

AGENDA
CITY OF CHARLEVOIX CITY COUNCIL MEETING

Monday, September 17, 2012 - 7:00 p.m.
210 State St, City Hall, Second Floor City Council Chambers, Charlevoix, MI

- I. Invocation or Pledge of Allegiance**
- II. Roll Call of Members Present**
- III. Inquiry Regarding Possible Conflicts of Interest**
- IV. Consent Agenda**
 - A. City Council Meeting Minutes – September 4, 2012 Regular Meeting
 - B. Accounts Payable Check Register **PG 1-5**
 - C. Payroll Check Register **PG 6-8**
 - D. Charlevoix Historic District Commission Resignation – Bob Heath
- VI. Reports**
- VII. Requests, Petitions and Communications and Actions Thereon**
 - A. Discussion Regarding Charlevoix County Storm Water Management Ordinance **PG 9-37**
 - B. Financial Audit Presentation **PG 38**
 - C. Downtown LED Tree Light Cost Sharing Proposal **PG 39-40**
 - D. Consideration to Approve the Water Department Truck Purchase **PG 41-42**
 - E. Approval of Job Descriptions **PG 43-59**
 - F. Appointments
- VIII. Introduction and Initial Actions Relating to Ordinances or to Resolutions That Require Publication or Hearings Prior to Final or Further Action**
- IX. Resolutions**
- X. Ordinances**
- XI. Miscellaneous Business**
- XII. Audience - Non-agenda input (written requests take precedent)**
- XIII. Closed Session**
 - A. Review of City Manager's Performance – September 2011-2012

The City of Charlevoix will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon one weeks notice to the City of Charlevoix. Individuals with disabilities requiring auxiliary aids or services should contact the City of Charlevoix Clerk's Office in writing or calling the following: City Clerk, 210 State Street, Charlevoix, MI 49720 (231) 547-3250.

Posted September 13, 2012 5:00 p.m.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Discussion Regarding Charlevoix County Storm Water Management Ordinance

DATE: September 17, 2012

PRESENTED BY: Marc Seelye, Charlevoix County Soil Erosion Officer

ATTACHMENTS: 1. Correspondence from Marc Seelye, Charlevoix County Soil Erosion
2. Uniform Storm Water Management Ordinance for Charlevoix County
3. Application for Storm Water Appeals Board

BACKGROUND INFORMATION: On September 4, 2012 City Council voted to postpone this item until September 17.

Marc Seelye, Charlevoix County Soil Erosion Control Officer, is asking all three municipalities in Charlevoix County to adopt the attached Uniform Storm Water Management Ordinance. Currently, any project that includes excavation and is within a certain amount of feet from a waterway, needs a permit from the Soil Erosion Officer.

We generally agree that storm water management is an important element in preserving and protecting are lakes and rivers. The City has been very proactive in using rain gardens and storm water separators in all of its large street improvement projects. We are proud of our efforts and would like to continue utilizing best management practices in future projects.

The policy issue that City Council needs to consider is whether we want to retain local control over storm water management. There are also various questions that Staff has on the implementation of such an ordinance. As proposed, an Appeals Board would be set up with various city and county residents to hear appeals. This largely takes ultimate control away from the City.

On Tuesday August 28, the Boyne City Commission voted to not implement the new regulations. Theoretically, adopting these regulations will add to the cost of developing land. This could be a deterrent to developers and create an unequal playing field for Charlevoix communities.

RECOMMENDATION: We sincerely appreciate the efforts of Marc Seeley and Charlevoix County for creating the Uniform Storm Water Regulations.

It is important to note, the City of Charlevoix is a leader in the area for environmental efforts and is making substantial progress and investments in controlling storm water runoff. We plan on continuing these innovative efforts. The issue largely revolves around local control. With the proposed ordinance language, storm water management would be mandated by the Charlevoix County. This could add thousands of dollars to the costs development projects and City projects.

If Council decides to move forward with adopting the ordinance, Staff will need to sit down with Charlevoix County representatives and work through several issues. If Council does not want to proceed a motion could be made to not pursue adoption of Uniform Storm Water Management Ordinance for Charlevoix County.



CHARLEVOIX COUNTY
Drain Commissioner
Soil Erosion Control Officer
Marc Seelye

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June 21, 2012

Township, Village, and City
Officials:

Re: Proposed Storm Water Management Ordinance:

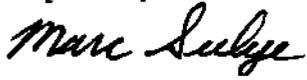
Included with this memo is the final copy of the Uniform Storm Water Management Ordinance for Charlevoix County. Bryan Graham has informed me that a summary of the ordinance, which he will prepare, will need to be published within 30 days of when the ordinance is enacted by the Township Boards. For the Village of Boyne Falls, the ordinance will need to be published within 15 days of when it is enacted by the Village Council. For Boyne City, the City of Charlevoix, and East Jordan, publication requirements will be determined by their respective city charters. In order to have as many of the municipalities who will participate in this ordinance share the cost of this publication, we are proposing that each municipality enact this ordinance in October to allow the publication to occur on or prior to October 23rd. For those municipalities that will be adopting this ordinance, please use this date to plan your public hearings.

Bryan Graham requested a meeting with personnel from all of the participating municipalities to discuss the Intergovernmental Agreement that will need to be prepared to enable the County to administer and enforce this ordinance. In this Intergovernmental Agreement, the appointment of the countywide appeals board will be defined. We are proposing a five member board. The County will advertise for interested candidates and ask them to fill out an application stating their interest, experience, and reason for wanting to serve on this board. The list of candidates and their information will be submitted to the municipalities. Each municipality will be allowed to vote for five of the candidates. The top two vote getters will be appointed to a three year term, the 3rd and 4th will be appointed to two year terms, and the 5th will be appointed to a one year term. All terms after the initial appointments will be for three years.

This meeting is scheduled for 7:00 PM on September 18th at the Boyne City Hall Auditorium located at 319 N. Lake Street in Boyne City. An email copy of the Ordinance will be sent to Township Supervisors, City Managers, and the Village Clerk. A paper copy will be mailed to the Clerk of all of each municipality. I hope to see officials from all of the municipalities attend this meeting.

Enclosed with this memo you will find a copy of the questionnaire that will be given to interested candidates for the appeals board. Also included is a copy of the posting for this meeting in case a municipality may have a quorum of its members attending the meeting to discuss the Intergovernmental Agreement.

Respectfully,



Marc Seelye
Charlevoix County Soil
Erosion Officer

cc: Bryan Graham
Young, Graham, Elsenheimer & Wendling, P.C.



Uniform Storm Water Management Ordinance for Charlevoix County

Preamble

The local units of government within Charlevoix County have collectively determined that the protection of surface water within the County's jurisdictional boundaries would be better served by establishing a countywide storm water management ordinance to supplement the various local, state and federal laws that govern the protection of this natural resource. The City of Charlevoix (hereafter called "the local unit of government") has elected to enact a uniform ordinance consistent with this determination. This ordinance sets forth administrative procedures, regulations, standards, enforcement remedies, and repeals any other ordinances or parts of ordinances in conflict herewith. It is in the public interest for each Township, Village, and City within the County (collectively the "local units of government") to adopt an ordinance identical to this Ordinance and to uniformly adopt any amendments to this Ordinance in the future. To promote uniformity throughout the County, this Ordinance shall be known as the Uniform Storm Water Management Ordinance for Charlevoix County (hereafter for brevity called the "Ordinance").

THE CITY OF CHARLEVOIX ORDAINS:

ARTICLE I PURPOSE, OBJECTIVES, & ADMINISTRATION

Section 1.1 Purpose

The purpose of this Ordinance is to supplement Michigan Public Act 451 of 1994, as amended, for the more stringent regulation of storm water discharges originating within the County; to establish a single unified set of regulations for storm water management within the County's various local units of government; and to provide rules and guidelines to facilitate enforcement thereof.

Section 1.2 Objectives

The objective of this Ordinance is to accomplish, among other things, the following:

1. To manage storm water runoff resulting from earth changes occurring within Charlevoix County, both during and after development.
2. To ensure that future development provides measures to manage the quantity and quality of storm water runoff originating from the property so that surface water and groundwater quality is protected and flooding potential is reduced.
3. To preserve and use the natural drainage system for receiving and conveying storm water runoff and to minimize the need to construct enclosed, below grade storm drain systems.

4. To preserve natural infiltration and the recharge of groundwater and to maintain subsurface flows which replenish lakes, streams and wetlands.
5. To ensure that storm water runoff management systems are incorporated into site planning at an early stage of the planning and design process.
6. To minimize the need for costly maintenance and repairs to roads, embankments, ditches, streams, lakes, wetlands and storm water management facilities which are the result of inadequate storm water control.
7. To reduce long-term expenses and remedial projects which are caused by uncontrolled storm water runoff.
8. To encourage the design and construction of storm water management systems which serve multiple purposes, including but not limited to flood prevention, water quality protection, wildlife habitat preservation, education, recreation and wetlands protection.
9. To minimize the impact of development on downstream properties and to preserve the biological and structural integrity of existing watercourses.
10. To allow for off-site storm water management facilities and measures if such proposals meet the requirements of these regulations.
11. To assure that all storm water facilities will be properly designed, constructed and maintained in accordance with a uniform set of standards.
12. To provide for enforcement of this Ordinance and penalties for violations.

Section 1.3 Ordinance Administration

The local unit of government is authorized to enter into an inter-local agreement with Charlevoix County which will permit the Charlevoix County Soil Erosion and Sedimentation Control Officer to be the Enforcing Agent ("Agent") for this Ordinance. The Agent shall administer and enforce this Ordinance.

Section 1.4 Exclusive Storm Water Regulation Provision

To the extent that this storm water ordinance is in conflict with any previously adopted ordinance within the local unit of government, the intent is to have this storm water ordinance supersede any other storm water regulations that may have been previously adopted or included as a portion of other local ordinances or zoning provisions. If any conflicts arise, the local unit of government shall either repeal or amend such other ordinances to make this Ordinance the exclusive regulation within the local unit of government.

Section 1.5 Repeal

Any non-zoning regulation inconsistent with the storm water regulations contained in this Ordinance is hereby repealed to the extent of such inconsistency.

Section 1.6 Rules Applying to Text in this Ordinance

When not inconsistent with the context, the present tense includes the future; words used in the singular include the plural. The word "shall" is understood to be mandatory, and the word "may" is merely suggestive.

ARTICLE II DEFINITIONS

Section 2.1 General

This Article sets forth the definitions of certain terms used within the Ordinance which have a meaning specific to the interpretation of the text of the Ordinance.

Section 2.2 Undefined Words

Any word not defined herein shall first be interpreted as defined within Part 91, Public Act 451 of 1994, as amended, and where not defined there, shall be interpreted within its common and approved usage.

Section 2.3 Definitions

The following terms and phrases shall have the meaning given herein, unless the context otherwise requires:

AGENT: The Charlevoix County Soil Erosion and Sedimentation Control Officer.

APPEALS BOARD: The public body which is charged with the responsibility to consider and decide appeals from decisions made by the Agent in administering and enforcing this Ordinance within any local unit of government that has enacted this Ordinance.

APPEALS BOARD CLERK: The individual specified in an intergovernmental agreement among the local units of government within Charlevoix County that have enacted this Ordinance who is charged with the responsibility to process appeals to the Appeals Board pursuant to Article VIII of this Ordinance.

APPLICANT: The landowner, or his duly authorized agent, for the property upon which a regulated earth change is proposed, and who has submitted an application for a Storm Water Management Permit.

CHANNEL: The portion of a stream which conveys normal flows of water, or a ditch or other conveyance structure excavated for the flow of water.

COMMERCIAL DEVELOPMENT: An activity, action or alteration of property that is proposed for the purpose of a commercial activity, such as retail sales, professional offices, multi-family residential structures for sale or rental, or any other purpose which includes access by the public for conducting business.

CONVEYANCE FACILITY (STRUCTURE): A surface or subsurface structure, pipe or channel which transports storm water from one location to another.

COUNTY DRAIN: Drains established and/or constructed pursuant to the Michigan Drain Code (Act 40 of 1956, as amended).

DESIGN STANDARD (OR ENGINEERING DESIGN STANDARD): A specification or set of specifications that prescribes the methodology for developing storm water management facilities based upon a uniform set of standards, calculations, and procedures.

DESIGN STORM: A hypothetical rainfall event that is developed as a statistical relationship between actual rainfall intensity-duration-frequency data for the purpose of modeling the effectiveness of a given drainage system.

DETENTION BASIN (POND): A structure or facility, natural or artificial, which stores storm water on a temporary basis and releases it at a controlled rate. A detention basin may drain completely after a storm event (dry detention basin) or it may be a body of water with a fixed minimum and maximum water elevation between runoff events (wet detention basin).

DISCHARGE: The rate of flow of water through an outlet structure at a given point and time, typically measured in cubic feet per second (cfs) or gallons per minute (gpm).

DISTURBED AREA: An area of land subjected to erosion due to the removal of vegetative cover and/or earthmoving activities, including filling.

DRAINAGE: The interception and removal of water (groundwater or surface water) by natural or artificial means.

DOWNSTREAM PROPERTIES: Down gradient lands and waters which receive storm water runoff and other surface water flows from the applicant's property and are often subjected to the cumulative impact of upstream development.

DRAINAGE SYSTEM: All facilities, channels and areas which serve to convey, filter, store and/or receive storm water, either on a temporary or permanent basis.

EARTH CHANGE: A human-made change in the natural cover or topography of land, including cut and fill activities, which may result in or contribute to soil erosion or sedimentation of the waters of the state. The term "earth change" as used in this Ordinance shall not apply to the practice of plowing and tilling soil for the purpose of crop production.

FLOOD: An overflow of surface water onto lands not normally covered by water. Floods have these essential characteristics: the inundation of land is temporary and results from unusually heavy precipitation and the land is inundated by overflow from a lake, pond, stream and/or wetland, or is flooded by natural runoff.

FLOODPLAIN: The area of land adjoining a lake or stream which is inundated when the flow exceeds the capacity of the normal watercourse. For mapping purposes, floodplains are designated according to the frequency of the flood event, such as the 100-year floodplain or 500-year floodplain.

GRADING: Any stripping, clearing, stumping, excavating, filling, stockpiling or any combination thereof, including the land in its excavated or filled condition.

GRUBBING: To clear (ground) of roots and/or stumps.

IMPERVIOUS AREA: Surfaces that do not readily allow rainfall to infiltrate into the soil; examples include but are not limited to: roof area, paved or gravel driveways, parking areas, roads (both asphalt and gravel), or areas of heavy clay soils.

INDUSTRIAL USE: Any manufacturing, processing, fabrication, maintenance assembly, printing or improvement of articles or merchandise, warehousing, wholesaling, storage, or activities related to mineral extraction and processing; and other business enterprises not classified as commercial.

INFILTRATION: The downward movement or seepage of water from the surface into the subsoil and/or groundwater. The infiltration rate is expressed in terms of inches per hour.

LOCAL UNIT OF GOVERNMENT: The City, Township, or Village that enacts this Ordinance.

MAINTENANCE AGREEMENT: A binding agreement between the landowner and the local unit of government, which sets forth the location and design of best management practices as well as terms and requirements for storm water and erosion management facility maintenance, recorded with the Charlevoix County Register of Deeds.

OFF-SITE FACILITY: Storm water management facility which is located partially or completely off the applicant's subject property.

ORDINARY HIGH WATER MARK: The line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water is so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil and the vegetation. On an inland lake which has a level established by law, it means the ordinary high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high water mark.

OUTFALL: The point where water flows out from a conduit, drain or stream.

PEAK DISCHARGE RATE (PEAK FLOW): The maximum calculated rate of storm water flow at a given point in a channel, watercourse, or conduit resulting from a predetermined frequency storm or flood, measured in cubic feet per second (cfs).

PERSON: Any individual, firm, partnership, association, public or private corporation, company, organization or legal entity of any kind, including governmental agencies.

RETENTION BASIN: A wet or dry storm water holding area, either natural or manmade, which does not have any outlet to adjoining watercourses or wetlands other than an emergency spillway.

SITE: Any tract, lot, or parcel of land or combination of tracts, lots or parcels of land proposed for development.

STOP WORK ORDER: A notice for cessation of activity issued by the Agent to any person engaged in an activity in violation of this Ordinance including, but not limited to, grading and development activities.

STORM WATER MANAGEMENT FACILITIES: Any structure, facility, barrier, berm, vegetative cover, basin or other measure which serves to manage storm water.

Temporary Measures: Installations designed to manage storm water runoff during development or until soils in the contributing drainage area are stabilized.

Permanent Measures: Installations designed to manage storm water runoff after development is completed.

STORM WATER MANAGEMENT PERMIT: Written statement along with supporting documentation and storm water management plan that is executed by the Agent and issued under the provisions of this Ordinance authorizing the applicant to engage in specified earth changes.

STORM WATER MANAGEMENT PLAN: Maps and written information prepared in accordance with specific standards identified within the Ordinance for a proposed land use or earth change. The storm water management plan describes the way in which storm water runoff will be managed during and after completion of the proposed development.

STORM WATER RUNOFF: Excess water that does not infiltrate the soil, but instead flows over the surface of the ground or is collected in channels, watercourses or conduits and transported over a given drainage area.

STREAM: A moving body of water that has definite banks, a bed and visible evidence of a continued flow or continued occurrence of water. See Public Act 451 of 1994, as amended, Part 301, Inland Lakes and Streams Section 324.30101, Subparagraph E, as amended.

SWALE: Low lying grassed area with gradual slopes which transports storm water, either on site or off site.

WATERSHED: A land area, also known as a drainage area, which collects precipitation and contributes runoff to a receiving body of water or point along a watercourse.

ARTICLE III REGULATED ACTIVITIES & PERMIT REQUIREMENTS

Section 3.1 Regulated Activities

Except as otherwise provided in this Ordinance, all earth changes described below shall be regulated activities and shall require a Storm Water Management Permit from the Agent, pursuant to Section 3.2 of this Ordinance:

1. Industrial and commercial development regardless of the size or location, with the following exception:

A proposal for redevelopment or alteration of an existing commercial or industrial site with a maximum total increase of ten percent (10%) of the impervious surface in existence on May 1, 2010 or 4,356 square feet, whichever is less, shall not be required to meet the design standards of this Ordinance. Greater than a ten percent (10%) increase in the impervious surface in existence on May 1, 2010 or more than 4,356 square feet of additional impervious surface shall require storm water management measures in accordance with the design standards of this Ordinance for the entire increase.

2. All subdivision developments as defined by Section 102 of Public Act 288 of 1967, as amended, regardless of size, location or environmental sensitivity.
3. All site condominium developments or condominium developments as defined by Public Act 59 of 1978, as amended, Section 559.101 et seq. of the Michigan Compiled Laws regardless of size, location or environmental sensitivity.
4. A mobile home park, manufactured housing development, or campground.
5. Public and private roads which either provide access to five (5) or more parcels, are more than five hundred (500) feet in length, and/or have a grade of ten percent (10%) or greater.
6. A private driveway that is at a ten percent (10%) grade or greater, sloping down toward the intersecting road.

Section 3.2 Permit Requirements

For purposes of this Ordinance, a Storm Water Management (SWM) Permit for regulated activities as identified in Section 3.1 is required before any earth changes commence. The SWM Permit requirements are independent of any other regulations governing the proposed earth change, such as soil erosion regulations or zoning requirements, which may require additional permitting through other enforcing agencies. The granting of a SWM Permit shall authorize only such earth changes for which the permit has been issued, and shall not be deemed to approve any development as a whole, or any other land use activities.

Section 3.3 Permit Application Submittal

1. An application for a SWM Permit shall be submitted on the form provided by the Agent, signed by the landowner or his/her duly authorized agent, and shall include a storm water management plan, prepared in accordance with Article IV, along with the appropriate permit and review fees, prior to being considered by the Agent as an administratively complete application. The Agent may request additional storm water management plans or supporting documentation at his/her discretion during the permit review process.
2. The application for a SWM Permit shall be made, reviewed and approved prior to the start of any earth change including construction of access roads, driveways, grubbing or grading. Permit approval shall be given prior to the initiation of any work activity. Any unauthorized work shall be considered a violation of this Ordinance subject to enforcement actions under Article VII regardless of any later actions taken toward compliance. Soil test borings including those utilizing reasonable backhoe test excavation, vegetative cutting for land surveys, percolation tests and normal maintenance shall not be considered a start of work under these regulations.

Section 3.4 Plan Preparation by a Registered Professional

Following the calculation of pre- and post-development (or increase in development) stormwater runoff, if 100% of this increased storm water will not be retained on-site in a stormwater retention basin, the storm water management plan shall be prepared by a registered professional, in accordance with Section 6.2.

Section 3.5 Sequential Applications

1. On development proposals which are so large or complex that a storm water management plan encompassing all phases of the project cannot reasonably be prepared prior to initial ground breaking, an application for a sequential SWM Permit, based on successive major incremental earth change activities may be allowed. Requests for sequential applications shall be approved by the Agent prior to submittal of the initial SWM Permit application.
2. Approval of sequential applications shall take place in two phases. First, the overall conceptual plan for the entire development shall be submitted for review and approval. Second, detailed plans for each phase of the total project shall be submitted for review and approval.
3. All permits processed and issued for phases of a project shall be clearly defined as to the nature and extent of work covered for that phase. Each phase of the project must be reviewed and permitted individually prior to construction.

Section 3.6 Permit Application Review

The application review period begins upon receipt of an administratively complete application submittal. The Agent shall act upon an application for a residential earth change permit involving five (5) acres or less of disturbed area within fifteen (15) calendar days. An application for all other regulated projects shall be acted upon within thirty (30) calendar days.

Section 3.7 Permit Approval or Disapproval

1. If the Agent determines that the proposed storm water management plan complies with the standards in this Ordinance, a permit shall be issued specifying the work approved, along with any supplemental conditions. If the proposed storm water management plan does not comply with these standards, the permit request shall be modified by the applicant or denied. When necessary, the Agent may request additional information from the applicant upon which to base the permit decision.
2. The Agent shall notify the applicant in writing if the application is denied, citing the reasons for the denial.
3. The Agent shall notify the appropriate local unit of government, within whose jurisdiction the project is located, after a permit decision has been made.
4. Upon written request, the Agent shall furnish any interested party with a statement in writing, detailing the reasons for permit denial or approval.

Section 3.8 Permit Expiration or Revocation

1. SWM Permits shall terminate automatically upon completion of the project or one (1) year from the date of issuance, whichever occurs first. The applicant may request a one-year extension, which shall be reviewed and shall be granted by the Agent if he/she finds good cause for the extension and that the SWM regulations governing the proposed development have not changed since the date the SWM Permit was first approved.

2. A SWM Permit issued by the Agent under this Ordinance may be revoked or suspended, subject to the provisions of Article VII, for any of the following causes:
 - a. A violation of a condition of the permit.
 - b. Obtaining a permit by misrepresentation or failure to fully disclose relevant facts in the application or storm water management plan.
 - c. A change in a condition that requires a temporary or permanent change in the activity.

Section 3.9 Permit Revisions

Revisions to an approved SWM Permit, permit condition, or approved storm water management plan must first be approved by the Agent. The applicant shall make a written request for the proposed revision(s) to the Agent, including any supporting documentation that the Agent may require as a basis for making a decision regarding the proposed revision. Proposed revisions do not take effect until approved by the Agent, and construction of unapproved plan revisions may be subject to enforcement action.

Section 3.10 Administrative Fee Schedule

1. All fees applicable under this Ordinance shall be specified in a fee schedule determined from time to time by resolution of the legislative body of the local unit of government and maintained in the Agent's office.
2. Permit fees shall be directly related to the actual costs of administering the SWM Permit program, including design review, site inspection, enforcement and permit administration.
3. A printed fee schedule shall be made available by the Agent.
4. If the Agent determines that the basic fees will not cover the actual costs of the application review, or if the Agent determines that review of the application and/or participation in the review process by qualified professional planners, engineers, attorneys, or other professionals is necessary or advisable, then the applicant shall deposit with the Agent such additional fees in an amount determined by the Agent equal to the estimated additional costs. The additional fees shall be held in escrow in the applicant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than ten percent (10%) of the initial escrow deposit or less than ten percent (10%) of the latest additional escrow deposit and review of the application is not completed, then the Agent may require the applicant to deposit additional fees into escrow in an amount determined by the Agent to be equal to the estimated costs to complete the review. Failure of the applicant to make any escrow deposit required under this Ordinance shall be deemed to make the application incomplete thereby justifying the denial of the application. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application. Any actual costs incurred by the Agent in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the release of a final decision on the application.

Section 3.11 Penalties for Initiating Earth Change Activities without a Permit

Any earth change activity, subject to regulation under this Ordinance, which has commenced without a valid permit, is not proceeding in accordance with an issued SWM Permit, or is in violation of a permit condition shall be considered a violation of this Ordinance and subject to the provisions of Article VII of this Ordinance.

ARTICLE IV STORM WATER MANAGEMENT PLAN REQUIREMENTS

Section 4.1 Storm Water Management Plan Requirements

A storm water management plan shall be prepared for any regulated earth change subject to SWM Permit requirements. The plan shall be designed to effectively manage the runoff from the site to not more than the rate and volume prior to development. Pretreatment of runoff shall be required if deemed necessary by the Agent. Administratively complete plans shall include the following:

1. A map or maps at a scale of not more than two hundred (200) feet to the inch or as otherwise determined by the Agent, including the following:
 - a. A legal description
 - b. Site location sketch which includes the proximity of any proposed earth change to lakes, streams, and wetlands
 - c. Predominant land features
 - d. Contours at not more than 2-foot intervals, or slope description.
2. A written description of the soil types of the exposed land area contemplated for the earth change.
3. A description and the location of the physical limits of each proposed earth change.
4. Location of all lakes, streams, and wetlands partially or completely contained within the boundaries of the site or within fifty (50) feet of the site boundary to the extent that the property owner has the ability of depicting the same.
5. A description and the location of all existing and proposed on-site storm water management facilities and measures.
6. The timing and sequence of each proposed regulated earth change.
7. A description and the location of all proposed temporary storm water facilities and measures.
8. A description and the location of all proposed permanent storm water facilities and measures.
9. Storm water calculations.

10. A program for the continued maintenance of all permanent storm water facilities and measures.
11. Other information which the Agent requires to review the impact of the proposed earth change in relationship to the standards and requirements of this Ordinance.

Section 4.2 Site Condominium & Subdivision Requirements

Applicants for site condominium or subdivision plat approval shall submit the same information as in Section 4.1 of this Ordinance and may need to submit additional relevant information including but not limited to the following: off-site watershed boundaries, existing and proposed easements, and proposed drainage system including water movement onto and out of the proposed development.

Section 4.3 General Standards for Approval of Storm Water Management Plans

Approval of a storm water management plan shall be based upon the following general provisions:

1. The Agent shall approve or disapprove storm water management permit applications and plans in accordance with the provisions of this Ordinance and the design standards included and/or referenced in Appendix A.
2. All regulated earth changes subject to review under the requirements of this Ordinance shall be designed, constructed and maintained to provide for the retention/detention of storm water runoff and to protect water quality.
3. Measures required for storm water shall take into consideration natural features, proximity of the site to lakes, streams and wetlands, extent of impervious surfaces, potential for flooding, and the size of the site.
4. Alteration to natural drainage patterns shall not create downstream or off-site flooding.
5. Storm water management plans shall be designed in accordance with the specific design criteria included as "Design Standards", attached and made a part of this Ordinance as Appendix A.
6. All storm water management plans and maintenance agreements shall be recorded with the Charlevoix County Register of Deeds by the Agent, at the expense of the applicant.
7. Storm water management facilities shall be constructed, operated and maintained on the applicant's property, without impact or degradation to downstream conveyance structures or properties. However, the applicant may request a waiver from the requirements for on-site storm water management by written petition to the Agent with the SWM Permit application. Where a request is made for off-site storm water management, the request shall comply with the following general criteria:
 - a. Off-site storm water management areas may be shared between two or more property owners or developments, provided that maintenance agreements have been approved by the Agent and storm water management easements have been obtained and recorded with the Charlevoix County Register of Deeds by the Agent, at the expense of the applicant.

- b. The storm water management easement shall contain language stating that the easement shall exist as long as said development exists and shall not be modified or terminated without the prior written authorization of the Agent. The Agent may only approve a modification or termination of this easement upon a determination that alternative means are available and will be used to improve the handling and disposition of storm water generated from the development or redevelopment of the site.
- c. Easements within drainage districts shall require prior approval of the Drain Commissioner.
- d. Storm water management plan requirements specified in Section 4.3 and the Design Standards included as Appendix A of this Ordinance shall be used as the basis for reviewing off-site storm water management proposals.

ARTICLE V MAINTENANCE, INSPECTION & ACCESS

Section 5.1 Applicability

All temporary storm water management facilities shall be maintained and inspected during the life of the facility to provide adequate protection against adverse impacts from storm water runoff. Permanently installed storm water management facilities shall be routinely inspected and maintained by the property owner or designated qualified party to ensure the continued and proper operation of the facility for the protection of downstream properties.

Section 5.2 Maintenance Requirements

Where maintenance is required, it shall be performed in accordance with the following general provisions, as well as any specific conditions that may be included with the SWM Permit.

- 1. All storm water management facilities and measures shall be maintained in accordance with permit conditions.
- 2. The person(s) or organization(s) responsible for maintenance shall be designated in the storm water management plan or the permit application submitted to the Agent. Options may include:
 - a. The owner(s) of the property.
 - b. Property owners association or other designated qualified party as determined by the Agent, provided that provisions for financing necessary maintenance are included in deed restrictions or other contractual agreements.
- 3. Maintenance agreements may be required by the Agent when the average annual cost of maintenance is reasonably expected to exceed \$500 per year and shall be required for all site condominium and subdivision plat proposals. When required, maintenance agreements shall specify responsibilities for financing maintenance and emergency repairs, including but not limited to the procedures specified in Sections 5.3 and 5.4 and Article VI of this Ordinance.

4. The Agent is not required to accept the applicant's desired responsible party for maintenance purposes in a given situation. Natural features, proximity of site to lakes, streams and regulated wetlands, extent of impervious surfaces, size of the site and potential need for ongoing maintenance activities will be considered when making this decision, as well as the overall complexity of the storm water management facilities. Where deemed necessary by the Agent, third party maintenance may be required for the adequate protection of sensitive sites, or complex storm water management facilities.

Section 5.3 Inspections

1. The Agent, or his/her authorized agent, shall have the right to conduct on-site inspections of the storm water management facilities to verify compliance with the requirements of this Ordinance, including that maintenance is being performed as required by this Ordinance. Any such inspections may take place before, during, and after any earth change activity has occurred for which a permit has been issued. The Agent or his/her authorized agent shall exercise this right to inspection by written consent of the person having the right to possession of the property, or by administrative search warrant issued by a court of competent jurisdiction. Submission of an application for a permit under this Ordinance shall be deemed as providing written consent for the Agent to conduct on-site inspections of the storm water management facilities.
2. If upon inspection, existing site conditions are found not to be as stated in the permit or approved storm water management plan, the permit may be revoked. No earth disrupting work shall be undertaken or continued, except preventative storm water measures as authorized by the Agent, until revised plans have been submitted and a valid permit issued.
3. Requests for revisions must be submitted to and approved by the Agent in writing before being effective unless approved by the Agent on site. If a change is approved on site, the following shall occur:
 - a. The Agent shall provide written verification of a change and/or revision.
 - b. The permit holder shall provide updated drawings, calculations, etc. to reflect the changes and/or revisions.

Section 5.4 Storm Water Management Easements

1. If any portion of the storm water management facilities will be located on property other than the property on which the storm water will originate, then the owner of the property on which the storm water will originate shall obtain a storm water management easement from the owner of the property on which all or a portion of the storm water management facilities will be located. The storm water management easement shall define the scope of the easement to include at a minimum the legal right of the owner of the property on which the storm water will originate to access the property on which the storm water management facilities will be located for the purpose of installing, inspecting, and maintaining the storm water management facilities; shall run in perpetuity with the land benefitted by the easement, or until the storm water management facilities are removed, whichever is sooner; and shall be recorded in the office of the Charlevoix County Register of Deeds.
2. A recorded copy of the storm water management easement shall be filed with the Agent prior to the issuance of a SWM Permit.

3. The recorded storm water management easement shall not be revoked, terminated, reconveyed, or amended without the prior written authorization of the Agent. Any such extinguished or revised storm water management easement shall be recorded in the office of the Charlevoix County Register of Deeds, and a recorded copy shall be filed with the Agent.

ARTICLE VI COMPLIANCE ASSURANCE

Section 6.1 Performance Guarantees

1. Applicants proposing subdivision plats, site condominiums, road construction projects, or other developments identified by the Agent with a high potential for storm water management problems may be required to post a cash escrow, letter of credit, or other acceptable form of performance security in an amount sufficient to assure the installation and completion of the storm water management plan.
2. Letters of credit shall extend for a minimum of one (1) year with the option of renewal. Money held in escrow, cash deposits, and/or certified checks will be returned to the applicant when the site is completely stabilized to meet requirements set forth by the Agent, and as-built plans of the site, sealed by a State of Michigan Licensed Professional Engineer, are submitted to the Agent.

Section 6.2 Construction Certification by a Registered Professional

1. For any sites that require a professionally prepared site plan in accordance with Section 3.4, a certification letter shall be submitted after any storm water management facilities have been installed to affirm that construction has been completed in accordance with the approved storm water management plan. Unless this Ordinance requires certification by a State of Michigan Licensed Civil Engineer as provided later in this section, the certification letter can be prepared by one of the following registered professionals: State of Michigan Licensed Civil Engineer, Land Surveyor, Architect, and/or Landscape Architect.
2. If there are changes during the course of construction, the Agent may require final “as-built” drawings for final approval of the site work.
3. “Changes during construction”, as used in this Section, includes, but is not limited to: unanticipated soil conditions, elevation, acts of God, or other changes in circumstances not anticipated during the initial application process.
4. Sites Where Certification by a State of Michigan Licensed Civil Engineer is Mandatory
 - a. Certain activities listed under the Michigan Natural Resources and Environmental Protection Act (Public Act 451 of 1994, as amended).
 - i. Part 23, Pretreatment
 - ii. Part 31, Floodplain
 - iii. Part 41, Sewage Systems
 - iv. Part 111, Solid Waste
 - v. Part 115, Hazardous Waste

- vi. Part 307, Inland Lake Levels
 - vii. Part 309, Inland Lake Improvements
 - viii. Part 315, Dams
- b. Certain activities listed under the U.S. Environmental Protection Agency, Title 40 of the Code of Federal Regulations.
- i. Part 112, Spill Prevention, Control and Counter Measures
 - ii. Part 122, Storm Water Pollution Prevention Plan (SWPS)

Section 6.3 Letter of Compliance

Upon receipt and approval of the certification letter, the Agent shall issue a letter of compliance to the property owner.

ARTICLE VII STOP WORK ORDERS & ENFORCEMENT ACTION

Section 7.1 Stop Work Orders

1. If necessary to assure compliance with the permit requirements, standards, and other provisions of this Ordinance or to protect public health, safety and/or welfare, the Agent may issue a stop work order for the purpose of preventing uncontrolled storm water, or other conditions posing imminent and substantial danger to public health, safety, welfare or natural resources.
2. The stop work order, when issued, shall require all specified storm water activities to be stopped. A copy of the stop work order shall immediately be submitted to other state and local agencies with regulatory jurisdiction. Said order shall describe the specific alleged violation and the steps deemed necessary to bring the project back into compliance.
3. If the Agent determines that storm water violations have or will reasonably occur from a parcel of land in violation of this Ordinance, it may seek to enforce the Ordinance by notifying the person who owns the land by mail, with return receipt requested, of its determination. The notice shall contain a description of specific storm water measures which, if implemented by the property owner, would bring the property owner into compliance.

Section 7.2 Enforcement

1. Any person who violates any provision of this Ordinance shall be responsible for a municipal civil infraction as defined in Public Act 12 of 1994, amending Public Act 236 of 1961, being Sections 600.101-600.9939 of Michigan Compiled Laws and shall be subject to a fine of not more than Five Hundred and 00/100 Dollars (\$500.00). In addition, any person found responsible for a municipal civil infraction may be subject to an enforcement order issued by the District Court Judge requiring remedial action to bring the property into compliance with this Ordinance. Each day this Ordinance is violated shall be considered as a separate violation.

2. The Agent and any other person designated by the legislative body of the local unit of government are hereby designated as the authorized officials to issue municipal civil infraction citations directing alleged violators of this Ordinance to appear in court.
3. A violation of this Ordinance is hereby declared to be a public nuisance or a nuisance per se and is declared to be offensive to the public health, safety and welfare.
4. In addition to enforcing this Ordinance through the use of a municipal civil infraction proceeding, the Agent may initiate proceedings in the Circuit Court on behalf of the local unit of government, to abate or eliminate the nuisance per se or any other violation of this Ordinance.

Section 7.3 Emergency Action

1. Where necessary to protect public safety or water resources, including lakes, streams, regulated wetlands, and other receiving bodies of water, the Agent, through a Circuit Court abatement proceeding, may seek a temporary restraining order or preliminary injunction from the court authorizing entry onto private property for the purpose of initiating emergency action to abate imminent and substantial danger and risk.
2. Except as otherwise provided through maintenance agreements, the property owner shall reimburse the local unit of government and/or Charlevoix County for all expenses incurred as a result of the emergency action, including but not limited to reasonable attorneys fees, administrative costs, and the costs of any remedial action taken to abate the emergency condition.

ARTICLE VIII APPEALS

Section 8.1 Creation of Appeals Board

An Appeals Board is hereby created which shall consist of five (5) members. The membership and organizational structure of the Appeals Board shall be determined pursuant to an intergovernmental agreement among the local units of government within Charlevoix County that have enacted this Ordinance. When discharging its duties under this Ordinance, the Appeals Board shall comply with all requirements of the Open Meetings Act, being Act 267 of the Public Acts of 1976, as amended. The Appeals Board Clerk shall be responsible for providing all required notices for Appeals Board hearings and for taking the minutes of the Appeals Board hearings.

Section 8.2 Right of Appeal

Any person aggrieved by the action or inaction of the Agent related to this Ordinance may appeal to the Appeals Board. Such appeal shall be made in writing and shall be filed with the Appeals Board Clerk within thirty (30) calendar days of the decision that is being appealed. Any appeal that is not filed in a timely manner shall be dismissed by the Appeals Board. The written appeal shall state the order, requirement, decision, or determination that is being appealed, the sections of this Ordinance that relate to the appeal, and those facts relevant to the appeal, which support the basis for the appellant's claim.

Section 8.3 Appeals Process

Upon receipt of an appeal, the Appeals Board Clerk shall direct the Agent to transmit to the Appeals Board a summary report of all previous action taken on the subject of the appeal, a copy of any permits

issued, and the appellant's written statement. The Appeals Board will then adhere to the following general process:

1. Within fifteen (15) calendar days of receiving a completed application, the Appeals Board Clerk shall schedule a hearing date before the Appeals Board. The Appeals Board Clerk shall send a written notice specifying the time, date, and place of the Appeals Board hearing to the appellant and to all land owners within three hundred (300) feet of the subject parcel and shall publish a copy of the hearing notice in a newspaper of general circulation within the local unit of government where the subject property is located. The notice shall be mailed and published no less than fifteen (15) days before the scheduled hearing. The Appeals Board shall hold the hearing within sixty (60) calendar days from receipt of a completed application.
2. The appellant shall deposit with the Appeals Board Clerk when the appeal is filed the required fee, as specified in the fee schedule adopted under Section 3.10.1 of this Ordinance. The fee shall be used to cover the cost of handling said appeal including compensation for Appeals Board members and associated administrative costs.
3. If the Appeals Board Clerk determines that the basic fee will not cover the actual costs of the appeal, then the appellant shall deposit with the Appeals Board Clerk such additional fees in an amount determined to be equal to the estimated additional costs, including costs which may be incurred by the Agent. The additional fees shall be held in escrow in the appellant's name and shall be used solely to pay these additional costs. If the amount held in escrow becomes less than ten percent (10%) of the initial escrow deposit or less than ten percent (10%) of the latest additional escrow deposit and the appeal is not completed, the Appeals Board Clerk may require the appellant to deposit additional fees into escrow in an amount determined to be equal to the estimated costs to complete the appeal. Failure of the appellant to make any required deposits shall be deemed to make the appeal incomplete thereby justifying denial of the appeal. Any unexpended funds held in escrow shall be returned to the appellant following final action on the appeal. Any actual costs incurred in excess of the amount held in escrow shall be billed to the appellant and shall be paid by the applicant prior to the release of a final decision on the appeal.
4. The Appeals Board may affirm or reverse, wholly or in part, a decision of the Agent. In deciding an appeal, the Appeals Board shall determine:
 - a. Whether the Agent properly interpreted and applied this Ordinance in making the decision.
 - b. Whether the specific situation has circumstances that warrant a variance from the standards of this Ordinance. Where the Appeals Board has determined that a variance from the standards of this Ordinance may be warranted, the Board may grant the appellant a variance from any design standard, setback, or other provision contained within this Ordinance, provided that such variance complies with the following general standards:
 - i. The variance will not adversely impact adjacent property owners or downstream properties in any material way.
 - ii. The variance is necessary to grant the appellant substantial relief from a hardship that would otherwise be imposed by strict enforcement of this Ordinance.

- iii. The variance granted is the minimum deviation from the requirements of this Ordinance necessary to do substantial justice to the appellant. The Appeals Board may include such conditions or limitations on any variance issued to ensure that granting the relief requested will not substantially prevent, nor result in less, effective management of storm water runoff.
 - iv. Granting of the variance would not knowingly be in conflict with other regulatory requirements.
 - v. The need for the variance is due to circumstances that are unique to the property in question and not due to any act or omission of the property owner, a prior property owner, or a past or present occupant of the property.
5. The decisions of the Appeals Board shall in all instances be final administrative decisions, shall be in writing, and shall include specific findings of fact by the Board, and further, shall be subject to such judicial review as by law may be provided.

ARTICLE IX SEVERABILITY

If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of the Ordinance shall not be affected.

ARTICLE X EFFECTIVE DATE

This Ordinance shall become effective thirty (30) days after its enactment.

ARTICLE XI REVISIONS

The Agent shall review this Ordinance at least biannually, and make recommendations for amendments if needed. The recommendations of the Agent shall be transmitted to the legislative body of each local unit of government within the County and the Charlevoix County Board of Commissioners.

APPENDIX A

Charlevoix County Storm Water Ordinance Design Standards

Temporary Storm Water Management Standards

1. Temporary storm water management facilities shall be installed by the applicant and inspected by the Agent before grading, filling or grubbing is initiated.
2. Where permanent storm water management facilities, such as detention or retention basins are proposed for use during construction as a temporary storm water management measure, the construction sequence and grading plan shall be designed for the proper and effective implementation of these facilities.
3. Temporary storm water management measures shall be maintained throughout the duration of the earth change, including the later stages of development. Maintenance activities may include, but are not limited to removal of accumulated sediment, structural repairs, and reseeded or replacement of temporary vegetative covers.
4. Temporary storm water management facilities shall be designed in accordance with the Michigan Department of Environmental Quality (MDEQ) Best Management Practices (BMP) Guide Book for Michigan Watersheds.
5. At a minimum, during construction all regulated earth changes shall be required to provide temporary storm water management that either contains the volume of runoff generated from a 10-year, 24-hour design storm on-site for all disturbed area, or to provide silt fencing or other permeable barriers that will manage the flow of storm water discharging off-site, diffusing it and releasing it at reduced velocities, where such discharge will not adversely impact downstream properties.

Permanent Storm Water Management Standards – General

1. Storm Water Management Plan Preparation
 - a. Various proposed types of land uses will require plans to be prepared by one or more of the following licensed professionals: State of Michigan Licensed Civil Engineer, Land Surveyor, Architect and/or Landscape Architect or other County certified individuals.
 - b. If the site plan is of a large and complex nature, the Agent may require that it is prepared by one or more of the above listed professionals.
 - c. If the site plan is of a large or complex nature, the Agent may request that the submitted site plan be reviewed by one or more of the above listed professionals contracted by the Agent. The costs incurred for such review(s) shall be the responsibility of the applicant. The applicant shall deposit with the Agent such fees in an amount determined by the Agent equal to the estimated costs. The fees shall be held in escrow in the applicant's name and shall be used solely to pay these costs. If the amount held in escrow becomes less than ten percent (10%) of the initial escrow deposit or less than ten percent (10%) of the latest additional escrow deposit and review of the application is not completed, then

the Agent may require the applicant to deposit additional fees into escrow in an amount determined by the Agent to be equal to the estimated costs to complete the review. Failure of the applicant to make any escrow deposit required under this Ordinance shall be deemed to make the application incomplete, thereby justifying denial of the application. Any unexpended funds held in escrow shall be returned to the applicant following final action on the application. Any actual costs incurred in excess of the amount held in escrow shall be billed to the applicant and shall be paid by the applicant prior to the release of a final decision on the application.

- d. If the applicant disputes the Agent's need for outside professional assistance in the review of the submitted plans, or the professional(s) selected, the applicant has the right to appeal the Agent's decision to the Appeals Board, who shall be responsible for making the final decision.
2. On-site storm water management facilities which minimize adverse impact to downstream properties shall be required for all sites unless a proposal for off-site storm water management has been approved. Storm water management facilities may include, but are not limited to: retention basins/ponds, detention basins/ponds, wet basins, storm water treatment units, controlled outfall structures, and rain gardens or other bio-filtration systems.
3. The Michigan Department of Environmental Quality "Urban Stormwater Best Management Practices Manual" will be used as a reference as well as the following manuals: "Controlling Urban Runoff" by the Metropolitan Washington Council of Governments; "Designing Stormwater Quality Management Practices" by the University of Wisconsin, Madison; and the "Design of Stormwater Filtering Systems" by the Center for Watershed Protection.
4. Retention and detention basins shall have an emergency overflow system. The overflow system shall be designed to accommodate flow from a 100-year storm event, or as otherwise required by the appropriate State of Michigan agency.
5. If the storm water facilities for a 50-year storm cannot discharge to a stream, lake or wetland without causing scouring, flooding or pollution on site or downstream, then the basin shall be designed to hold or infiltrate storm water from a 100-year, 24-hour frequency storm event.
6. Sites less than one (1) acre located in areas serviced with a municipal storm system and that have the approval of the municipal system owner may discharge storm water to that system after it has been treated with an approved separator system that removes sixty percent (60%) of sediments.
7. The rainfall amounts for Charlevoix County shall be the numbers given by the Natural Resources Conservation Service for a 24-hour duration and are as follows: 1-year storm equals 1.8 inches; 2-year storm equals 2.2 inches; 5-year storm equals 2.7 inches; 10-year storm equals 3.0 inches; 25-year storm equals 3.5 inches; 50-year storm equals 3.9 inches; 100-year storm equals 4.2 inches.
8. The maximum grade for the side slopes of any storm water retention or detention basin shall be no greater than 3:1 (horizontal to vertical) for vegetated basins. Where, due to site limitations, this maximum side slope grade cannot be met, the Agent may grant an increase in the slope, provided additional stabilization (beyond seed and mulch) is proposed.
9. Storm water basins with permanent pools of water of three (3) foot depth or greater with side slopes steeper than one (1) on six (6) shall have one or more of the following safety features:

- a. Safety ledges at the basin perimeter which are at least ten (10) feet wide
 - b. Aquatic vegetation surrounding the basin which discourages wading
 - c. Fencing to prevent unauthorized access to the basin.
10. Storm water detention basins shall not be constructed in regulated wetlands unless approved by the appropriate State of Michigan agency and/or the Army Corps of Engineers.
 11. Storm water detention basins which impound five (5) acres or more and have a head of six (6) feet or more shall meet dam construction permit requirements in Part 315 of Act 451 of 1994, as amended, administered by the Michigan Department of Environmental Quality.
 12. Whenever possible, a created wetland or other bio-filtration area shall be incorporated into storm water management facilities to assist removal of soluble pollutants that cannot be removed by conventional settling. Sediment carried off by runoff shall be required to settle out prior to discharge into the created wetland or other bio-filtration area.
 13. Storm water management basins designed for retention, detention or infiltration shall be isolated from septic systems and water wells by fifty (50) feet or more. Variations in the required setback may be granted by the Health Department of Northwest Michigan prior to the issuance of a Charlevoix County Storm Water Management Permit.
 14. New fueling stations will be required to install an approved separator system for sites that discharge storm water off-site. Existing fueling stations that are modifying more than twenty five percent (25%) of their existing impervious surfaces will be required to install an approved separator system if they discharge storm water off-site.

Retention Basin Design

1. Small projects in areas that have less than one-half (0.5) acre of impervious surface shall be allowed to have runoff retention stored at two inches (2") of runoff from all impervious surface areas in lieu of detailed hydrologic calculations.
2. At a minimum, retention basins created in soils with permeability greater than 1.3 inch per hour shall have the storage capacity to hold the increase in runoff volume generated by the earth change.
 - a. The required volume shall be calculated by comparing the undeveloped conditions for a 2-year, 24-hour frequency storm event to the developed condition for a 25-year, 24-hour frequency storm event. Soil permeability rates are listed in the following table:

Soil Texture & Structure	Permeability (Inches/Hour)
Coarse Sand and Medium Sand	6 or more
Fine Sand and Loamy Sand	3 – 6
Sandy Loam	2 – 3
Loam, Sandy Clay Loam	1.3 – 2
Clay Loam, Silt Loam, Clays, Silts, Muck, Peat, Marl	Less than 1.3

- b. The retention basin shall be designed to drain within seventy two (72) hours.
3. At a minimum, retention basins, which are created in soils with permeability less than 1.3 inch per hour, shall be designed to store runoff from back-to-back 50-year, 24-hour rainfall events.

Detention Basin Design Standards

1. When using the Natural Resource Conservation Service Method, the volume of a detention pond is to be calculated based upon a 50-year, 24-hour storm with the developed site conditions and with an allowable outflow of a 10-year, 24-hour storm based upon the pre-existing site conditions or 10% of the flow rate calculated by the 50-year developed site conditions analysis. [The TR-55 program does not accept lower values than ten percent (10%) of the developed rate.]
2. The allowable peak discharge rate from a permanent storm water management measure may be a staged rate. The maximum allowable peak discharge rate shall not exceed the peak discharge rate from the project site prior to the proposed development for all of the following 24-hour storm events: 2-year, 5-year, 10-year, 25-year, and 50-year. In no event shall the discharge exceed the ability of the downstream condition to convey the flow without damage to abutting properties.
3. All sites with greater than one (1) acre of impervious surface will require the detention outflow to be directed to approved storm systems or have the approval of adjacent property owners, with documented easements, or one can release at a 2-year before construction rate if it can be determined that there is not a flooding hazard on the adjacent property. Low porosity in the soils in the area of discharge and depressions in the land would be examples of reasons to deny detention out-flowing at a 2-year rate. Sites that have three (3) acres or more of parking area must in addition have an approved separator system to remove impurities before discharging to the detention/retention pond or install an approved treatment forebay.

Storm Water Separator Design Standards

1. Approved separators are to remove a minimum of sixty percent (60%) of sediments.

2. Treatment forebay criteria – The treatment forebay is designed to store the “first flush” of pollutants typically found in urban storm water runoff, and to capture initial flush pollutant loads.

- a. The treatment forebay shall be a wet basin or approved structure with an impermeable bottom and sides to the design high water level.
- b. Sizing – The treatment forebay shall be sized to store the water quality volume (V^{wq}) defined as one-half (0.5) inch of runoff from the directly connected impervious area. This volume can be included in the overall flood control volume.
- c. The minimum required water quality volume is given by the equation:

$$V^{wq} = 1815 A l$$

Where: V^{wq} = Water quality volume (cft)
1815 = 0.5 inch of runoff x 3,630 to convert ac-in to cft
A = Contributing drainage area (ac)
l = Percent impervious expressed as a ration

- d. Capacity for the water quality volume shall be provided above the normal water level.
- e. The overflow structure from the treatment forebay shall be sized for the peak inflow from the design rainfall event.
- f. The top-of-berm elevation between the treatment forebay and the infiltration basin shall be a minimum of one (1) foot below the outer berm elevation.
- g. The treatment forebay shall have a minimum 1-foot-deep sump below the inlet pipe for sediment accumulation.
- h. The outlet structure from the treatment forebay shall be designed to draw water from the central portion of the water column with the forebay to trap floatables and contain sediments. The top of the inlet structure shall be located a minimum of one (1) foot below the normal water level, and the invert shall be a minimum of one and one-half (1.5) feet above the bottom of the treatment forebay.
- i. Material – Treatment forebays shall be lined with impermeable materials extending up to the design high water elevation. A minimum 18-inch-thick clay layer, or an impermeable liner protected with a minimum of twelve (12) inches of soil cover are acceptable alternatives. Maximum allowable permeability shall be 0.0001417 inch/hour as determined by a geotechnical engineer for clay placement, or manufacturer’s certificate for line products.

Underground Storm Water Management Facilities

- 1. If the use of storm water retention or detention basins, either on-site or off-site is not feasible and the permeability of the soils is greater than 1.3 inch per hour, the installation of underground

drainage systems (catch basins / manholes with open bottoms with stone and/or run(s) of perforated piping) may be allowed if they provide for detention or retention volumes as stated in these Charlevoix County Storm Water Ordinance guidelines. The perforated piping and dry basin structure(s) cannot be considered to provide for any outflow when calculating volumes for the detention system design. All underground drainage systems must provide the following:

- a. Catch basins or separator systems, sediment basins, silt traps for storm water flowing to the underground drainage system
 - b. An approved overflow system
 - c. Adequate provisions for maintenance
2. The required detention volume may be reduced by the Agent by an amount not to exceed fifty percent (50%) if rain gardens are implemented and demonstrate the ability to accommodate an equivalent amount of storm water.

CITY OF CHARLEVOIX

Dated: _____

By: _____
Norman L. Carlson, Jr.

Its: Mayor

Dated: _____

By: _____
Carol A. Ochs

Its: Clerk



Application for Storm Water Appeals Board for Charlevoix County

Date: _____

Name: _____

Address: _____

Phone: _____ Cell Phone: _____

Business Phone _____ May we call you there? _____

Email: _____

Describe the reasons you are interested in this position: _____

Describe any background, experience and interests that you have which may assist you in performing the responsibilities of this appointment:

Occupation: _____

Education: _____

Experience: _____

(Please attach a detailed resume if desired)

Have you served on any previous boards or in any governmental positions in the past? If yes, please explain: _____

Are you available for night meetings? _____ Daytime meetings? _____

Do you foresee any potential conflicts of interest that you might have in executing the duties of this appointed position? If yes, please explain: _____

If a conflict of interest arose for you, how would you deal with it as an appointed member of this board? _____

Please return this application to the Soil Erosion Control Officer at the Charlevoix County Department of Building Safety. It can be returned in person, by mail to 301 State Street, Suite 5, Charlevoix, MI 49720, or by fax to (231) 547-7250.

Revised 6/25/12

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Financial Audit Presentation

DATE: September 17, 2012

PRESENTED BY: Our auditors from Rehmann, Annette Eustice CPA, CGFM and Carrie Hammons CPA

ATTACHMENTS: Audited financial statement for March 31, 2012 with the Auditors Communication Letter.

BACKGROUND INFORMATION: This is our annual financial audit, assessing the financial health of the City and includes all funds.

The Internal Control Report issued by the auditors and included in the audit are their suggestions on how we can improve our administrative operation of the City from an internal control perspective. Our size limits our ability to correct all internal control over financial reporting concerns, but we are working towards improving this area as much as our employee staffing levels allow. We are currently upgrading our financial software which will significantly improve our controls and abilities to reduce our exposure to fraud or misstatement. It should also improve the speed which we can report capitalization transactions, which is our largest roadblock to timely financial reporting at year end.

Our Disaster Recovery Plan is nearly complete and we hope to complete this policy and take it to City Council soon. The new fund balance requirements will also need to be formulated and will be brought to City Council, possibly with the 2013-14 Budget. We will also need to discuss the advance made to complete the financing on East Park during the budget, since we haven't begun to repay the Electric Fund to date.

We will comply with the filing of the Michigan Qualifying Statement, Disclosure Requirements and Electronically Filing our Financial Statement and the F-65 Report. The Act 51 Report has already been filed prior to the due date. We will also need to make sure we comply with requirements regarding transparency and the State of Michigan "dashboard" requirements (EVIP), so we can continue to keep as much of our Statutory Revenue Sharing for the 2012-13 FY as possible.

RECOMMENDATION: City Council needs to accept and file the audit.

CHARLEVOIX CITY COUNCIL

AGENDA ITEM

AGENDA ITEM TITLE: Downtown LED Tree Light Cost Sharing Proposal

DATE: September 17, 2012

PRESENTED BY: DDA Executive Director Keith Carey

BACKGROUND INFORMATION: In November 2007, the Charlevoix Downtown Development Authority (DDA) was pleased to partner with the City of Charlevoix Electric Fund to upgrade the decorative lighting of our downtown trees from traditional incandescent lights to energy-efficient light emitting diode (LED) lights and to expand the overall scope of the project to include the trees on the north and south hills. This transition was rooted in the Charlevoix Downtown Blueprint 2007 which noted a year-round tree lighting campaign as one of a number of recommendations to enhance downtown. The total cost of the project including removal of existing incandescent lights, purchase of new LED lights and their installation, was \$48,160 and was awarded to Michigan Decorations LLC of Traverse City, MI. Michigan Decorations LLC's bid was less than the next closest bid (Holiday Lighting Service of Manchester, MI). Holiday Lighting Service had previously handled the installation and maintenance of the incandescent display. Recommendation to accept the Michigan Decorations LLC bid was based upon cost, anticipated ease of service due to proximity, and because Holiday Lighting Service was unable to provide sufficient lights for the project due to the timing of the bidding process and installation needs. City Council was asked and agreed to fund 50 percent of the cost of the light purchase, or \$16,480, while the DDA provided the balance of the light purchase cost and all removal and installation cost, or \$31,680.

While references were confirmed and all measures were taken to ensure Michigan Decorations LLC was a reputable company with a history of providing outstanding service to other municipalities, the project was disaster-prone from the start. Incorrect light colors were ordered by the vendor, not once, but twice, resulting in the installation of a hue that was not the choice of the DDA as concerns about delays leading to a "lightless" holiday season mounted. The installation, while initially appearing sound, began to suffer serious setbacks within the first week. Demands to fix the flawed display were met with evasive answers and questionable billing practices. Less than eight months following the installation of the display, the DDA ceased all business dealings with Michigan Decorations LLC.

Since that time, the DDA has been pleased to work with a local independent contractor to maintain a limited, scaled-down display that unfortunately reflects the DDA's current financial limitations, but certainly not the quality of our downtown. The DDA generally believed it too costly to pursue a complete removal and reinstallation of new LED lights in the preferred "warm white" hue while working with a trusted installer. Instead felt it appropriate to wait for finances to rebound before pursuing a large-scale replacement. Recently, an opportunity has presented itself primarily due to the passion and work of a downtown business owner. A private effort is underway to raise monies to help bridge the gap between funds the DDA has otherwise budgeted for continued maintenance (\$4,500) and the estimated costs of a complete re-installation by a reputable installer (projected at approximately \$22,000). As of today (September 12), private fundraising efforts have totaled \$3,400 in pledges

primarily from downtown business and property owners. Efforts continue to raise private monies and a resident has offered to match up to another \$3,400 in new monies raised. Conservatively estimating the raising of another \$2,000 and the subsequent match totals \$11,900, including the DDA's \$4,500 commitment. This leaves the effort approximately \$10,000 short of the projected \$22,000 cost. The DDA has also submitted application for a competitive \$1,500 placemaking grant and private fundraising efforts will continue, in an effort to ensure the longevity of a display our community can be proud of.

An advertisement for bids will be offered on Thursday, September 13 and the DDA will consider submitted bids at its Monday, September 24 meeting with the goal of an October installation. In addition to requiring a "warm white" light hue, the DDA expects to require a warranty including free replacement of defective light sets (including removal/installation) for the first lighting season (11/12 – 1/13) and free replacement of defective light sets (not including removal/installation) for the second lighting season (11/13 – 1/14).

RECOMMENDATIONS: The Charlevoix DDA respectfully requests the following:

Partner with the Charlevoix DDA and private fundraising efforts for utilization of \$10,000 in City of Charlevoix Electric Fund (promotion) monies to remove current lights and purchase and install new warm white lights in the 36 trees currently lit downtown between Antrim Street and the drawbridge.

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Consideration to approve the Water Department truck purchase

DATE: September 17, 2012

PRESENTED BY: Pat Elliott

ATTACHMENTS: Bid Tab

BACKGROUND INFORMATION: In the approved 2012/13 budget, we have allotted \$33,500.00 to replace a 1998, GMC 3500 truck that the Water Department currently uses. We advertised for sealed bids in the Petoskey News Review and the Charlevoix Courier. We also hand delivered the specifications to both of the Charlevoix Fox motor dealerships and faxed the specifications to Bob Mathers Ford and a dealership downstate that originally had interest in bidding on this vehicle. Surprisingly, we only received and opened only one bid on September 6, 2012. The one bid was provided by Bob Mathers Ford from Boyne City. This bid, including the utility box, totals \$30,574.09 or \$2,925.91 less than what was budgeted. The vehicle that is being replaced will be put up for auction either this fall or next spring which will further off set the total purchase price of this new vehicle.

This vehicle is used daily to complete service calls, water main repairs, water service repairs etc. The vehicle is also used to tow trailers and heavy equipment and is the reason we have specified a dual rear wheel, one ton, two wheel drive truck. This truck will also have the appropriate GVWR to safely and legally tow the equipment discussed above.

The vehicle that is being replaced is a one ton, two wheel drive truck that is 14 yrs old. Due to the condition and operations of this vehicle, we are recommending its replacement.

RECOMMENDATION: It is staff's recommendation that we accept the bid from Bob Mathers Ford for \$30,574.09 and place the order for this truck. The truck would not be built until sometime in November and delivered shortly thereafter.

BID OPENING
City of Charlevoix
WATER DEPT TRUCK

September 6, 2012 – 2:00 p.m.

BIDDER INFO	BID
BOB MATHERS FORD 224 WATER STREET BOYNE CITY, MI 49712	Option 1: 29,652.09 Option 2: 30,574.09

Only one bid received.

Carol Ochs
City Clerk

**CHARLEVOIX CITY COUNCIL
AGENDA ITEM**

AGENDA ITEM TITLE: Approval of Job Descriptions

DATE: September 17, 2012

PRESENTED BY: Rob Straebel, City Manager

ATTACHMENTS: Ten Job Descriptions for Various City Positions*

BACKGROUND INFORMATION:

Job descriptions for all employees are approved by City Council. A review is done either on a periodic basis or at the time the position becomes vacant. This review helps ensure the descriptions accurately reflect the job duties, skills, knowledge, abilities, and requirements. Job descriptions will be brought before Council as they are reviewed and finalized by the department head and City Manager.

The job descriptions for two seasonal positions in Recreation, Lifeguard and Mt. McSauba Camp Counselor have been revised to reflect the age minimum of 16-years old in place of 18-years old. The Airport Manager job description currently has a bachelor's degree requirement. Language has been added that provides for "the equivalent of" in experience and education. This language is consistent in several other department head job descriptions and provides for continued consistency as we continue our reviews. The seasonal Water Division Assistant was formerly named Water Department Assistant and has been revised to reflect the recent organizational and reporting change to the DPW.

The Electric Department's Administrative Assistant job description is new. The Electric Department's Meter Reader job description is an update as are four Treasurer job descriptions – Accounts Payable/Accounts Receivable Clerk, Payroll Administrator & Treasury Assistant, Receipts Clerk, and the Utility Billing & Assessor Clerk. The former job titles are listed in parenthesis on each document. These job descriptions have been refined to ensure greater accuracy in job responsibility.

RECOMMENDATION: To adopt the ten job descriptions as written.

*Recreation – Lifeguard, Mt. McSauba Camp Counselor
Electric – Meter Reader, Administrative Assistant
Treasurer – Accounts Payable/Accounts Receivable Clerk, Payroll Administrator & Treasury Assistant, Receipts Clerk, and the Utility Billing & Assessor Clerk
Department of Public Works (DPW) – Water Division Assistant
Airport – Airport Manager

CITY OF CHARLEVOIX

Title: Lifeguard
FLSA: Non-exempt
STATUS: Seasonal Summer

Department: Recreation

Reports To: Recreation Director

Date: April 4, 2012

Position Purpose and Objectives

Supervise swim area and enforces rules to ensure safety of beach visitors. Initiate and perform water rescue in the swim areas.

Scope and Environment

Works with little supervision. Work performed at one of the three City beaches: Ferry, Depot, and Michigan. Michigan Beach is located on Lake Michigan, which presents serious challenges/hazards due to rip tides and undertow. Work schedule is based on weather (no pay for rain days) and varies throughout the summer season.

Essential Job Functions

- Oversee beach and facilities.
- Patrol beach to enforce beach rules and prevent accidents.
- Respond to all emergency situations on beaches.
- Resolve problems and keep superiors apprised of incidents, etc.
- Maintain daily beach logs.

Knowledge, Skills and Abilities Required

- Strong swimmer with experience on Lake Michigan or a similar body of water.
- Able to work outdoors in all types of summer weather.
- Able to work independently.
- Excellent interpersonal and public relations skills, including the ability to interact with children and parents.
- Professional working knowledge of safety and first aid equipment and procedures.
- Resourceful/self-starter.
- Positive attitude.
- Excellent interpersonal and public relations skills.
- Patience working with people of all ages and abilities.
- Flexibility regarding work hours.
- Ability to project a courteous and positive public image of the City of Charlevoix.

Certifications

- Current Red Cross Certification or equivalent to life guarding certification (which includes First Aid and CPR for the Professional Rescuer).
- Must be 16 years of age or older.

The information contained in this position description is intended to describe the general content and requirements for successful performance of the job. It is not an exhaustive list of duties, responsibilities or requirements. Additional duties and requirements may be assigned at the sole discretion of the City. Hence, the job description does not constitute an employment agreement between the employer and employee and is subject to change by the employers as the needs of the employer and requirements of the job change. The position is an at-will position.

City Council Approval:

CITY OF CHARLEVOIX

Title: Meter Reader **FLSA:** Non-exempt
STATUS: Full-time, union
Department: Electric Department
Reports To: Superintendent, Electric Department
Date: September 12, 2012

Position Summary

Responsible for reading meters and recording consumption of electricity and/or water.

Scope and Environment

Works under the supervision of the department head. The work requires considerable walking in adverse weather conditions (year round) on a wide variety of terrains and surfaces, and exposed to a variety of physical hazards in which adherence to safety practice is essential.

Essential Job Functions

- Walk or drive truck over established route to take readings of meter dials.
- Read electric and/or water meter.
- Verify readings to locate abnormal consumption and record reasons for fluctuations.
- Inspect meters for defects, damage, and unauthorized connections.
- Return route book to Utility Billing and Assessor Clerk for billing purposes.
- Indicate irregularities on forms for necessary action by department personnel.

Minimum Requirements

- Able to work outdoors in all types of weather.
- Able to exert self physically (stand/walk) for long periods of time.
- Able to document and record information accurately.
- Observation skills to avoid guard dogs and other safety hazards.
- Working familiarity with the City geography.
- Excellent organizational skills.
- Positive attitude. Excellent interpersonal and public relations skills.
- Good verbal and written communication skills.
- Pet and wildlife "friendly".
- Operate City vehicles safely.
- Ability to project a courteous and positive public image of the City of Charlevoix.

Minimum Qualifications

- High school graduate or equivalent
- Michigan driver license
- Able to obtain a CDL license
- Detail orientation

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City Council Approval:

CITY OF CHARLEVOIX

Title: Administrative Assistant
(Utilities Secretary) **FLSA:** Non-exempt
STATUS: Full-time, union

Departments: Electric Department & DPW Water Division

Reports To: Superintendent, Electric Department

Date: September 12, 2012

Position Summary

This position is responsible for coordinating office activities for the Electric Department & the DPW Water Division and for providing administrative, secretarial, and clerical support to the Superintendent, Electric Department. Assistance to the DPW Water Division includes phone support, creating work orders, assistance with inventory and billings, along with general office support.

Scope

This person has considerable latitude for exercising good professional judgment, personal responsibility and initiative while performing specialized duties. The individual coordinates electric and water service for the City's residential, commercial and industrial customers, such as synchronization with utility billing personnel and with field crews. Individual has daily contact with customers and with the public and must respond appropriately. Duties are performed in office/shop environment. Individual provides administrative, secretarial, and clerical support to management and lineman/operator staff of 13; concentration is often interrupted by phone calls and/or walk-ins from the public or from work crews. Note: Volume of telephone calls is high and often contentious during power/water outages.

Essential Job Functions

- Answer phone and respond to designated correspondence for the Electric Department & the DPW Water Division. Responses may require interpretation and application of city, department, and office policies, procedures, rules, and regulations.
- Prepare time cards and green cards for department personnel; complete payroll sheets for processing by Treasurer personnel.
- Process accident reports and coordinate same with Treasurer personnel. Maintain related workplace safety and workers' compensation files.
- Complete appropriate equipment request forms (sprinkler meter, security light, electric permit, transformer, etc.) and service work orders received directly from the consumer and/or review same received indirectly from other departments. Calculate estimates for water and/or electric jobs and code material appropriately. Distribute work orders to Electric & DPW Water Division personnel for action. Contact contractor/subcontractors as necessary, e.g., testing transformers for PCB contamination, testing meters for accuracy, etc. Provide new meter bases or meter horns to customers or plumbers as indicated and explain installation of same. Forward copies or summaries as necessary to the Treasurer Department for billing.
- Receive Miss Dig requests, coordinating same for electric, water, and street departments. Maintain records for same. Similarly, coordinate trouble calls and reports of low or downed lines with telecommunication carriers.
- Initiate purchase orders and code/process invoices for payment by the Treasurer Department. Assign item numbers to all departmental equipment and supplies, so that utilization may be tracked via material sheets for customer billing. Perform data entry to maintain MS ACCESS database for all department equipment, parts, and

supplies/material as acquired (invoices) and used (material sheets). Reconcile work orders with inventory. Produce inventory reports (including labor distribution) for management.

- Maintain department/division files to ensure easy and quick access: Receive, sort, and assign/file physical forms and documents (meter and security light forms, material sheets, permits, outage report forms, transformer and switching status forms, et al).
- Enter data from documents/forms into appropriate EXCEL or ACCESS files (work orders, customer files, contractor usage, et al). Report and research specific information or documentation for various recurring and/or ad hoc reports. For example, produce year-end report of meter slips by street for planned maintenance analysis; working with the utility biller, compile report of consumer name and address changes for contractor use in executing Michigan backflow prevention program.

Minimum Qualifications (Knowledge, Skills, and Abilities)

- High school diploma or equivalent required. College degree and/or completion of relevant administrative or secretarial training program(s) preferred.
- Minimum of three years progressively responsible clerical, secretarial, and administrative experience or mix of education and experience required. Familiarity with municipal or similar electric/power and water operations preferred.
- PC proficiency and fast, accurate keyboard skills. Experience using MS Office Suite (WORD, EXCEL, OUTLOOK, ACCESS).
- Math aptitude and detail orientation.
- Strong organizational skills, including maintaining effective filing systems.
- Customer service orientation: ability to deal with complaints and to resolve problems.
- Professional demeanor and strong oral and written communication skills. Ability to coordinate activities effectively with work crews.
- Mature judgment and patience dealing with difficult people.
- Able to multitask and to prioritize work.

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CC approved:

CITY OF CHARLEVOIX

Title: Accts. Payable/Accts. Receivable Clerk (Deputy Clerk/Treasurer) **FLSA:** Non-exempt
STATUS: Full-time, union

Department: Treasurer

Reports To: Treasurer

Date: September 12, 2012

Position Summary

The incumbent of this position processes and monitors all City expenditures. Bills and tracks all payments and receivables except utilities. The A/P-A/R Clerk maintains insurance files and assists the Treasurer with financial duties as directed. In addition, as primary backup, this individual assists the City Clerk with election-related responsibilities, City Council minutes and others as required, receipt of bids, and cemetery records.

Scope

Operates under the supervision of the Treasurer and the City Clerk. With the exception of utilities, this individual is responsible for A/P and A/R totaling approximately \$15M total. For this purpose, the incumbent has considerable contact with other Treasurer's staff, department heads, contractor and vendor representatives, voting officials, and the general public. Duties require tact and discretion to research and resolve issues. Considerable attention to detail and careful time management are also required to meet deadlines and to respond to issues in a timely manner. The incumbent operates a PC and standard office equipment. Work is performed in a cubicle/office environment. Concentration may be interrupted by phone calls and office back-up responsibilities (walk-ins at counter), including support for the City Clerk.

Essential Job Functions

Office of the Treasurer (50%):

Accounts Payable

- Maintain currency of vendor files, including terms of payment, payment dates, etc.
- Receive and verify invoices and requisitions for goods and services. For this purpose, also monitor/reconcile use of City credit cards. Verify that transactions comply with financial policies and procedures. Prepare invoice batches and data entry of this information. Process backup reports and monitor for accuracy. Correct errors. Manage/maintain accuracy of A/P check run(s). Prepare requests for "special run" checks as required and as allowed by policy. Record data for annual capitalization process.

Accounts Receivable

- Oversee the preparation and distribution of ambulance service billings as well as delinquent notices. Coordinates billing issues between the Fire/Ambulance Department and the ambulance billing service.
- Receive and/or prepare service (non-utility) billings as well as delinquency notices to include but not limited to sewer connections, burials, water testing, ambulance service and other fees for service. Track and record status of payments received to the Quick Books software and insure that accounts balance and match the General Ledger.
- Maintain currency of insurance coverage files and process City claims against liability and property coverage. File workers' compensation claims and interact with City & State employees, vendors, and Human Resources as necessary. Maintain posting of OSHA Log of Work-related Injuries & Illnesses.
- Compose/prepare required reports, notices, and related correspondence.
- Update and document processes in area of responsibility. Maintain various files and records according to legal requirements and the City's record retention schedule.

Other

- Maintain general knowledge of Treasurer's functions in order to provide office services in the absence of the Treasurer and/or other office employees. Deputized to act in the absence of the Treasurer.
- Research, compile, and prepare data for the annual budget, Capital Plan and financial audit as directed by Treasurer.

Office of the City Clerk (50%):

- Primary duties include interaction with City staff and the general public.
- Process and record license applications and cemetery transactions. Maintain cemetery records via the automated records program.
- Compile and/or coordinate Freedom of Information Act (FOIA) requests with responsible departments and maintain copies of responses. Prepare and/or maintain records of public notices, meeting minutes, deeds, and other mandated data. Assist City personnel in file retrieval.
- Assist with election related responsibilities.
- Make arrangements for Board of Review meetings. Attend Board of Review meetings in absence of Clerk, taking minutes as required.
- Maintain general knowledge of City Clerk's functions in order to provide support in the Clerk's absence. Deputized to act in the absence of the City Clerk.

Minimum Qualifications

- High school diploma or equivalent and completion of relevant college courses and/or training program(s) preferred.
- Five years of progressively responsible clerical, administrative, and/or accounting/bookkeeping experience, including some A/P and A/R experience. Public sector/municipal experience preferred.
- Knowledge of State and Municipal laws, rules and regulations as they pertain to the City Treasurer and City Clerk functions.
- Discretion and maturity of judgment.
- Strong organizational skills, including file management skills.
- Proficiency in Microsoft Office Suite, particularly WORD and EXCEL.
- Customer service orientation, including communication and interpersonal skills.
- Versatility and the ability to multi-task under pressure: to perform tasks quickly and accurately.
- Ability to work effectively with contractors and vendors, local and State officials, fellow employees and the general public.
- Ability to meet deadlines.
- Able to operate standard office machines, including personal computers.

Certification

Ability to meet the standards required for bonding.

Ability to meet the standards required to become a notary.

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CC approved:

CITY OF CHARLEVOIX

Title: Payroll Administrator & Treasurer Assistant
(Account Clerk)

FLSA: Non-exempt
STATUS: Full-time, union

Department: Treasurer

Reports To: Treasurer

Date: September 12, 2012

Position Summary

This position is responsible for all activities necessary to process the City's payroll and supplemental pays, including maintaining records, preparing and filing tax and deduction reports, processing checks, and preparing W2s and 1099s. The incumbent also assists in general ledger maintenance and in investment activities and financial report preparation.

Scope

Operates independently and under limited supervision of the Treasurer. Generates complicated union/non-union biweekly-payroll (26 pay periods totaling 70-80K each) and three supplemental pays. The incumbent has considerable contact with employees, department heads, human resources (HR), and external benefit administrators. Duties require considerable tact and discretion to research and resolve issues. Work is performed in a cubicle/office environment. Considerable attention to detail and careful time management are also required to meet deadlines and to respond to employee issues in a timely manner. The incumbent operates a PC and standard office equipment. Concentration may be interrupted by phone calls and back-up responsibilities (walk-ins at counter).

Essential Job Functions

- Set up new and/or terminate departing employees on the payroll system, coordinating efforts with HR and, as required, with external benefit administrators. Initiate/terminate automatic deposits as elected.
- Maintain employee payroll information, including changes to pay rate, taxes, voluntary and involuntary/statutory deductions, special allowances, addresses, and employee status. Apply approved levies and/or garnishments. Update system annually to reflect changes to City benefit rates and Federal/State tax schedules, etc.
- Review timesheets for compliance with personnel policies and/or contracts. Troubleshoot issues with employees, supervisors, and HR. Track and maintain leave time accruals and adjustments. (Generate year-end/calendar report of time and service.)
- Enter time and other adjustments, including approved advances, and military or jury pay, etc. Prepare and process payroll and special pay runs. Balance earnings and deduction totals. Calculate general ledger entries of payroll and withholdings including designated accounts payables in order to generate checks. Inspect check registers and standard reports for errors, initiating correction/manual checks as necessary. Distribute/mail payroll and other checks.
- Monitor insurance and other deduction reports for changes, such as "catch-up" deductions. Coordinate adjustments with broker/external benefit reps as necessary. Generate special reports for City management. Prepare and file biweekly, monthly, quarterly, annual, or other external/statutory reports, verifying same for accuracy: FIT, SIT, FUTA, 941, ICMA, MERS, W2s, 1099s, et al. Gather data for financial statements.
- Respond to authorized requests for time and pay data for former or current employees who apply for unemployment and workers' compensation benefits, respectively.

Coordinate responses with HR. Maintain a record of workers' comp lost time and contribute to OSHA Log of Work-related Injuries & Illnesses.

- Record all bank deposits and disbursements (\$6-7 million) to the general ledger and reconcile City's multiple bank statements. Handle all on-line banking and business express functions. Responsible for Act 51 reporting, equipment schedule, and EFB calculation.
- Maintain the general ledger, including journal entries, bank reconciliations, and processes associated with preparation for the annual audit.
- Update and document processes in area of responsibility. Maintain various files and records according to legal requirements and the City's record retention schedule.
- Maintain general knowledge of Treasurer's functions in order to provide office services in the absence of the Treasurer and/or other office employees. Deputized to act in the absence of the Treasurer (i.e. handle investment banking duties).

Minimum Qualifications

- High school diploma or equivalent and some college accounting/bookkeeping.
- Seven years of progressively responsible accounting/bookkeeping experience, preferably in a municipal setting. Experience with payroll, payroll system software, electronic banking, positive pay and Automatic Clearing House (ACH) transactions required.
- Discretion and maturity of judgment; self-starter.
- Strong organizational skills, reflecting ability to document practices and to maintain the integrity of records.
- Strong customer service orientation and strong oral and written communication, especially with respect to interpersonal skills.
- Versatility and the ability to multi-task under pressure: to perform tasks quickly and accurately.
- Strong problem solving skills and the ability to solve complex problems with initiative and innovation.
- Ability to work effectively with local, State and Federal officials, fellow employees, and the general public.
- Able to operate standard office machines including personal computers.
- Proficiency in Microsoft Office, particularly Excel.

Certification

Ability to meet standards required for bonding.

Payroll Professional Certification preferred.

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CC approved:

CITY OF CHARLEVOIX

Title: Receipts Clerk
(Deputy Clerk/Treasurer) **FLSA:** Non-exempt
STATUS: Full-time, union

Department: Treasurer

Reports To: Treasurer

Date: September 12, 2012

Position Summary

The Receipts Clerk serves as the face of City Hall, greeting and directing visitors to City Hall and responding to inquiries. In addition the incumbent is responsible for the collection, recording, receipt, and deposit of City funds.

Scope

Operates independently, but under general supervision of the Treasurer. Position involves regular, frequent contact with the public and little privacy. Duties are performed in an office environment, but desk is open to the public and concentration is often interrupted by phone calls and back-up responsibilities (walk-ins at counter). The incumbent operates a PC and standard office equipment.

Essential Job Functions

- Meet, greet, and direct callers and visitors to City Hall, acting as first point of contact. Answer routine questions.
- Receive and distribute in-coming mail.
- Prepare and mail tax bills. Collect tax monies including personal property taxes. Act as central point for receipt of other City monies: collect and record (cash, check, and/or credit card) payments of licenses, utility bills, recreational/airport fees, services, fines/tickets, grants, et al, received directly from payee or via receiving City Department.
- Prepare all City deposits, depositing funds in appropriate bank accounts, recording and reconciling appropriate revenue accounts in the general ledger.
- Prepare daily balance sheets and generate confirming receipts for City departments.
- Reconcile multiple bank statements. Assists in resolving errors.
- Maintain files and records for the Treasurer's Department, consistent with legal requirements and the City's record retention schedule.
- Perform clerical and administrative duties in support of City's Light Bulb Recycling Program.
- Accept reservations from the public (and others) to use City-owned pavilions.
- Create and prepare various reports and related correspondence as required.
- Maintain general knowledge of Treasurer's and City Clerk's functions: deputized to act in the absence of either.
- Physically opens and closes office (counter-windows).
- Reconciles tax billing receipts with county treasurer.

Minimum Qualifications

- High school diploma or equivalent.
- Strong interpersonal skills and exceptional customer service orientation; ability to deal with complaints and to resolve problems.
- Ability to maintain focus/multi-task amid continuous interruptions.

- Three years of clerical, administrative and/or accounting/bookkeeping experience, preferably in a municipal setting.
- Math aptitude and detail orientation: fast and accurate.
- Proficiency in Microsoft Office, particularly Excel. In addition, the ability to learn software - BS&A (taxes) and Civic (cash receipt utility billing).
- Able to operate standard office machines, such as photocopiers and scanners, coin sorters, facsimile machines, postage machine.
- Physical ability to lift/move copy paper boxes.

Certification

Ability to meet standards required for bonding.

Must be able to obtain certification as a notary.

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CC approved:

CITY OF CHARLEVOIX

Title: Utility Billing & Assessor Clerk
(Utilities Billing Clerk) **FLSA:** Non-exempt
STATUS: Full-time, union

Department: Treasurer

Reports To: Treasurer

Date: September 12, 2012

Position Summary

This position is responsible for supporting the City's utility billing and property assessment functions. The incumbent maintains the City's utility (water, sewer, and electric) billing program: opening and closing accounts and coordinating startups and shutoffs with the Electric Department and the DPW/Water Division; loading and uploading handheld meter reading devices (estimating reads as required); preparing, reconciling, and editing reports; billing account holders; collecting payments and maintaining payment records; and providing customer service, including initiating work orders for service calls. In addition, the incumbent maintains computerized property assessment records and answers routine questions concerning City personal property taxes.

Scope

Operates independently, but under general supervision of the Treasurer and the Assessor. Considerable attention to detail and careful time management are required to maintain 4,577 utility accounts totaling \$72 million in utility revenue and approximately 2,500 personal property accounts totaling \$2.7 million in tax revenue.

Duties are performed in cubicle/office environment; the incumbent operates a PC and standard office equipment. Position often involves meeting and dealing with the public. Consequently, concentration is often interrupted by phone calls and back-up responsibilities (walkins at counter).

Essential Job Functions

Utility Billing

- Open and close accounts, coordinating meter reads (to startup or shutoff service) with the Electric Department and the DPW/Water Division. Determine deposit or reconnect fees, coordinate direct deposits and residential deposit refunds.
- Load point-of-service (POS) handheld meter-reading devices for 23 routes. Unload/upload returned meters to compute billings. Run monthly reports and analyze/edit reports for discrepancies including misreads, inaccessible meter readings, shutdowns, high usage, etc.
- Write work orders, requesting re-read or service visits for discrepancies; call customers regarding high-usage questions, etc. Estimate readings for inaccessible meters using prior history.
- Prepare month-end billing: Apply adjustments, discounts (automatic sprinklers), and water minimum calculations. Re-run, reconcile, and edit final report; bill account holders.
- Collect payments and maintain payment records, recording bank deposits and disbursements to the general ledger. Prepare related payment plan correspondence. Coordinate NSF late fees, etc. with public service agencies and/or collection agency and shut-off notices with the Electric Department and the DPW/Water Division.

- Generate other ad hoc and recurring (quarterly, annual and year-end reports): Apartment complex reports, water running accounts, etc. Maintain Cassell System, making annual rate changes and write-offs.
- Provide customer service: address complaints and/or requests, explaining city utility policies and procedures. Coordinate service calls with Electric and Water Departments and monitor for resolution. Prepare related correspondence.

Assessor Clerk

- Process parcel splits, tax cancellations and segregations.
- Update and maintain field cards, map and parcel book, tax rolls, and other computerized records relating to deeds and other value transmittals, sales confirmations, property splits, combinations and revisions, address and site changes, new building permits, and tax codes. Recognize incorrect entries on source documents and refer them to appropriate personnel for correction. Prepare information sheets on new deeds for other City departments. Perform field work as required to verify personal and property tax information.
- Generate, print, and mail assessments or coordinate this with the Charlevoix County Equalization Department.
- Answer routine questions and provide information in person, by telephone, and in writing to property owners and others regarding the City's assessment and personal property tax policies. Assist the public in locating properties on Assessor's maps or via the City website.
- Schedule Board of Review meeting times and provide clerical support as requested.
- Provide data to the Downtown Development Authority (DDA).
- Compile state and county reports under the direction of the Assessor.

Other

Maintain general knowledge of Treasurer's and City Clerk's functions.

Minimum Qualifications

- High school diploma or equivalent.
- Five years of clerical or administrative experience (preferably in a municipal setting), reflecting strong math skills. Accounting/bookkeeping experience preferred.
- General knowledge of local and state governments, operations, and laws, including some knowledge of property tax law.
- Math aptitude and detail orientation.
- Strong organizational skills, including maintaining effective filing systems.
- Customer service orientation; ability to deal with complaints and to resolve problems.
- Versatility and the ability to multi-task.
- Able to operate standard office machines and personal computers. Proficiency in Microsoft Office, particularly Excel required. Able to use Cassell Billing System.
- Physical ability to lift/move copy paper boxes.

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CC approved:

CITY OF CHARLEVOIX

Title: Water Division Assistant **FLSA:** Non-exempt
STATUS: Seasonal
Department: Department of Public Works, Water Div.
Reports to: Superintendent, DPW
Date: September 12, 2012

Position Purpose and Objectives

Responsible for assisting in general water system maintenance.

Scope and Environment

Work under the supervision of the department head or his/her designee. Work in all types of weather. Work performed throughout the City of Charlevoix.

Essential Job Functions

- Perform flushing and other required maintenance of hydrants.
- Locate and repair curb stop boxes.
- Assist in water main construction and repairs.
- General laborer work as needed to maintain water system.

Knowledge, Skills, and Abilities Required

- 18 years old or older.
- Ability to work with little supervision.
- Ability to work outside in all conditions.
- Positive attitude.
- Flexibility regarding work hours.
- Able to communicate effectively with staff and general public.
- Ability to project a positive public image of the City of Charlevoix.

Required Certification

- Valid driver's license.
- High school graduate or equivalent.

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City Council Approval: March 21, 2011
Reporting structure change: 9/5/12
City Council Approval:

- Demonstrated success/patience working with federal and state agencies.
- Ability to meet required FAA/OSHA/MIOSHA/City guidelines.
- Minimum of five years progressively responsible experience in airport operations/pilot and in business administration/management, including accounting, budgeting, scheduling, and human resources.
- Demonstrated leadership skills and the ability to motivate and train employees.
- Experience with the FAA grant/procurement process and working on airport engineering projects.
- Strong written and oral communication skills: Able to communicate effectively with Airport, City staff and City Council; FAA and MDOT representatives; airport patrons; and the general public.
- Computer proficiency including MS Office (Word, Excel, and Outlook).
- Ability to operate various types of motorized and non-motorized equipment and tools.
- Flexibility regarding work hours; available for after-hour call-ins.
- Ability to travel periodically for grants, conferences, meetings, and training and development.
- Ability to project a positive public image of the City of Charlevoix and to provide outstanding customer service to all Airport patrons.

Certifications

- Ability to attain/retain both Airport and Airport Manager's licenses; desire to acquire additional education/certification that will benefit the Airport.
- Possession of a bachelor's degree (in aviation or airport management preferred) – or equivalent in education and experience in airport operations in a similar-size facility, including five or more years in a supervisory/lead capacity.
- Possession of a valid pilot's license preferred.

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