane section, and include pavement marking medians, and adjustment to traffic signal heads to support the revised cross section. Phase 1 would prepare drivers for new traffic patterns, while keeping costs of implementation of the full corridor to raised medians and landscaping to a minimum. Phase 2 would be implemented at a later date and would consist of converting the pavement marking medians to greenspace and landscaping for a more complementary aesthetic to the City of Parchment.

The purpose of this letter is to support Prein & Newhoff with recommendations on traffic signal modifications and the cost to complete the three-lane conversion, which will support the new pavement markings and ultimately the raised landscape islands. Prein & Newhoff is understood to be handling the exhibits and cost estimates for the roadway and striping scope of Phase I.

The extent of the conversion to three lanes along Riverview Drive is understood to begin just north of East Mosel Avenue, and extend north along Riverview Drive approximately 1.25 miles to East G Avenue. Seven traffic signals are encountered along this route.

Sig #	West Approach	East Approach	Type	Jurisdiction	Vehicle Heads	Ped. Heads & crossings	Vehicle Detection	Controller
1	E. Mosel Ave	E. Mosel Ave	Mast Arm	RCKC	(4) Led FYA (2) 5-Sect. Rt on Mosel (6) 1w-3c	All Legs, PB all Legs, LED Countdowns	Camera	Base
2	Commerce Lane	Espanola Avenue	Diagonal Span	City	(1) 4w-3c (2) 2w-3c	(4) 2w-2c No Buttons	Pre-Timed	Pole
3	Bellisle Blvd. (River Reach Blvd.)	Park Drive	Box Span	City	(9) 1w-3c LED (1) LT "Only" CS	N, W, & E Legs, PB N leg, LED Countdowns	W & E Leg Loops	Base
4	Island Avenue	Glendale Blvd.	Split Diagonal Span	City	(4) 3w-3c	W, E, & Riverview No PB	Pre-Timed	Pole
5	Robert Lane	Parchmount Avenue	Diagonal Span	City	(3) 1w-3c (1) 2w-3c (1) 3w-3c	All Legs. No PB	Pre-Timed	Pole
6	West Oakgrove Avenue	East Oakgrove Avenue	Diagonal Span	City	(1) 4w-3c (1) 3w-3c (1) 1w-3c	All Legs, No PB	Pre-Timed	Pole
7	East G Avenue	East G Avenue	Diagonal Span	RCKC	(2) 4w-3c	All Legs, No PB	Pre-Timed.	Pole

To support the three-lane section only, simple "left turn only" case signs would be required to be placed in the center of the roadway. These "left turn only" case signs could be either highly reflective diamond sheeting, requiring no power to illuminate, or they could be LED internally lit case signs. Some minor changes/adjustments to locations of traffic signal heads along the existing span wires would also be required.

Safety funding or CMAQ funding managed through Michigan Department of Transportation LAP could be pursued if the City of Parchment would ultimately want to fully modernize the seven intersections. However, a signal warrant study would likely be required to justify that the grant monies to improve the signals were warranted if this funding was pursued, and may result in elimination of some of the traffic signals throughout the Riverview Drive corridor. Modernization of the signalized intersections would typically include:

1. Removal of diagonal span traffic signals—currently 5 along the corridor.
2. Load switch base controllers (16) and cabinets with Mod 60 EPAC controllers would be installed to support current signal infrastructure.
3. Operation of the traffic signals would become semi-actuated or fully actuated with camera detection on two to four approaches, including LED countdown pedestrian signal heads and pushbuttons to cross one or both legs of Riverview Drive.
4. All intersections would be upgraded to current American Disabilities Act (ADA) compliant sidewalk ramps with truncated dome panels and associated pushbutton locations.
5. All signal heads would be upgraded to the 12-inch LED type.

6. Left turns would be accommodated by either opposing "left turn only" case signs for low-volume permissive movements, or, for higher-volume left turns, the opposing LED flashing yellow arrows would be installed for leading permissive and lagging protected left turns.
7. At some locations, such as Mosel Avenue, a right-turn green arrow may be desired, and a five-section "doghouse" signal would be installed to support a dedicated "right turn only" lane.
8. Interconnection of the signals, at a minimum, would be by GPS module to coordinate time of day, but the corridor could also be interconnected with broadband wireless, or fiber optic.
9. If desired by the City of Parchment, the Road Commission of Kalamazoo County (RCKC) has offered to take ownership of the operation of the signals along Riverview Drive. Note that G Avenue and E. Mosel Avenue intersections and signal operations are currently under the jurisdiction of the RCKC. Mosel Avenue is a mast arm design traffic signal, which is now a RCKC standard. G Avenue, when upgraded as planned by RCKC in 2018 or 2019, will also be converted to the mast arm design.

The following figures support changes that would be required of the traffic signals to support the three-lane conversion section at each of the signalized intersections.

Riverview Drive at Mosel Avenue:



Figure 1: Current aerial view of Riverview Drive at Mosel Avenue (Google Earth)

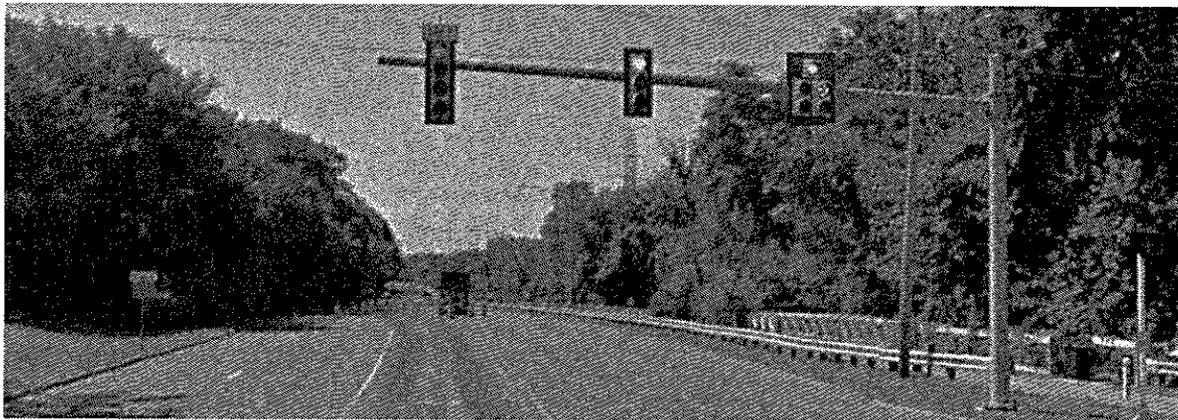


Figure 2: Dedicated five-section "doghouse" at Mosel Avenue, for northbound and southbound facing mast arms. (Change to doghouse signal head shown).

At Mosel Avenue, the north and south facing mast arms would require the RYG standard three-section signal head to be converted to a five-section "doghouse" signal head to support a dedicated right turn only lane.

Riverview Drive at Espanola Avenue / Commerce Lane:



Figure 3: Current aerial view of Riverview Drive at Espanola Avenue/Commerce Lane (Google Earth)

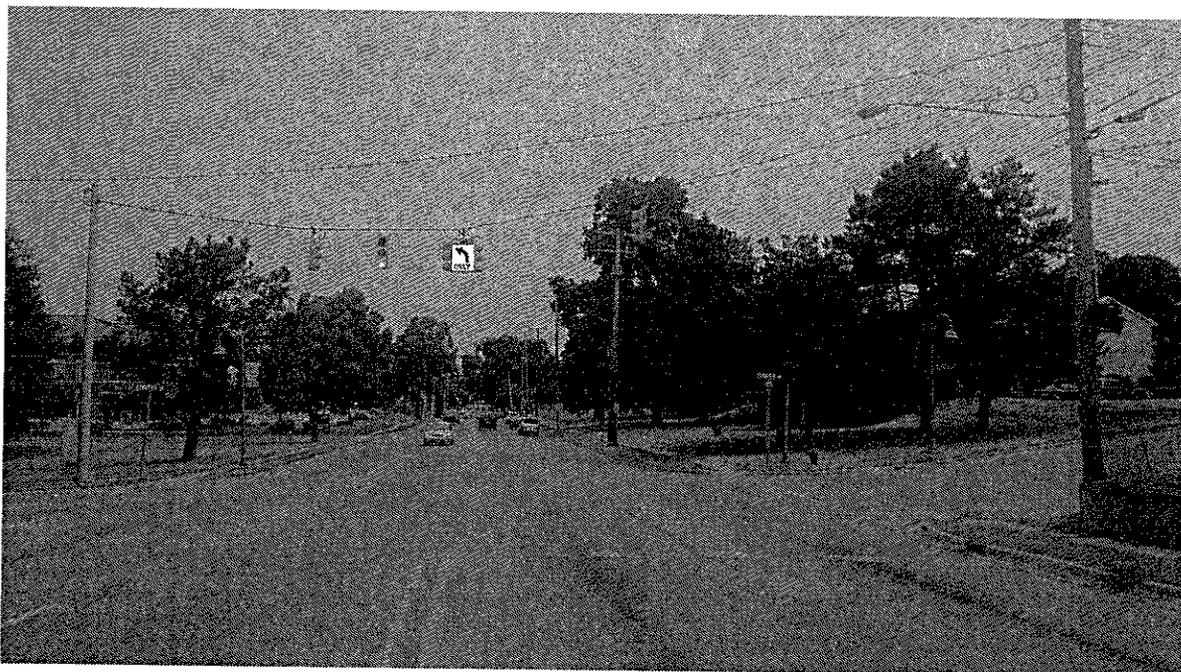


Figure 4: Left turn "only" case sign facing northbound and southbound, would replace northbound and southbound signal heads from center four-way. The removed northbound and southbound signal heads would be re-positioned on the span wire.

The center 4w-3c cluster at this intersection would be converted to a 2w-3c facing west and east, and a left turn "only" case sign facing north and south. The existing 1w-3c signal heads facing north and south from the 4w-3c cluster would be re-hung on the span wire facing north and south as shown in Figure 4.

Riverview Drive at Bellisle Boulevard/Park Drive.



Figure 5: Current Aerial View of Riverview Drive at Bellisle Boulevard / Park Drive (Google Earth)



Figure 6: Add case sign facing southbound.

At Bellisle Boulevard/Park Drive, a left turn “only” case sign would be placed on the north and south box span wires

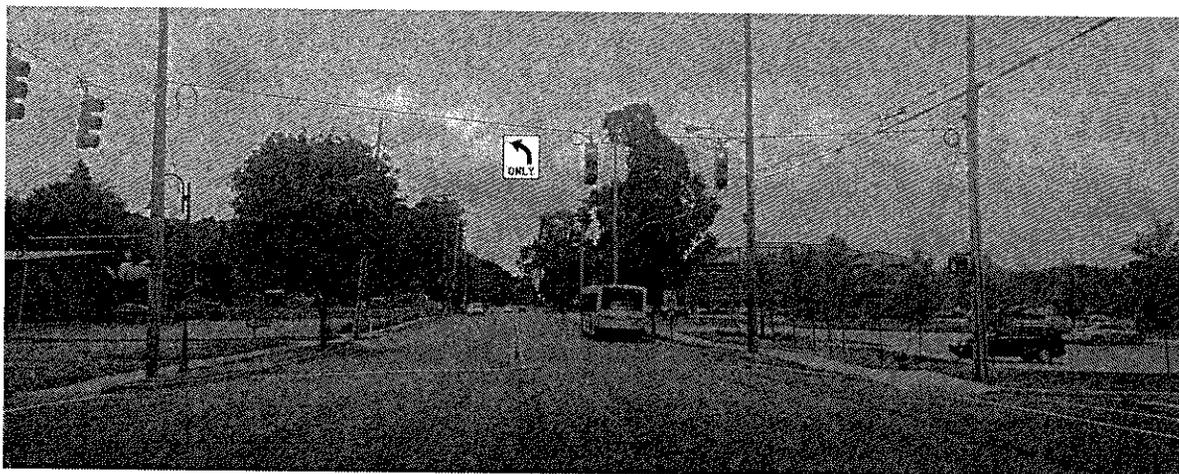


Figure 7: Add left turn “only” case sign facing north at Bellisle Boulevard/Park Drive.

At Bellisle Boulevard/Park Drive, a left turn “only” case sign would be placed on the north and south box span wires.

Riverview Drive at Glendale Boulevard/Island Drive



Figure 8: Current aerial view of Riverview Drive at Glendale Boulevard/Island Avenue (Google Earth).



Figure 9: Add two case signs facing northbound.

At Island Drive and Glendale Boulevard, two, two-way left turn “only” case signs would be placed on the existing span wires.

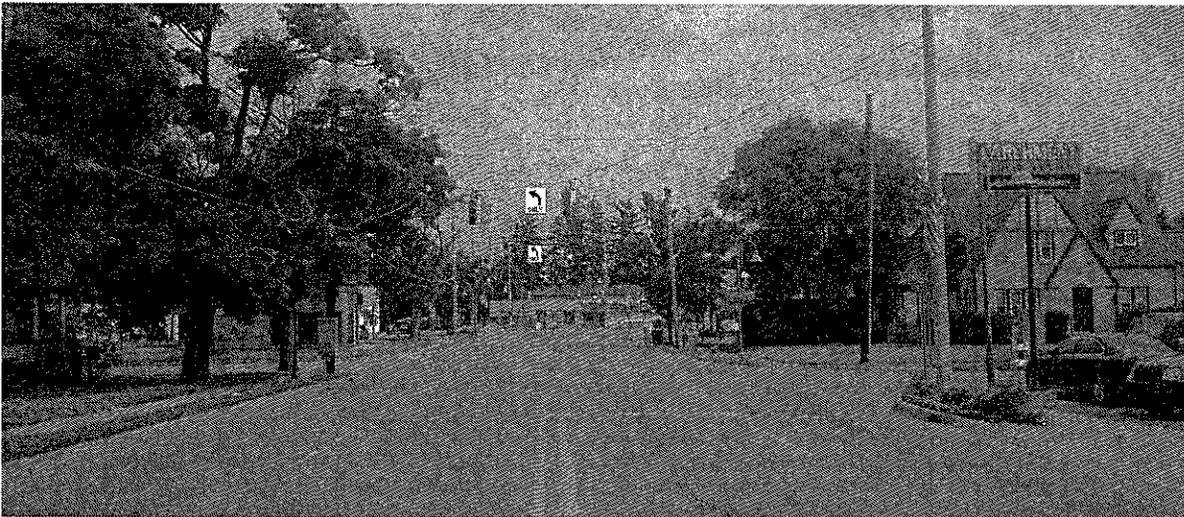


Figure 10: Add two case signs facing southbound.

At Island Drive and Glendale Boulevard, two, two-way left turn “only” case signs would be placed on the existing span wires.

Riverview Drive at Parchmount Avenue/Robert Lane



Figure 11: Current aerial view of Riverview Drive at Parchmount Avenue (Google Earth).

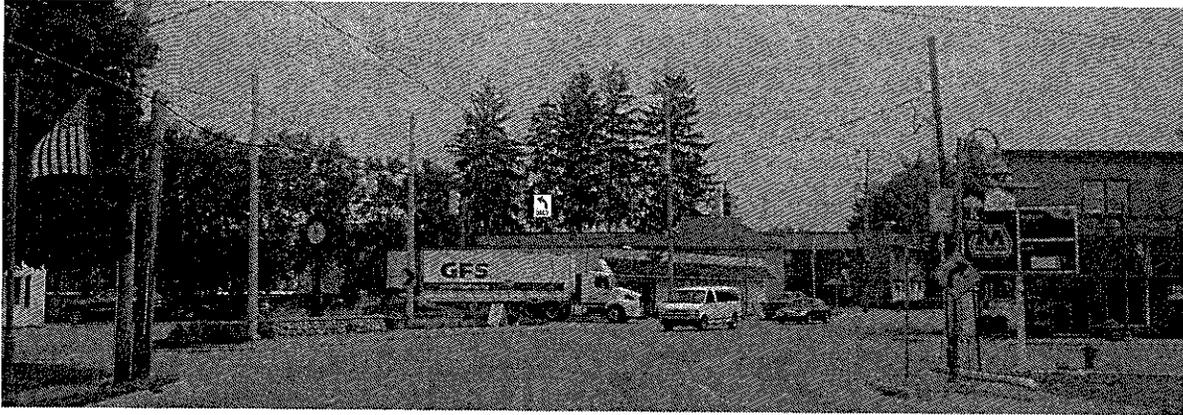


Figure 12: Add left turn "only" case sign facing south.

At Parchmount Avenue, two one-way left turn "only" case signs would be placed facing north and south on the existing span wires.

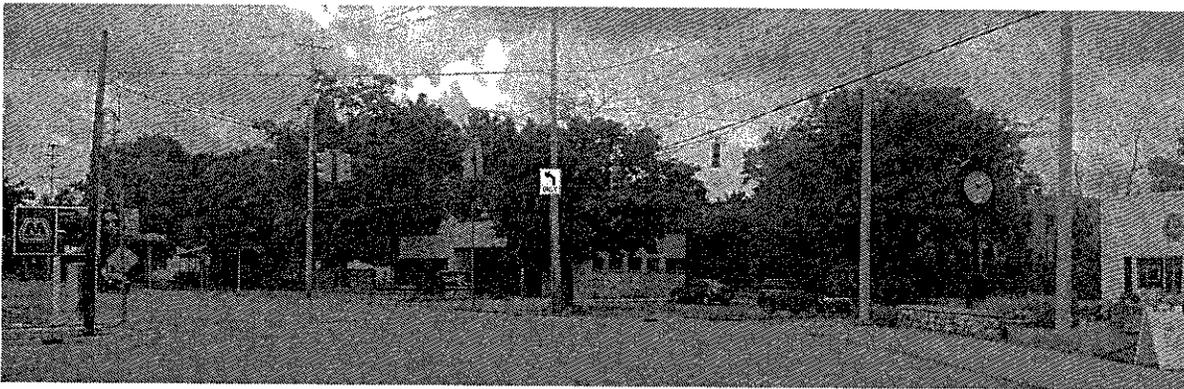


Figure 13: Add left turn case sign facing north.

At Parchmount Avenue, two one-way left turn "only" case signs would be placed facing north and south on the existing span wires.

Riverview Drive at Oak Grove Avenue



Figure 14: Current aerial view of Riverview Drive at Oak Grove Avenue (Google Earth).

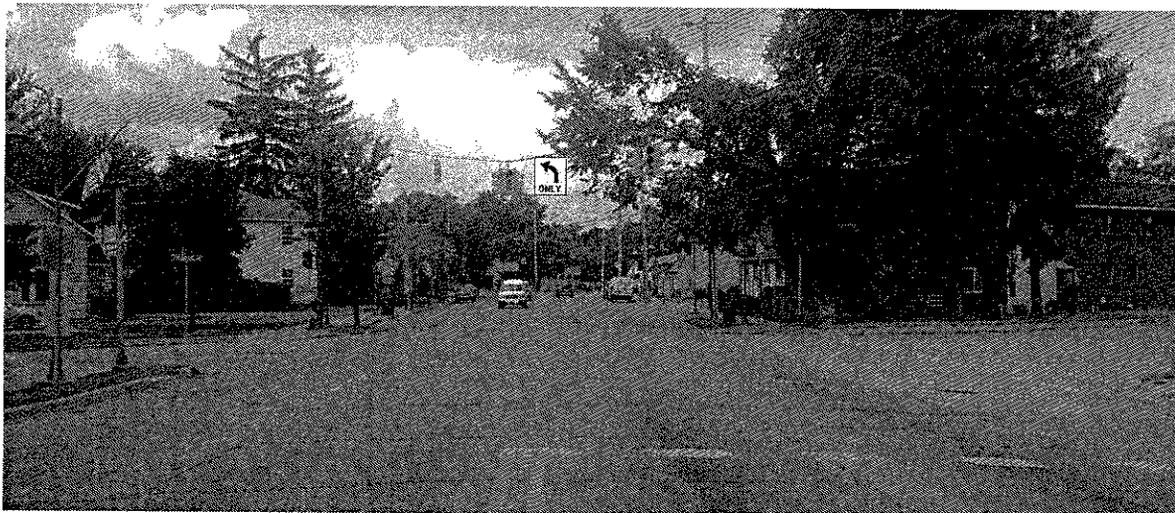


Figure 15: Add case sign facing north and south.

At Oak Grove Ave, a two-way left turn “only” case sign facing north and south would be hung on the existing span wire. Existing signal heads would be adjusted along the span wire to suit the new three-lane section.

Riverview Drive at G Avenue



Figure 16: Current Aerial View of G Avenue at Riverview Drive (Google Earth).

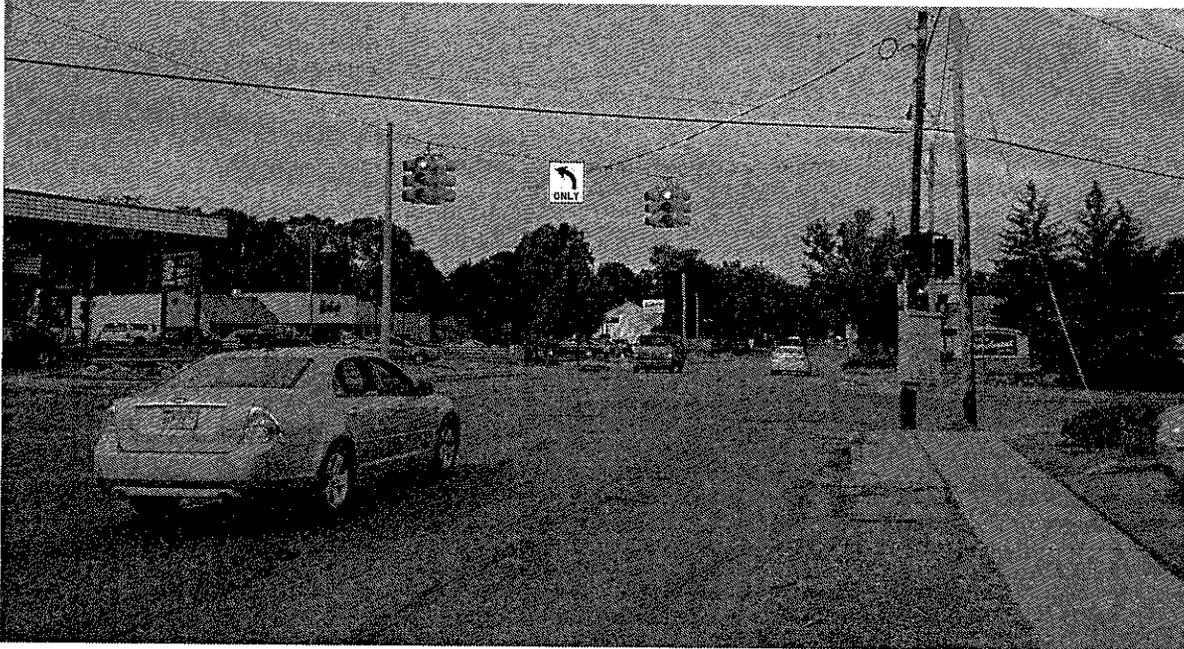


Figure 17: Add case sign facing north and south.

At G Avenue, a two-way left turn "only" case sign facing north and south would be hung on the existing span wire.

SUMMARY:

The cost for adding left turn "only" case signs, and two doghouse traffic signals to support the three-lane section is estimated at \$31,500 (see attached Engineer's Opinion of Cost).

The cost for improving the entire corridor to current box span standards will be approximately \$100,000 per box span intersection with steel strain poles and foundations. Since the Bellisle Boulevard/Park Drive intersection is already a box span, and Mosel Avenue and G Avenue intersections are under RCKC jurisdiction, that leaves only four diagonal span intersections to improve. Therefore, modernizing four intersections to the current box span design would be estimated at \$400,000 in construction costs. Such costs could be shared between state and local match funding if CMAQ or safety funding were pursued.

Please let us know if you or the City of Parchment have any questions regarding the above summary.

Sincerely,

Progressive AE

Daniel W. Westenburg

Daniel W. Westenburg, PE
Senior Civil Engineer

DWW:smg

P:\53276005\WIP DOCUMENTS\Reports\2016 09 30 PN Parchment Riverview Conversion Road Diet TS Impact.docx

RCKC - Road Commission of Kalamazoo County
Engineer's Opinion of Costs

Project Number: 53276005	Project Engineer: Daniel Westenburg, P.E.
Estimate Number: 2	Date Created: 9/15/2016
Project Type: Safety	Date Edited: 9/15/2016
Location: Riverview Drive "Road Diet" 4 to 3 lane from Mosel Ave. to G Ave.	Fed/State #:
Description: Modifications and Upgrades to 7 Traffic Signals.	Fed Item:
	Control Section:

Line	Category	BrkID	Pay Item	Description	Quantity	Units	Unit Price	Total
0001	0000		1500001	Mobilization, Max	1.000	LSUM	\$3,000.000	\$3,000.000
0002	0000		8120140	Lighted Arrow, Type C, Furn	4.000	Ea	\$400.000	\$1,600.000
0003	0000		8120141	Lighted Arrow, Type C, Oper	4.000	Ea	\$8.000	\$32.000
0004	0000		8120170	Minor Traf Devices	1.000	LSUM	\$2,000.000	\$2,000.000
0005	0000		8120250	Plastic Drum, High Intensity, Furn	40.000	Ea	\$40.000	\$1,600.000
0006	0000		8120251	Plastic Drum, High Intensity, Oper	40.000	Ea	\$8.000	\$320.000
0007	0000		8120340	Sign, Type A, Temp, Prismatic, Furn	40.000	Sft	\$3.000	\$120.000
0008	0000		8120341	Sign, Type A, Temp, Prismatic, Oper	40.000	Sft	\$8.000	\$320.000
0009	0000		8120350	Sign, Type B, Temp, Prismatic, Furn	222.000	Sft	\$3.000	\$666.000
0010	0000		8120351	Sign, Type B, Temp, Prismatic, Oper	222.000	Sft	\$8.000	\$1,776.000
0011	0000	Espanola / Commerce	8200182	TS, Span Wire Mtd, Rem	2.000	Ea	\$100.000	\$200.000
0012	0000	Espanola / Commerce	8200191	TS, One Way Span Wire Mtd, Salv	500.000	Ea	\$2.000	\$1,000.000
0013	0000	Espanola / Commerce	8200435	Case Sign, Two Way, 24 inch by 30 inch, Non-Illuminated	1.000	Ea	\$1,300.000	\$1,300.000
0014	0000	Espanola / Commerce	8200452	TS Head, Adj	3.000	Ea	\$150.000	\$450.000
0015	0000	G Ave	8200435	Case Sign, Two Way, 24 inch by 30 inch, Non-Illuminated	1.000	Ea	\$1,300.000	\$1,300.000

Line	Category	BrkID	Pay Item	Description	Quantity	Units	Unit Price	Total
0016	0000	G Ave	8200452	TS Head, Adj	2.000	Ea	\$150.000	\$300.000
0017	0000	Glendale / Island	8200452	TS Head, Adj	4.000	Ea	\$150.000	\$600.000
0018	0000	Glendale / Island	8200435	Case Sign, Two Way, 24 inch by 30 inch, Non-Illuminated	2.000	Ea	\$1,300.000	\$2,600.000
0019	0000	Mosel	8200177	TS, Mast Arm Mtd, Rem	2.000	Ea	\$150.000	\$300.000
0020	0000	Mosel	8200501	Backplate, TS	2.000	Ea	\$200.000	\$400.000
0021	0000	Mosel	8207050	TS, One Way Mast Arm Mtd, Five Sect (LED)	2.000	Ea	\$1,500.000	\$3,000.000
0022	0000	Oakgrove	8200435	Case Sign, Two Way, 24 inch by 30 inch, Non-Illuminated	1.000	Ea	\$1,300.000	\$1,300.000
0023	0000	Oakgrove	8200452	TS Head, Adj	3.000	Ea	\$150.000	\$450.000
0024	0000	Parchmoun t / Rchert	8200140	Span Wire	1.000	Ea	\$500.000	\$500.000
0025	0000	Parchmoun t / Rchert	8200434	Case Sign, One Way, 24 inch by 30 inch, Non-Illuminated	2.000	Ea	\$1,300.000	\$2,600.000
0026	0000	Parchmoun t / Rchert	8200452	TS Head, Adj	4.000	Ea	\$150.000	\$600.000
0027	0000	Park / Bellisle	8200435	Case Sign, Two Way, 24 inch by 30 inch, Non-Illuminated	2.000	Ea	\$1,300.000	\$2,600.000
0028	0000	Park / Bellisle	8200452	TS Head, Adj	4.000	Ea	\$150.000	\$600.000
Estimate Total:								\$31,534.00

Appendix A

Additional Information

Schematic Report for Riverview Drive Road Diet to 3 lanes

- 1) Wherever it uses the non-illuminated case sign, I would also like to see the est. cost for an illuminated version.

The difference between an illuminated Case Sign and non-illuminated sign:

A "One Way, 24 inch by 30 inch Case Sign, Non-Illuminated" is estimated at \$1,300.

A "Two Way, 24 inch by 30 inch Case Sign, Non-Illuminated" is also estimated at \$1,300.

To illuminate the interior of the sign with LED lights:

A "One Way, 24 inch by 30 inch Case Sign (LED)" is \$1,700.

A "Two Way, 24 inch by 30 inch Case Sign (LED)" is \$2,000.

So, the estimated cost to change (2) One Way Case signs to (2) One Way (LED) Case Signs would be \$800.

The estimated cost to change (7) Two Way Case signs to (7) Two Way (LED) Case Signs would be \$4,900

Total added cost of \$5,700.

There is also a potential add for electricity useage with the power company.

- 2) During the morning and afternoon "rush" hours, there are traffic backups for parents dropping off kids at the middle school. I am concerned that should such backups continue, they will block the southbound lane of traffic. Please look at this and identify a few solutions.

I can go into much more detail if you wish, but the summary is that the school should look at a different location of this drop-off on campus. A planning effort should be done to look at all factors of drop-off in relation to buses, safety, etc... However, we have listed some ideas below in lieu of a bigger picture study of the site:

- A) Work with the school's planner on the possibility of a drop-off area along Glenguile Street
- B) Extend the current drop-off as much as possible north and/or south
- C) Do not convert a stretch of the roadway north of this entrance from 4 to 3 lanes and leave it four lanes with a dedicated drop-off lane. The three lane through traffic would have a shift to the east for this duration.
- D) Switch bus and parent drop off locations. This would obviously need coordination and buy-in from school to accomplish this. If these are switched, Item B above may be a part of this as well to ensure we can get all buses off the roadway.

- 3) CMAQ funding is mentioned as a possibility for paying for this project. How likely is that to happen? What is the process and timeline for getting CMAQ money?

Just as we discussed with the possible partnering with the road commission on the safety grant, if we use any state or federal funding all sidewalk ramps across public roadways in that corridor will need to be upgraded to ADA accessible with plates. This is a large cost and makes the CMAQ money not as attractive for this project.

- 4) Are there any opportunities to eliminate signals in the corridor as part of this project?

The cost to eliminate an intersection of signals is around \$4,000-\$5,000. We believe there are possible opportunities for elimination of some of these signaled intersections based on our past experience in the area and the current MMUTCD standards. However, we can not determine that without a signal warrant study. It is my understanding that ProgressiveAE is working with you on coordinating this possibility.

FORD, KRIEKARD, SOLTIS & WISE, P.C.

Attorneys At Law

Established in 1887 by Alfred S. Frost

William K. Kriekard
Robert A. Soltis
Robert A. Wise

8051 Moorsbridge Road
Portage, Michigan 49024
Telephone: (269) 323-3400
Facsimile: (269) 323-3418

Henry Ford III (1905-1990)
Gordon H. Kriekard (1923-1992)
Donald H. Dunckel II (1947-2000)

David W. McMorrow
Of Counsel

November 7, 2016

Mr. Dennis Durham, City Manager
City of Parchment
650 South Riverview Drive
Parchment, MI 49004

RE: **New Medical Marijuana Laws**

Dear Dennis:

Our Legislature has adopted new Medical Marijuana Facilities Licensing Acts, which take effect on December 20, 2016.

The three new statutes which permit licensing of five categories of commercial medical marijuana processing and, ultimately, sale (grower, processor, provisioning center, secure transporter and safety compliance facility) become effective on December 20, 2016. However, a proposed licensee may not apply to the State Licensing Board for a license to operate one of these new types of businesses until December 15, 2017. The Licensing Board will then contact a local municipality to determine whether that municipality has "opted in" to allow these facilities to operate in that community. Therefore, the first license will probably not be able to be approved until the beginning of 2018.

The statutory scheme provides that in order for one of these facilities to operate in a community, the local community must "opt in" by adopting Ordinances that would allow for these facilities. The first question is whether the City Commission wishes to allow any of these types of facilities within the City. If the answer is no, nothing needs to be done. If the answer is yes to any type of facility, then I would recommend that the Commission direct the Planning Commission to begin the process of studying and recommending where these types of facilities may be suitably located.

I've had discussions with other municipal attorneys, and there presently is no uniform approach County-wide. The Kalamazoo County Prosecutor apparently is seeking to have a County-wide approach. How any of this will proceed is presently unknown. It is

Mr. Dennis Durham, City Manager
Page Two
November 7, 2016

my opinion that the best way to regulate these facilities, if the Commission wishes to "opt in", is through the Zoning Ordinance, making them special land uses. As a special land use, the City can then regulate important aspects such as parking, hours of operation, lighting and so forth. But, once again, the first decision is to decide whether to allow them at all.

If anyone has any further questions, please advise. Thank you for your cooperation.

Very truly yours,

FORD, KRIEKARD, SOLTIS & WISE, P.C.

A handwritten signature in black ink, appearing to read "Robert A. Soltis". The signature is written in a cursive, flowing style.

Robert A. Soltis

RAS/kb

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SEVERANCE ELECTRIC CO., INC.

Phone. 269-345-0134 Fax. 269-342-2929 Email. work@esev.com

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• Directional Boring •**

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Send all mail items and documents to the office location.*

Traffic Signal Improvements

Quotation: Electrical/Traffic Signal

Project: City of Parchment

Location: Riverview Dr.

Line #	Item #	Description	Quantity	UM	Unit Price	Extended Price
Riverview and Oak Grove						
Poles are in weathered but good condition for continued operation.						
Signals						
		3 Way Signal	1	Ea	\$ 1,882.68	\$ 1,882.68
		4 Way Signal	1	Ea	\$ 2,372.70	\$ 2,372.70
		1 Way Signal	1	Ea	\$ 680.00	\$ 680.00
Ped Signals						
		Pedestal Mount Two-Way Peds LED Countdown	2	Ea	\$ 1,567.52	\$ 3,135.04
		T Bracket Steel Pole Two-Way Ped LED Countdown	1	Ea	\$ 1,544.27	\$ 1,544.27
		T Bracket Wood Pole Two-Way Ped LED Countdown	1	Ea	\$ 1,544.27	\$ 1,544.27
		M30 Controller and Cabinet Pole Mount	1	Ea	\$ 17,136.90	\$ 17,136.90
Sub Total						\$ 28,295.86
Riverview and Parchment						
South East pole is in poor condition for continued operation. It will be difficult to continue to raise the messenger cable supporting the signals when the signals sag.						
		30' Steel Strain Pole Option. Includes Foundation and Installation. Requires removal and re-installation of the TS cabinet, low level and ped signal.	1	Ea	\$ 12,450.00	\$ 12,450.00
		35' Wood Pole Installed Option. This includes temporarily supporting the existing pole and transferring all equipment and messenger cables. Existing communication company would be required to transfer their cables. That will be coordinated by others.	1	Ea	\$ 8,420.00	\$ 8,420.00
Signals						
		1 Way Signals	2	Ea	\$ 680.00	\$ 1,360.00
		2 Way Signal	1	Ea	\$ 1,286.37	\$ 1,286.37
		3 Way Signal	1	Ea	\$ 1,882.68	\$ 1,882.68
		Wood Pole Bracket Mounted Low Level	1	Ea	\$ 880.00	\$ 880.00
Ped Signals						
		Pedestal Mount Two-Way Peds LED Countdown	1	Ea	\$ 1,567.52	\$ 1,567.52
		T Bracket Steel Pole Two-Way Ped LED Countdown	1	Ea	\$ 1,544.27	\$ 1,544.27
		T Bracket Wood Pole Two-Way Ped LED Countdown	2	Ea	\$ 1,544.27	\$ 3,088.54
		M30 Controller and Cabinet Pole Mount	1	Ea	\$ 17,136.90	\$ 17,136.90
Sub Total						\$ 49,616.28
Riverview and Island/Glendale						
Poles are in weathered but good condition for continued operation.						
Signals						
		3 Way Signals	4	Ea	\$ 1,882.68	\$ 7,530.72
Ped Signals						
		Pedestal Mount One-Way Peds LED Countdown	1	Ea	\$ 823.00	\$ 823.00
		T Bracket Steel Pole One-Way Ped LED Countdown	1	Ea	\$ 798.00	\$ 798.00
		T Bracket Wood Pole Two-Way Ped LED Countdown	2	Ea	\$ 1,544.27	\$ 3,088.54

Manager

From: Robert Soltis <RSoltis@moorslaw.com>
Sent: Monday, November 14, 2016 2:27 PM
To: Dennis Durham (manager@parchment.org)
Subject: Revised Rental Housing Code Ordinance
Attachments: RENTAL HOUSING CODE WITH INT PROP MAINT CODE.doc

Dennis:

Please find attached the revised draft of the Rental Housing Code Ordinance taking into account the suggestions at the last two meetings. Those revisions can be seen at:

- The addition of Section 14-55 adding mandatory lease provisions to notify tenants of the Parchment Rental Housing Code.
- Deletion of definition of "hotel/motel" in Section 14-52. Deletion of prior Section 14-57 (Application of Chapter to Hotels and Motels). Sections 14-62, 14-65, 14-66 and 14-67: deletion of the word "hotel" as the City does not have any hotels nor is any anticipated in the near future, and I understand that this Ordinance is intended to address non-transient rentals such as apartments.
- Section 14-74(b)(2). Provides for notification of the City in emergencies after attempts to notify the owner or local responsible agent have been made may be made verbally. In non-emergencies, the tenant is to first attempt to notify the owner or local responsible agent and, if there is no resolution, may make a written complaint.
- Section 14-75. Establishing the Zoning Board of Appeals as the Housing Board of Appeals.

Hopefully, these revisions address the comments and concerns made previously.

If anyone has any questions or comments, please let me know.

Thanks. Bob

Robert A. Soltis
Ford, Kriekard, Soltis & Wise, P.C.
8051 Moorsbridge Road
Portage, MI 49024
(269) 323-3400 (phone)
(269) 323-3418 (fax)
www.fordkriekard.com

This email was scanned by Bitdefender

CITY OF PARCHMENT
KALAMAZOO COUNTY, MICHIGAN
ORDINANCE _____

AN ORDINANCE TO AMEND THE PARCHMENT CITY CODE OF ORDINANCES TO PROVIDE FOR A RENTAL HOUSING CODE; TO PROVIDE RULES AND REGULATIONS THEREFORE; TO ESTABLISH PROCEDURES FOR INSPECTIONS, CERTIFICATION AND APPEAL; TO ESTABLISH A HOUSING BOARD OF APPEALS; TO ADOPT THE INTERNATIONAL PROPERTY MAINTENANCE CODE BY REFERENCE, AS AMENDED HEREIN; TO MAKE VIOLATION HEREOF A MUNICIPAL CIVIL INFRACTION; TO ESTABLISH JURISDICTION AND PROCEDURES THEREFORE; TO REPEAL ALL OTHER ORDINANCES AND PARTS THEREIN INCONSISTENT OR CONTRARY TO THIS ORDINANCE AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

THE CITY OF PARCHMENT ORDAINS:

ARTICLE I

Chapter 14, Article III, Sections 14-43 through 14-50 are hereby reserved.

ARTICLE II

Chapter 14, Article IV (Rental Housing Code), Sections 14-51 through 14-83, of the Parchment City Code of Ordinances are hereby created and shall read as follows:

"Sec. 14-51. Title and Purpose.

- a. *Title:* This chapter shall also be known and may be cited as the "City of Parchment Rental Housing Code.
- b. *Purpose:* The general purpose of this chapter is to protect the public health, safety and the general welfare of the people of the City. These general objectives include, among others, the following specific purposes:
 1. To protect the character and stability of the residential areas within the City.

2. To provide minimum standards for kitchen, heating and sanitary facilities necessary to the health and safety of occupants of buildings.

Sec. 14-52. Definitions.

Generally:

Scope: Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the meanings shown in this chapter.

Interchangeability: Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.

Terms Defined in Other Codes: Where terms are not defined in this Code and are defined in the building, fire prevention, zoning, plumbing or mechanical codes, ASME A17.1 AND NFPA 70, such terms shall have the meanings ascribed to them as in those codes.

Terms not Defined: Where terms are not defined, through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

Parts: Whenever the words "dwelling unit", "dwelling", "premises", "building", "rooming house", "rooming unit", or "story" are stated in this Code, they shall be construed as though they were followed by the words "or any part thereof".

Terms defined:

Accessory Building means any building or structure, not used as a dwelling, which is located on the same premises as a dwelling.

Agent; Responsible Local: See Section 14-64.

Approved means determined by the City to be in compliance with this chapter.

Basement means a portion of a building located partly underground but having more than one-half (1/2) its clear floor-to-ceiling height below the average grade of the adjoining ground.

Basic Structural Elements means the parts of a building which provide the principal strength, stability, integrity, shape and safety, including, but not limited to, plates, studs, joists, rafters, stringers, stairs, subflooring, flooring, sheathing, lathing,

roofing, siding, window frames, door frames, porches, railings, eaves, chimneys, flashing, masonry and all other essential components.

Bed-and-Breakfast Inn shall be a private residence that offers sleeping accommodations to transient tenants in five (5) or fewer rooms for rent. It shall be the innkeeper's residence in which the innkeeper resides while renting the rooms to transient tenants, and it serves breakfast at no extra cost to its transient tenants.

Bedroom means any room or space used or intended to be used for sleeping purposes.

Board or Board of Appeals means the Housing Board of Appeals established in Section 14-74.

Certificate of Compliance: A document issued by the enforcing agency which states that the listed property is in substantial compliance with the requirements of this chapter.

Common Areas are those interior and exterior areas normally accessible to all occupants, such as, but not limited to, hallways, stairs and yards. Common areas do not include dwelling units, exterior or interior areas assigned to specific occupants, such as assigned storage or parking places, or such places as offices and do not include areas from which occupants are generally excluded.

Condemned: To adjudge unfit for occupancy.

Deteriorate means to decay, decompose or degenerate.

Deterioration or deteriorated means the fact or process of decay, infestation, rotting, decomposition or degeneration which has progressed to the point where it has resulted in or will soon result in making an object or mechanism unsafe, unsanitary, inoperable, unusable or unsuitable for its intended use, including, but not limited to, the advanced stage of rot, rust, mold, insect ingestion, infestation or destruction.

Duplex means a building with two (2) dwelling units.

Dwelling means any building which is wholly or partly used or intended to be used for living by human occupants.

Dwelling Unit: A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

Egress is what an exit provides.

Emergency means an event or condition that is an immediate and significant threat to life, health of a tenant or property.

Exit is a continuous and unobstructed means of egress to a public way and shall include intervening aisles, doors, doorways, corridors, exterior exit balconies or platforms, ramps, stairways, smoke proof enclosures, horizontal exits, exit passageways, exit courts and yards. Ladders are not accepted as an exit unless they are part of an approved ladder assembly and exit plan.

Family: See zoning definition.

Garbage means the animal and vegetable waste resulting from the handling, preparation, cooking and consumption of food, including cans, containers and wrappings wasted therewith.

Garbage Container means either:

1. A watertight container that is constructed of durable material impervious to rodents that is capable of being serviced without creating unsanitary conditions or such other containers that have been approved by the Kalamazoo County Health Department. Containers shall have tight-fitting covers or lids; or
2. A receptacle designed to be transported by or mechanically emptied into a refuse collection vehicle and does not include receptacles used in office buildings, businesses and single-family dwellings which are less than twenty-gallon capacity.

Good Repair means to be properly installed, stable and maintained sufficiently free of defects or deterioration so as to be functional for its present use and to be safe and sanitary.

Good Workmanship means completing a task of construction, repair or replacement to industry standards using like materials so that the result is free of defects, operates as intended and creates no unsafe conditions.

Habitable Area means all areas within a dwelling unit, excluding:

1. Bathrooms and/or toilet compartments.
2. Foyers and connecting corridors which are too small to be used for any other purpose than as foyers and connecting corridors.
3. Stairways.

4. Closets and storage space used as such or too small to be used for anything else.

Mechanical Equipment includes heating equipment, water heaters and other items specifically covered by the City's mechanical/plumbing code.

Minor Violations are violations which do not pose an immediate or near term threat to the physical health or safety of the occupant(s) or public. They include, but are not limited to, such items as worn or torn carpeting, holes in interior wall or ceiling surfaces, loose hinges or door knobs, checked window glazing, low heat in one room or area, dripping faucets, absence of street address numerals, minor peeling exterior paint, etc.

Multiple Dwelling means a residential building containing three (3) or more dwelling units arranged either side by side or one above the other (also apartment, townhouse and garden apartment). Such term shall also mean any building containing:

1. Two (2) or more dwelling units and one (1) or more commercial occupants; or
2. Two (2) or more commercial occupants and one (1) or more dwelling units.

Nuisance shall include:

1. Any public nuisance known at common law or equity.
2. Any condition which might attract and be dangerous to the public, whether in a dwelling, on the premises upon which a dwelling is located or upon an unoccupied lot near a dwelling. This includes, but is not limited to, abandoned wells, cisterns, shafts, basements, excavations, structurally unsound fences, outbuildings or structures, lumber, vegetation, mounds of gravel, sand or earth which might prove a hazard for the public and whatever is dangerous to human life or is detrimental to health.
3. Overcrowding a room with occupants.
4. Lack of adequate egress.
5. Insufficient ventilation or illumination.
6. Inadequate or unsanitary sewage or plumbing facilities.
7. Improper disposal of garbage, rubbish, refuse and/or trash.

8. Whatever renders air, food or drink unwholesome or detrimental to health as determined by the health officer.
9. Insufficient support, inadequate sewerage, drainage, heating or wiring.
10. Any violation of the provisions of this chapter relating to the aforesaid declared nuisances.

Occupant means any person living, sleeping, cooking or eating in or having actual possession of a dwelling unit or rooming unit.

One-Family Dwelling means a residential building containing a dwelling unit for occupancy by only one (1) family.

Owner means any person who, alone or jointly or severally with others:

1. Shall have the legal or equitable title to a dwelling with or without the accompanying actual possession thereof; and/or
2. Shall be the land contract purchaser of any premises or dwelling; or
3. Shall have the charge, care, custody, possession or control of any dwelling as owner or agent of the owner or as fiduciary.

A housing co-operative or condominium whether it is a partnership, corporation or any type of association, shall be considered an owner of the buildings, grounds and dwelling units which are part of the co-operative or condominium.

Plumbing means and includes all of the following supplied facilities and equipment: Water pipes, garbage disposal units, waste pipes, toilets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catch basins, drains, vents and any other supplied fixtures, together with all connections to water and sewer lines.

Premises means any lot or parcel of land including any structures thereon.

Refuse means any waste product which is not water-carried and which is composed wholly or partly of such materials as garbage, rubbish, sweepings, industrial solid wastes or domestic solid wastes, organic wastes or such other substances as may become a nuisance.

Rental Unit means any dwelling unit, rented or leased or any dwelling occupied as a home or family unit containing certain rooms in excess of those occupied by members of the immediate family and occupied as a home or family unit which is leased

or rented to one (1) or more persons outside the family. Dwelling units in a housing co-operative or condominium shall be considered rental units for purposes of this section, if they are rented.

Residential Collective means a residential dwelling, other than a multiple dwelling or roominghouse, in which sleeping, cooking and eating facilities are let by the owner or agent to more than two (2) persons who are not related by blood, marriage or adoption to the owner or operator or to each other. This definition shall include any society, club, fraternity, sorority, association, lodge, federation, organization or group of individuals whose domestic relationship is of a transitory or seasonal nature.

Rooming Unit or Sleeping Room(s) means any room or group of rooms forming a single habitable unit or intended to be used for living and sleeping but not for cooking or eating purposes.

Roominghouse and Bed-and-Breakfast Inns means any dwelling or that part of any dwelling or dwelling unit containing five (5) or less rooming units in which space is let primarily for sleeping purposes by the owner or agent to more than two (2) persons who are not related to the owner or agency by blood, marriage or adoption.

Rubbish means any combustible or non-combustible waste materials, except garbage, including, but not restricted to, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, plastics, tree branches, yard trimmings, tin cans, metals, automotive parts, mineral matter, glass, crockery, duct and the residue from the burning of combustible materials.

Structurally Sound means that all basic structural elements (see definition) shall provide strength, stability, integrity, shape and safety. Proof of structural soundness may be required from the property owner. Evidence shall be submitted by a licensed architect or engineer. (Proof and evidence are not definitions but requirements relocate this part to workmanship.)

Substantial Violations are violations which pose an immediate or near term threat to the physical health or safety of the occupant(s) or public. They include, but are not limited to, such items as lack of dwelling unit heat or water, broken/leaking/plugged sanitary sewer or drains, improper or inadequate venting of fossil fuel burning appliances, loose or missing stair treads or rails, foundation walls in danger of collapse, lack of required functioning smoke alarms, blocked or unsafe exit paths, etc.

Supplied means paid for, furnished or provided by or under the control of the owner.

Tenant means any person, other than a legal or equitable title holder, occupying or possessing a dwelling or part thereof.

Two-Family Dwelling means a residential building containing two (2) dwelling units, each intended for occupancy by only one (1) family.

Unfit for Human Habitation: Any dwelling or dwelling unit which, because of its condition or the condition of the lot upon which the dwelling or dwelling unit stands or any accessory structure thereof is dangerous to life, safety or the general welfare of the occupants or of the public, shall be deemed unfit for human habitation.

Sec. 14-53. Service of Notices or Orders Hereunder.

Unless otherwise provided for the purpose of this chapter, a person shall be deemed to be served with a notice or order on the date of personal service of a copy thereof or on the date the notice or order is mailed to him or her at the address registered with the City.

Sec. 14-54. Compliance with Chapter Generally.

No person shall occupy, rent, lease or permit any occupancy of any dwelling or dwelling unit unless it substantially complies with all applicable provisions of this chapter. Occupancy of any dwelling unit regulated by this chapter shall create a rebuttable presumption that such occupancy has occurred with the express and/or implied consent of the owner.

Sec. 14-55 Mandatory Lease Provisions.

All Leases shall provide a provision that notifies a tenant that the City of Parchment has enacted a Rental Housing Code, and that it can be found at the City's website (www.parchment.org), and that it provides for notification of the City if a tenant feels that there are habitability issues with the rental unit which have not been resolved with the landlord. All Leases shall also have a provision that, except in the case of an emergency, as defined in the Parchment Rental Housing Code, a tenant shall first attempt to notify the owner or local responsible agent of any problems with the premises affecting the habitability of the premises before making a complaint to the City.

Sec. 14-56. Temporary Dwelling to Comply with Chapter.

It shall be unlawful for any person to erect or occupy any structure which is intended to be occupied, in whole or in part, as a temporary dwelling unless it complies with all provisions of this chapter.

Sec. 14-57. Occupancy of House Trailer, Camper, Van, Mobile Home, Tent or Other Similar Shelter as Dwellings.

No house trailer, camper, van, mobile home, tent or other similar shelter, whether mobile or not, shall be occupied as a dwelling within the City except as may be permitted in legally established trailer parks.

Sec. 14-58. Dwellings Constituting Nuisances not to be Occupied.

No dwelling or dwelling unit shall be occupied if it constitutes a nuisance as defined in Section 14-52. The City shall have the authority to condemn any premises deemed a nuisance and order it promptly vacated by posting a notice of condemnation at a conspicuous location on the property and by mailing written notice to the owner of record. Occupancy of any such dwelling or dwelling unit creates a rebuttable presumption that such occupancy has occurred with the express and/or implied consent of the owner.

Sec. 14-59. Abatement of Rent in Case of Dwelling Unfit for Human Habitation.

If any building constructed as or altered into a dwelling is occupied in whole or in part for human habitation in violation of this chapter so that the same is unfit for human habitation during the unlawful occupation, no rent shall be accepted, retained or recoverable by the owner or lessor of the premises for the period; no action or special proceedings shall be maintained for possession of the premises for non-payment of rent; the premises may be declared unfit for human habitation; and the City, acting as the enforcing agency, may cause it to be vacated accordingly.

Sec. 14-60. References to Codes.

To the extent the terms "*Building Code*", "*Electrical Code*", "*Mechanical Code*", and "*Plumbing Code*" are used in this chapter or notices issued pursuant to this chapter, refer to those respective codes in Chapter 14, Article I, of the City of Parchment State Construction Code Ordinance; Chapter 14, Article II, of the Energy Code and Chapter 14, Article III, of the International Property Maintenance Code. The word "*code*", when not used in any of the foregoing contexts, but used in this chapter or in a notice issued pursuant to this chapter, refers to Chapter 14, Article IV, Rental Housing Code.

Sec. 14-61. Removing or Disconnection Required Services, Facilities, Equipment or Utilities.

No person shall cause any utility which is required under this Chapter or state law to be removed, shut off from, or disconnected from any occupied dwelling, except for such temporary interruption as may be necessary while actual repairs or alterations are in process, or during temporary emergencies where discontinuance of service is approved by the City.

Sec. 14-62. Registration of Rental Dwellings, Residential Collectives, Bed and Breakfast Inns, and Roominghouses.

The owner of any rental dwelling, or of any residential collective, bed and breakfast inn, or roominghouse, shall register it with the City and shall designate a person, as defined in Section 14-64, as the responsible local agent who shall be legally responsible for compliance with the City Code and shall also be responsible for providing access to such property for the purpose of making the inspections necessary to ensure such compliance in conformance with applicable provisions of this chapter and state law. Each responsible local agent shall maintain a current list of the number of occupants of each bed and breakfast inn, or roominghouse for which he/she is responsible. A certificate of compliance shall not be issued if the registration provisions of this Article are not complied with.

Sec. 14-63. Registration Forms.

An application for registration shall be made in such form and in accordance with such instructions as may be provided by the City. No application for registration shall be valid unless it is filled out completely and approved by the City. The City may, from time-to-time, require a registration fee, set by Resolution, to defray the City's administrative costs for registering rental properties and issuing certificates of compliance.

Sec. 14-64. Responsible Local Agent.

- a. The responsible local agent shall be a person or representative of a corporation, partnership, firm, joint venture, trust, association, organization or other entity having his/her place of residence in the County of Kalamazoo, or having his/her place of residence in the approved zip codes (as determined by the City), provided that his/her residence may be reached by a toll-free telephone call from the City of Parchment. The responsible local agent shall be designated by the owner of the premises as responsible for operating such property in compliance with all the provisions of the City Code. All official notices of the City may be served on the responsible local agent, and any notice so served shall be deemed to have been served upon the owner of record.
- b. The City may, by Resolution, require that the registered agent in any area or areas designated by the City Commission be licensed by the State of Michigan as a Real Estate Broker, a Real Estate Salesperson, an attorney, or such other licensing or certification requirement as the City Commission deems appropriate. In the event that such a requirement is imposed, the City shall not issue a new certificate of compliance for any property in the designated

area that is not in compliance with this section, and shall revoke the certificate of compliance for any property in the designated area that is not in compliance with this section by the date specified in the ordinance or resolution creating the designated area.

Sec. 14-65. Transfer of Ownership; Transfer of Non-Complying Properties.

- a. In the event of any transfer of ownership, any registration, but not necessarily the certificate of compliance, issued under this chapter shall become invalid. Any new owner shall comply with the provisions of Section 14-63 within fifteen (15) days of the date of the transfer of ownership. Every person who transfers an ownership interest in any property regulated by this Chapter shall notify the City in writing within ten (10) days of such transfer. The validity and expiration date of a certificate of compliance shall not be affected by a transfer of ownership.
- b. It shall be unlawful for the owner of any rental dwelling, roominghouse or other dwelling regulated by this chapter, including an owner-occupied single-family home, who has received a compliance order or upon whom a notice of violation has been served to transfer his/her ownership in any way to another or let to another or sell by land contract to another until the provisions of the compliance order or notice of violation have been complied with and such compliance has been certified by the City, or until such owner shall have first furnished to the grantee, lessee or vendee a true copy of any compliance order or notice of violation and shall have furnished to the City, on a form provided by the City, a signed and notarized statement from the grantee, vendee or lessee, acknowledging (i) the receipt of such compliance order or notice of violation; (ii) that the property is not presently occupied; (iii) that no occupancy of the premises is permitted under this chapter until compliance with the provisions of Section 14-66 has been certified by the City; and (iv) that the grantee, lessee or vendee understands that it is a violation of this chapter to otherwise permit occupancy of the premises prior to the issuance of a certificate of occupancy by the City. Compliance with the provisions of this chapter shall continue to be the responsibility of the new owner until the provisions of this section are fully satisfied.

Sec. 14-66. Certificates of Compliance for Roominghouses, Multiple Dwellings, Rental Dwellings and Residential Collectives.

- a. No person shall operate, lease, rent or occupy a bed and breakfast inn, roominghouse, multiple dwelling, residential collective or any

rental dwelling, including single family homes and duplexes unless there is a valid certificate of compliance issued by the City in the name of the agent and issued for the specific roominghouse, multiple dwelling, residential collective or rental dwelling. The certificate of compliance shall be displayed in a conspicuous place in each building being rented at all times. The certificate shall be issued in conformance with such rules as the City Manager or his or her designee shall promulgate after registration with the City.

- b. The City shall not issue a certificate of compliance unless a current registration is in effect, the responsible local agent is properly designated, and the responsible agent has verified by affidavit that compliance has been secured with the minimum standards and other provisions of the City Code of Ordinances.
- c. No certificate of compliance for any property regulated by this Chapter shall be issued until all of the following fees and debts owed to the City and related to the property have been paid in full:
 - 1. All previously billed property taxes;
 - 2. All past due special assessment installments;
 - 3. All charges against the property for mowing, cleanup or weed or debris removal and other similar charges by the City;
 - 4. Any fees, fines, penalties or debts of any sort arising from violation of any City Ordinance.

Sec. 14.67. Revocation or Denial of Certificate of Compliance.

- a. Whenever the City finds that the operator of any rental dwelling, roominghouse, bed and breakfast inn or residential collective has failed to comply with a notice of violation issued pursuant to Section 14-69 of this Code, the certificate of compliance may be revoked.
- b. Any person whose registration to rent or lease a dwelling regulated by this chapter has been denied or whose certificate of compliance has been revoked shall not permit occupancy of the premises until it has been properly registered with the City and a certificate of occupancy has been issued.

- c. Upon revocation of a certificate of compliance or a determination by the City that any dwelling unit or structure regulated by this chapter is unfit for human habitation, the owner or operator of said unit(s) shall immediately take such legal action as may be required to vacate the premises, including eviction proceedings; and no person shall thereafter occupy for sleeping or living purposes the unit(s) therein until said unit(s) is in compliance with this Code. All vacant buildings shall be maintained closed to casual entry.

Sec. 14-68. Civil Remedies for Violations.

- a. In case any dwelling is constructed, altered, converted or maintained in violation of any provision of this chapter or of any order or notice given hereunder, or in case a nuisance exists in any dwelling or upon the lot on which it is situated, or within an accessory structure, the City may institute an action in the circuit court to prevent such unlawful construction, alteration, conversion or maintenance, to restrain, correct or abate such violation or nuisance, to prevent the occupation of such dwelling, building or structure or to prevent any illegal act or conduct a business in or about such dwelling or lot. The procedure for such action shall be the same as for any injunction or abatement of a nuisance under circuit court rules, the statutes in such cases made and provided, or the common law. The judgment of the court in such cause may direct the correction, repair or rehabilitation of the dwelling or building or the abatement of the nuisance, may authorize a reasonable time within which the defendant may make such correction or abatement and may authorize the City to execute and carry out the provisions of the judgment in case of default by the defendant. Whenever the City has incurred any expense for the enforcement of this chapter or the judgment of the court including court costs and actual attorney's fees, the City may institute and maintain a suit against the owner of the premises in respect to which such expense shall have been incurred and may recover the amount of such expense in addition to the costs of suit. The judgment of the court may order the vacation of the premises until the corrections, rehabilitations or abatements are completed.
- b. The City shall have a lien upon the premises for the expenses necessarily incurred in the execution of such judgment, which lien shall have priority over all other liens or encumbrances, except taxes, assessments or mortgages recorded previous to the existence of such lien. Such lien may be foreclosed as in the case of foreclosure of mortgages by such court action as is permitted by law.

- c. In any action instituted by the City under this section, the City Attorney may file, in the office of the Register of Deeds, a notice of the pendency of the action or proceeding. A notice may be filed at the time of the commencement of the action or proceeding, or at any afterward before final judgment or order, or at any time after the service of any notice or order issued by the City. The notice shall have the same force and effect as a Lis Pendens. The Register of Deeds shall record it and shall index it to the name of each person specified in directions prescribed by the City Attorney. Any notice may be vacated upon the order of the judge of the court in which the action or proceeding was instituted or is pending or upon consent, in writing, of the City Attorney. The Register of Deeds shall make the notice and any record thereof as canceled of record upon the presentation, for filing, of consent or of a certified copy of the Order.

Sec. 14-69. Responsibility for Violations; Procedures.

- a. Any person who causes, permits, allows or maintains a condition on or in any premises in violation of a criminal provision of this chapter shall be deemed responsible for a municipal civil infraction. Each day that a violation exists shall constitute a separate infraction.
- b. Whenever there has been a violation of any provision of this chapter or any rule or regulation thereto, the City may give notice of the violation to the person responsible therefor and order the correction of the violation. Such notice shall:
 - 1. Be in writing.
 - 2. Include a statement of the conditions that constitute violations of this chapter.
 - 3. Specify that a permit for the performance of the work necessary to correct such violations must be obtained if one is required by the City Code.
 - 4. Notify the owner, agent or occupant, as the case may require, of the time within which the violation shall be corrected.
 - 5. Be served upon the owner, agent or occupant as the case may require. Such notice shall be deemed to be

properly served upon such owner or agent or upon such occupant if a copy is served upon him/her personally; or if a copy is sent by mail to his/her last known address; or a copy thereof is posted in a conspicuous place on the dwelling affected by the notice; or if such notice is served by any other method authorized or required under the laws of this state. The time for performance shall commence on the date of personal service or date of posting or mailing depending upon the method of service used.

- c. Whenever any inspector finds that a violation of this chapter creates a situation which requires immediate action to protect the public health and safety, he/she shall bring the matter to the attention of the building official. If the building official agrees with the inspector, the building official shall, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as he or she deems necessary to meet the emergency. Notwithstanding the other provisions of this chapter, such order shall be effective immediately. Any person to whom such order is directed shall comply therewith immediately.
- d. Prosecutions for civil violations of this chapter may also be commenced by issuing an appearance ticket or citation without prior notice.

Sec. 14-70. Fines.

In addition to any other penalties provided herein, a Defendant found responsible of any violation of this Code shall be subject to a fine not to exceed \$500.00. When a Defendant has been found responsible for or admits responsibility for violating the provisions of this Code, the Court shall determine at the time of sentencing whether the violation constituted an immediate threat to health or safety. An immediate threat to health or safety is a condition which, because of its nature, presents an immediate risk of injury to persons, damage to property or creates a health hazard or unsanitary condition. If the violation constitutes an immediate threat to health or safety, the fine shall be \$500.00. If the violation does not constitute an immediate threat to health or safety, the fine shall be set by the Court, not to exceed the maximum set forth herein, commensurate with the violation. If the Court determines that the Defendant has been found responsible for or admits responsibility for a prior violation of this Code within one (1) year of a previous adjudication, the Court shall order a fine of no less than \$150.00 dollars. If the Court determines that there has been two prior adjudications within one (1) year, the fine shall be no less than \$250.00. Each day that a violation occurs shall be considered a separate offense.

Sec. 14-71. Additional Remedies.

- a. In addition to any fine required by Section 14-70, a judge or magistrate who finds a person responsible for a violation of this chapter which is designated as a municipal civil infraction (MCI) shall order that person to bring the subject property into full compliance with all provisions of this chapter, and shall set a deadline for compliance which shall not exceed thirty (30) days except in cases of exceptional practical difficulty. Non-compliance with such Order shall be punishable by contempt of court proceedings.

Sec. 14-72. Change in Ownership of Multiple Dwellings.

- a. No person shall transfer his ownership of any multiple dwelling to any other person or sell any such property by land contract unless the entire property has been inspected within sixty (60) days prior to said transfer or sale and either:
 1. The property complies with Chapter 14 of the City Code of Ordinances, and a certificate of compliance, as provided under Section 14-66 of the City Code of Ordinances, is then issued; or
 2. A notice of violations is then issued.
- b. This section shall not apply if:
 1. A certificate of compliance was already in effect at time of the sale or other transfer; or
 2. The City received a written request from the owner for inspection and did not conduct the inspection within thirty (30) days of such receipt, and the sale or other transfer was then completed within sixty (60) days of the expiration of the thirty-day period.

ARTICLE III
INSPECTIONS

Sec. 14-73. Inspections to Enforce Chapter – Generally.

For purposes of enforcement and administration of Chapter 14 of the City Code, the following shall apply:

- a. The City, acting as the enforcing agency, may require inspections be made for the enforcement of this chapter.
- b. The City shall be entitled to, but not required to, inspect the premises upon one or all of the following:
 - 1. When ownership of the premises changes (see Section 14-65); or
 - 2. Except in the case of an emergency, as defined herein, and after the tenant attempts to notify the owner or responsible local agent of the emergency, a person may verbally notify the City of the emergency situation. In all other cases, the tenant, after attempting to notify the owner or local responsible agent of the alleged violation, may make a written complaint to the City specifying the alleged violation that makes the premises uninhabitable, unsafe or not in compliance with City Codes, and the owner and/or local responsible agent's response, if any, to the complaint.
- c. The City shall have authority to obtain a search warrant to perform any inspection authorized by this Chapter or by state law. Such a search warrant shall be deemed to be an administrative search warrant, and shall permit an inspection to go forward only if authorized by this chapter and state law. Such a search warrant shall be issued in the event that the premises in question have not been inspected within the time period prescribed by ordinance, by administrative policy, or by rule, or when the premises no longer have a current certificate of compliance. For those premises which have not previously been certified under this chapter, the search warrant shall establish the legal basis necessary to issue a search warrant under applicable state and federal law. Any search warrant issued under this chapter shall establish that the City has complied with such other provisions of this chapter and such state laws as may be applicable.
- d. Inspections under this section shall be carried out by the City as the enforcing agency and may include such representatives of other agencies as may form an inspection team to undertake an inspection under this chapter and other applicable ordinances.
- e. In a non-emergency situation in which the owner or occupant demands a search warrant, the City shall obtain a warrant from a

court of competent jurisdiction. The occupant shall have the exclusive right to demand a search warrant for an inspection of any dwelling unit. The warrant shall state the address of the building to be inspected, the nature of the inspection, as defined in this chapter or other applicable ordinances, and the reasons for the inspection. It shall be appropriate and sufficient to set forth the basis for inspection (e.g., mandatory periodic inspection, complaint, area or recurrent violation basis) established in this section, in other applicable statutes, ordinances or in rules or regulations. The warrant shall also state that it is issued pursuant to authority granted by this chapter and by the authority of § 127 of Public Act 167 of 1917, as amended (MCL 125.527), and that it is for the purposes set forth for the inspection of rental property by state statutes and City ordinances. The owner and/or responsible local agent shall be responsible for providing access whenever a search warrant is issued pursuant to the provisions of this chapter.

- f. The City may, subject to approval by the City Commission, establish and charge a reasonable fee for inspections conducted under this chapter.

ARTICLE IV HOUSING BOARD OF APPEALS

Sec. 14-74. Established; Composition; Appointment and Qualifications of Members.

There shall be established a Housing Board of Appeals to perform the general powers and duties outlined hereinafter in Section 14-75. The Zoning Board of Appeals shall act as the Housing Board of Appeals.

Sec. 14-75. General Powers and Duties.

The Board shall act as an advisory committee to the City Commission and shall have these additional powers and duties:

1. Hear and decide appeals from and review any order, requirement, decision or determination made by officials charged with the enforcement of this chapter, except that the Board shall not have the authority to hear any matter pending in any court, to review decisions to inspect any property, or to review the terms of any certificate of compliance. All decisions of the Board shall be subject to review as provided by law.
2. Where the literal application of specific provisions of this chapter would result in an exceptional practical difficulty to the applicant,

the Board shall have the power, in passing upon appeals, to modify a specific provision of this chapter provided both of the following requirements are satisfied:

- a. The performance of the particular part or item of the building or structure with respect to which the variance is granted shall be adequate for its intended use and shall not substantially deviate from performance required by this chapter for the safety and welfare of the people of the City.
 - b. The specific condition justifying the variance shall be neither so general nor recurrent in nature as to make an amendment of this chapter with respect to the condition reasonably desirable.
3. The Housing Board of Appeals may attach in writing any stipulations in connection with granting of a variance that, in its judgment, is necessary to protect public health, safety, and the general welfare of the people of the City. The breach of those stipulations shall automatically invalidate the variance and any certificate granted on the basis of it. In no case shall more than a minimum variance from this chapter be granted than is necessary to alleviate the exceptional practical difficulty.

Sec. 14-76. Procedural Rules.

The Board may make such procedural rules, consistent with the provisions of this chapter, as shall be necessary to perform its duties and exercise its powers.

Sec. 14-77. Appeals to Board.

- a. Appeals from rulings of any official charged with the enforcement of this chapter may be made to the Board within such time as shall be prescribed by the Board or by this chapter. The appellant shall file, with the official from whose decision the appeal is taken and with the Board, a notice of appeal, specifying the grounds therefor, an alternate method to achieve the performance required by this chapter, and stating the address of the appellant. The official from whom the appeal is taken shall forthwith transmit to the Board a summary report of all previous action taken, and a recommendation as to the adequacy of the proposed alternative.
- b. The Board shall fix a reasonable time for the hearing of an appeal under this section and give due notice thereof to interested parties

and decide the same within a reasonable time. Within the limits of its jurisdiction, as prescribed in Section 18-182, the Board may reverse, modify or affirm, in whole or in part, the order, requirement, decision or determination which is the basis for the appeal, and to that end shall have all the powers of the official from whom the appeal is taken, the final disposition of such appeal shall be in writing and shall state the specific conditions justifying the variance, along with all conditions imposed in granting the variance. Such disposition shall be filed with the permanent property record and shall be forthwith mailed to the address given as part of the notice of appeal.

Sec. 14-78. Requests for Interpretation of Chapter, Approval of Materials, etc.

Any person may file with the Board requests for the interpretation of the provisions of this chapter as provided by Section 14-75(1), or for the approval of alternate methods or materials, in the same manner as provided in this article for appeals to the Board.

Sec. 14-79. Finality of Decisions.

Any quasi-judicial decision by the Board hereunder shall be subject to review, as provided by applicable law, in the Kalamazoo County Circuit Court or other court of competent jurisdiction, provided that such review must be sought within thirty (30) days from the date of the Board's decision.

ARTICLE V
ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE
2015 EDITION

Sec. 14-80. Adoption of the International Property Maintenance Code, 2015 Edition.

The *International Property Maintenance Code*, 2015 edition, as published by the International Code Council, be and is hereby adopted as the Property Maintenance Code of the City of Parchment, in the State of Michigan for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City of Parchment are hereby referred to, adopted and made a part hereof, as if fully set out in this legislation with the additions, insertions, deletions and changes, if any, prescribed in Section 14-81 of this Ordinance.

Sec. 14-81. Amendments to Code.

The following sections are hereby added:

Section 101.1: City of Parchment.

Section 103.5: Fees shall be set from time-to-time by Resolution of the City Commission.

Section 106.3: Municipal civil infraction.

Section 112.4: Not less than \$200.00 nor more than \$500.00 each day a violation occurs.

Section 302.4: 12 inches (weeds).

Section 304.14: (Insect screens) From May 1st to October 1st.

Section 602.3: (Heat) From October 1st to June 1st.

Section 602.4: From October 1st to June 1st.

Sec. 14-82. No Prior Restraint

That nothing in this legislation or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or Ordinance hereby repealed; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

ARTICLE VI
HEALTH AND SANITATION

Sec. 14-83. Authority of City and County.

- a. Notwithstanding any other provision of the City Code of Ordinances, the Health Department of Kalamazoo County is hereby granted the authority to inspect for purposes of health, cleanliness and sanitation in the City for the full enforcement of the Kalamazoo County health Code in the City in dwellings containing four (4) or more lawful dwelling units and is hereby granted concurrent jurisdiction with the City in such cases.
- b. Subsection (a) above shall not apply to dwellings in which accommodations are customarily rented or let for a continuous

period of more than thirty (30) days to the same tenant or tenants simultaneously.

- c. Subsection (a) above shall not apply to hospitals or nursing homes.
- d. Nothing in this Section 14-83 shall be construed to limit or reduce the authority of the City to enforce the City Code of Ordinances in all dwellings in which the county lacks authority under Subsection (a) or (c) above.
- e. Nothing in this Section 14-83 shall limit or reduce the authority of the City to enforce its building, plumbing, electrical and mechanical codes or those parts of the City Code of Ordinances governing safety and structural soundness and integrity in any building in the City."

**ARTICLE VII
REPEALER**

All Ordinances or parts thereof in conflict herewith are hereby repealed and shall be of no further force and effect.

**ARTICLE VIII
SEVERABILITY**

Any and all sections, terms, provisions and/or clauses herein shall be deemed independent and severable. Should any court of competent jurisdiction hold any section, term, provision or clause void and/or invalid, all remaining sections, terms, provisions and/or clauses not held void and/or invalid shall continue in force and effect.

**ARTICLE IX
EFFECTIVE DATE**

This Ordinance shall take force and effect on _____, 2016.

CERTIFICATE

I, Shannon Stutz, City Clerk for the City of Parchment, do hereby certify that the foregoing Parchment Ordinance No. _____ was adopted by the City Commission at a regular meeting held on _____, 2016, and that the following is a record of the vote of the members of said City Commission on said Ordinance.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Shannon Stutz, Clerk

CITY OF PARCHMENT

KALAMAZOO COUNTY, MICHIGAN

RESOLUTION ADOPTING CREDIT CARD USAGE POLICY

Minutes of a regular meeting held by the Parchment City Commission on November 21, 2016, at the Parchment City Hall.

Present: _____

Absent: _____

The following preamble and resolution were offered by _____ and supported by _____.

WHEREAS, Act No. 266 of the Public Acts of 1995 became effective January 8, 1996; and

WHEREAS, Act No. 266 of the Public Acts of 1995 authorizes the use of credit cards by local units of government for appropriate expenses; and

WHEREAS, Act No. 266 of the Public Acts of 1995 requires that a local unit of government adopt by Resolution a written policy regarding the use of credit cards by its officers or employees; and

WHEREAS, the City of Parchment desires to be in compliance with Act No. 266 of the Public Acts of 1995.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City Commission of the City of Parchment does hereby adopt the following policy to be referred to as the City of Parchment Credit Card Policy:

SCOPE: A policy to regulate the issuance and use of credit cards by City employees.

POLICY

1. The City Treasurer shall be responsible for the issuance, accounting, monitoring and retrieval and generally for overseeing compliance with the Credit Card Policy.
2. The credit card may be used only by a City employee for the purchase of goods or services for the official business of the City of Parchment.
3. The employee using the credit card **must** submit documentation detailing the goods or services purchased, cost, date of purchase and the official business.
4. The employee issued the credit card is responsible for its protection and custody and shall immediately notify the City Treasurer if the card is lost or stolen.
5. The employee must immediately surrender the card upon termination.
6. The credit card may be used only upon approval by the City Manager or, in his absence, the City Treasurer. Any employee using the card without prior approval may be personally liable for the charges incurred.
7. All credit card invoices **must** be turned into the City Treasurer for approval by the City Commission before payment is made.
8. The balance shall be paid within 25 days of the statement date, and no interest shall be allowed to accrue.
9. Any unauthorized use of City credit cards shall be disciplined consistent with applicable law.
10. The total combined authorized credit limit of all credit cards issued by the City of Parchment shall not exceed 5% of the total budget of the City.

RESOLUTION DECLARED ADOPTED.

CERTIFICATE

I, Shannon Stutz, Parchment City Clerk, do hereby certify that the foregoing Resolution was adopted by the Parchment City Commission at a regular meeting on November 21, 2016, and the following is a record of the vote of the members of said City Commission on said Resolution.

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Shannon Stutz
City Clerk

MEMORANDUM

To: Mayor Heasley, Vice-Mayor Britigan and City Commissioners
From: Dennis Durham, City Manager
Date: November 18, 2016
Subject: City Manager's Report

Economic Development

Held meetings with City Commissioners and the new owner of the Georgia Pacific facility.

Toured the Midlink Facility in Comstock.

City Sign Planting Beds – City crews have completed planting beds in Kindleberger Park. An additional landscape bed will be constructed around the City entrance sign located in the triangle as time permits yet this fall. Decorative shrubs and flowering plants will be purchased and planted in the spring.

City Assessor Hiring – Conducted interviews of candidates for the position of part-time City Assessor.

KATS Technical Committee – Attended the Technical Committee meeting for November.

2016 General Election – Election workers and City Clerk did an excellent job managing general election voting at the Parchment United Methodist Church on November 8.

Ordinance Enforcement – An updated code enforcement log is provided for the information of the Commission.

- 128-134 Park St. – KTPD is in the process of citing the property owner for noncompliance of the city's zoning code relative to the storage and shielding of trash bins.
- 924 Parchmount – Unlicensed vehicles in driveway. Submitted to KTPD for citation in October.

Met with AGS to review outstanding enforcement cases.

Met with KTPD Lt. Ergang to review KTPD performance, update on pending cases and review City ordinances compared to Township ordinances.

Little League Draft Lease Agreement – Nothing to report from Parchment LL.

New City Commissioner – Met with new City Commissioner Holly Evans.

Parchment Public Schools – Met with Superintendent Miller to discuss traffic flow in and out of Parchment Middle School.

CODE VIOLATION LOG

DISTRIBUTION LIST:
CITY MANAGER DURHAM



Revised: 11-16-2016

Date	Address	Owner/Issue	Follow-up
11/16/2016	252 Parchmount	Long-time home repairs: sign in curblawn, parking in grass, worker's blocking ParchGlen, clothes found in area.	Letter sent: 11/16
11/16/2016	124 Eismere	Car parked in yard/grass.	letter sent: 11/16
11/16/2016	125 OakGrove	Indoor recliner on front porch	Letter sent: 11/16
11/16/2016	205 Espanola	Backyard blight, boards, etc.	Letter sent: 11/16
11/16/2016	409 Keyes	Car up on blocks in the driveway	Letter sent: 11/16
11/16/2016	715 N. Orient	Free pallet in curblawn	Letter sent: 11/16
11/16/2016	510 Houston	Home has been TP'd.	Will wait to see if they remove it. If not next week, I will send letter.
11/16/2016	515 Parkdale	lots of boxes in driveway across front of garage door.	Maybe she's in the middle of a project; I will send a letter next week if no progress.
11/16/2016	[REDACTED]	[REDACTED]	[REDACTED]
11/16/2016	[REDACTED]	[REDACTED]	[REDACTED]
11/16/2016	[REDACTED]	[REDACTED]	[REDACTED]

11/11/2016	116 S Riverview	Old wooden crate dumped at the SW corner of Parchmount & Riverview on Versant's property.	Will send letter if still there next week. 11/16 letter sent
11/9/2016	Haymac	MillPark has mattress & extra trash outside of dumpster east of Haymac	Left voicemail of issue. 11/16: mattress gone, trash bag hasn't moved, left 2nd voicemail.
10/12/2015; 11/18/16	315 E Glenguille	Blight, pallets stacked at side of home. 11/9: Extra trash out. 11/18/16: Neighbor complains their bins are at the curb all the time & always extra trash.	Letter sent: 10/20; no change 10/26. 11/2: "iffy". Trash reminder letter sent: 11/10. Final Notice Letter mailed 11/16 for curb in curblawn. Garbage hours letter sent: 11/18.
10/26/2016	438 Elmhurst	Red car in driveway backed in appears inoperable. 11/2: No change.	Friendly letter sent: 10/27; no contact. 11/9: No change; 11/16 no change.
9/4/2016	1712 E. G Ave	Lawrence's car for weeks at a time for how weeks up to 2	Letter sent: 8/24. Owner had car in driveway. Letter sent: 9/7. Most moved. Car was still in driveway. 9/20: Final notice letter mailed. 10/13: Car still in driveway. 10/26: Car still in driveway. 11/10: Car still in driveway. 11/16: Car still in driveway. 11/18: Car still in driveway. 11/18: Car still in driveway.
8/31/2016	1712 E. G Ave	Red car in driveway with license plate from please identify car. 9/7: Car not moved but now in driveway and license plate 10/25 had red car in driveway. 11/18/16: Car still in driveway.	Letter sent: 8/24. Owner had car in driveway. Letter sent: 9/7. Most moved. Car was still in driveway. 9/20: Final notice letter mailed. 10/13: Car still in driveway. 10/26: Car still in driveway. 11/10: Car still in driveway. 11/16: Car still in driveway. 11/18: Car still in driveway. 11/18: Car still in driveway.