



City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

**City Commission Meeting
July 10, 2018
Agenda**

Honorable Mayor, City Commissioners and Residents: This shall serve as your official notification of the Public Hearing and Regular City Commission Meeting to be held Tuesday, July 10, 2018, at 7:30 p.m., in the City Commission Chambers, 23925 Woodward Avenue, Pleasant Ridge, Michigan 48069. The following items are on the Agenda for your consideration:

PUBLIC HEARING AND REGULAR CITY COMMISSION MEETING – 7:30 P.M.

1. **Meeting Called to Order.**
2. **Pledge of Allegiance.**
3. **Roll Call.**
4. **PUBLIC DISCUSSION – items not on the Agenda.**
5. **Governmental Reports.**
6. **City Commission Liaison Reports.**
 - **Commissioner Perry – Planning/DDA**
 - **Commissioner Scott – Historical Commission**
 - **Commissioner Wahl – Recreation Commission**
 - **Commissioner Krzysiak – Ferndale Public Schools**
7. **Consideration of the following Consent Agenda.**

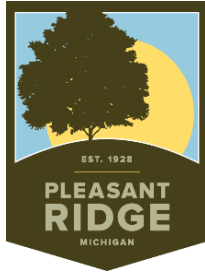
All items listed on the Consent Agenda are considered to be routine by the City Commission, will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of these items unless a City Commissioner or visitor so requests, in which event, the item will be removed from the consent agenda and considered as the last item of business.

 - a. Minutes of the Public Hearing and Regular City Commission Meeting held Tuesday, June 12, 2018
 - b. Monthly Disbursement Report.
8.
 - a. **Public Hearing** – Solicitation of public comments on the proposed ordinance to amend Chapter 42 – Penal Code.
 - b. Ordinance to amend Chapter 42 – Penal Code.
9. **Chariot Local Area Transit Program sponsorship.**
10. **City Manager's Report.**

11. **Other Business.**

12. **Adjournment.**

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the City at least seventy-two (72) hours in advance of the meeting, if requesting accommodations.



City of Pleasant Ridge
 23925 Woodward Avenue
 Pleasant Ridge, Michigan 48069

Public Hearing and Regular City Commission Meeting June 12, 2018

Having been duly publicized, Mayor Metzger called the meeting to order at 7:33 p.m.

Present: Commissioners Krzysiak, Perry, Scott, Wahl, Mayor Metzger
 Also Present: City Manager Breuckman, City Attorney Need, City Clerk Drealan
 Absent: None

Public Discussion

Ms. Jessica Herzig, 1 Sylvan, expressed concerns regarding the traffic flow through the alleyways. The situation may be made work due to the construction. She would like the city to consider slower speed limit signs on the alleyways. Unless otherwise posted the speed limit in the alleyways is 25 miles per hour which seems to be too high. She is suggesting posting a 15 mile per hour limit.

Commissioner Krzysiak asked for confirmation that the speed limit in the alleys is 25 miles per hour. Chief Nowak confirmed that it is 25 miles per hour unless posted differently. He also confirmed that the speed in the alleys is a frequent complaint received by the department. There was discussion that travelling that fast in the alleys does seem dangerous. Mayor Metzger indicated that the city intended to follow up on this issue.

Governmental Reports

Chief Kevin Nowak, Pleasant Ridge Police Department, noted that the Memorial Day service went well. The department is addressing issues of tall grass in some lawns. The ordinance indicates that grass or weeds cannot exceed eight inches tall. Residents cannot put their trash out before 6:00 p.m. the night before pickup. He noted that they are also watching for recreational vehicles that are left on property longer than the ordinance allows. There was discussion regarding the need to put all trash in cans or approved containers.

Assistant City Manager Pietrzak confirmed that the speed limit in the alleyways is 25 miles per hour by default but can be lowered in business districts to 15 miles per hour. Sergeant Reid also confirmed that the speed limit is 25 miles per hour if the alley is paved or graveled. Chief Nowak indicated his willingness to work on a traffic control order to lower the speed limit in the alleys. There was discussion regarding enforcement of the stop sign at Woodward Heights during the construction project.

City Commission Liaison Reports

Commissioner Krzysiak reported on Ferndale Public Schools. Jayla Pierce, the University High School Board Liaison, will be attending MSU in the fall. The Superintendent's Excellence Award went to Ammar Younes, a fourth grader at FUEL with excellent leadership skills. The Eagle of the Month award went to Liz Gillispie who created the University High School Food Bank. Board Member Jim O'Donnell's Point of Pride recognition went to the Progressive Youth Association who have taken a proactive role in addressing gun violence. Ferndale Middle School has a project called "Six Principles to Create a Culture of Thinking." Ted Zachary presented his reclaimed windmill project that has previously been discussed at the last city commission meeting. FHS Senior Max Weber received the Lloyd and Laurie Carr Scholarship from UofM. FUEL teacher Heather Williams received the Regional Collaboration Network Leadership Award. Mayor Metzger noted that the Superintendent and two school board members attended the Memorial Day ceremony.

Commissioner Perry reported on the Planning Commission/DDA. They did not meet in June. The next meeting is July 23rd at 7:00 p.m.

Commissioner Scott reported on the Historical Commission. He noted that the Home and Garden Tour was very successful. The next meeting will be in September.

Commissioner Wahl reported on the Recreation Commission. They will meet on June 27 at 7:00 p.m. There were a record-breaking number of patrons at the pool over Memorial Day weekend. She presented a summary of the various groups that use the pool. The Commission will be updating their master plan. Residents are encouraged to participate.

Consent Agenda

18-3372

Motion by Commissioner Perry, second by Commissioner Scott, to approve the consent agenda as presented.

Adopted: Yeas: Commissioners Perry, Wahl, Krzysiak, Scott, Mayor Metzger
 Nays: None

Public Hearing - Fiscal Year 2018-2019 Combined City Budget and Millage Rates

City Manager Breuckman referred to the full presentation that was given last month and noted that the none of the information presented has changed. The city millage rate will be decreasing slightly. The broad financial status of the city is stable. Increased contributions to the police pension fund will begin this year.

Mayor Metzger opened the public hearing at 7:57 p.m.

With no comments or discussion, Mayor Metzger closed the public hearing at 7:58 p.m.

18-3373

Motion by Commissioner Perry, second by Commissioner Wahl, to approve the 2018-2019 combined city budget and millage rates as presented.

Adopted: Yeas: Commissioners Perry, Wahl, Krzysiak, Scott, Mayor Metzger
 Nays: None

2018-2022 Police Patrol Contract

City Manager Breuckman noted that the current five-year contract expires on June 30. A new four-year contract has been negotiated that would begin on July 1, 2018 and expire June 30, 2022. Some amendments have been made regarding health care and retirement benefits. The balance of the contract remains basically the same as previous contracts. Police wages were adjusted upward slightly based on comparisons with surrounding departments.

Commissioner Krzysiak stated that the contract covers four current employees. The Chief and Sergeant Reid are at will and there are two other part-time employees. He expressed concern that some of the special provisions that would apply to the officers in the contract with regard to counseling and other services in the event of a police shooting or other catastrophe would apply to the other members of the department as well. Breuckman indicated that they would apply. He noted that there are departmental policies that cover all officers whether they are part of the contract or not. Krzysiak again expressed his support for a defined benefit plan.

Commissioner Perry inquired as to the officers' position on the contract. Breuckman indicated that the union has already voted to ratify this contract.

18-3374

Motion by Commissioner Scott, second by Commissioner Perry, to approve the 2018-2022 Police Patrol Contract as presented and to authorize the Mayor, City Manager, City Clerk and City Attorney to sign the agreement.

Adopted: Yeas: Commissioners Perry, Wahl, Scott, Mayor Metzger
 Nays: Krzysiak

City Manager's Report

Breuckman presented an update on the road construction projects. He indicated that the work on Indiana and Bermuda is progressing and that the Sylvan/Indiana intersection should be open soon. The Ridge and Millington intersection will be closed soon. There was discussion regarding the detour routes that will be available as construction progresses. Krzysiak discussed flow restrictions and water ponding on the streets. He inquired about the street sweeping efforts. Breuckman noted that the city has entered into a new contract for street sweeping. The quality is good but the schedule has been erratic. The plan is to have the streets swept the second Monday of every month but sometimes the weather intervenes. This makes it difficult to order cars off the street to allow for better sweeping. Commissioner Scott inquired as to how often the new trees should be watered. Breuckman noted that if the weather is cool or damp, no additional watering is necessary. When the weather is hot and

dry, residents should consider watering once or twice a week. The best way to determine if the tree needs water is to dig down into the soil and see if it is moist. If it is, no watering is necessary. Mayor Metzger inquired as to the best way to mulch around the trees: donut versus volcano. Breuckman indicated that the trees do not have volcano mulching because the mulch does not go up the trunk of the tree. He did note, however, that the rings of mulch have grown up over time and will be pulled back farther away from the trees in the future.

Other Business

Commissioner Krzysiak noted that the June book is *The Leisure Seeker*, by Michael Zadoorian. The meeting is June 13 at 7:00 p.m. He announced a rally for The March for Stolen Children, Thursday, June 14 from 5:00 to 7:00 p.m. in Detroit. The purpose is to protest the issues surrounding the separation of families along the Mexican border.

City Clerk Drealan noted that the Home and Garden Tour sold 300 tickets and made approximately \$4500.

With no further business or discussion, Mayor Metzger adjourned the meeting at 8:22 p.m.

Mayor Kurt Metzger

Amy M. Drealan, City Clerk

/dleg

June 2018

ACCOUNTS PAYABLE

PAYROLL LIABILITIES	\$	7,068.95
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ACCOUNTS PAYABLE	\$	424,713.23
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TOTAL	\$	431,782.18
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PAYROLL

June 6, 2018	\$	45,744.94
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June 20, 2018	\$	43,542.33
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TOTAL	\$	89,287.27
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CHECK REGISTER FOR CITY OF PLEASANT RIDGE
PAYROLL LIABILITIES
June 2018

PG 1

Check Date	Check	Vendor Name	Description	Amount
6/6/2018	2134	ALERUS FINANCIAL	RETIRMMENT CONTRIBUTIONS	\$ 417.80
6/6/2018	2135	ALERUS FINANCIAL	RETIRMMENT CONTRIBUTIONS	\$ 1,409.60
6/6/2018	2136	ALERUS FINANCIAL	RETIRMMENT CONTRIBUTIONS	\$ 1,057.46
6/6/2018	2137	MIFOP	UNION DUES	\$ 188.00
6/6/2018	2138	MISDU	FOC DEDUCTIONS	\$ 224.60
6/6/2018	2139	ALERUS FINANCIAL	RHSP CONTRIBUTIONS	\$ 338.70
6/20/2018	2146	ALERUS FINANCIAL	RETIRMMENT CONTRIBUTIONS	\$ 417.80
6/20/2018	2147	ALERUS FINANCIAL	RETIRMMENT CONTRIBUTIONS	\$ 1,294.60
6/20/2018	2148	ALERUS FINANCIAL	RETIRMMENT CONTRIBUTIONS	\$ 1,157.09
6/20/2018	2149	MISDU	FOC DEDUCTIONS	\$ 224.60
6/20/2018	2150	ALERUS FINANCIAL	RHSP CONTRIBUTIONS	\$ 338.70
TOTAL PAYROLL LIABILITIES				<u>\$ 7,068.95</u>

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
June 12, 2018

PG 2

Check Date	Check	Vendor Name	Description	Amount
06/12/2018	22132	21ST CENTURY MEDIA-MICHIGAN	LEGAL AD PRINTING	\$ 313.72
06/12/2018	22133	ACCUSHRED, LLC	SHREDDING SERVICES	\$ 55.00
06/12/2018	22134	ALL GRAPHICS CORP	RECREATION SUMMER PROGRAM	\$ 201.80
06/12/2018	22135	AQUATIC SOURCE	POOL MAINTENANCE AND REPAIRS	\$ 7,264.25
06/12/2018	22136	BADGER METER, INC.	WATER METER MAINTENANCE	\$ 789.78
06/12/2018	22137	CAROLE ZUPAN	HOME AND GARDEN AFTERGLOW SUPPLIES	\$ 81.57
06/12/2018	22138	CITY OF PLEASANT RIDGE-PETTY C	PETTY CASH REPLENISHMENT	\$ 405.88
06/12/2018	22139	CITY OF ROYAL OAK	DPW SERVICES	\$ 4,829.38
06/12/2018	22140	COMMUNITY MEDIA NETWORK	MEETING RECORDING SERVICES	\$ 200.00
06/12/2018	22141	CRANBROOK SWIM CLUB	9/10 MINI MEET ENTRIES	\$ 160.00
06/12/2018	22142	DAVEY TREE EXPERT COMPANY	TREE MAINTENANCE SERVICES	\$ 840.00
06/12/2018	22143	DETROIT EDISON COMPANY	STREETLIGHTING - MAY 2018	\$ 3,052.34
06/12/2018	22144	DIVERSIFIED INFRASTRUCTURE SRVS	2017 SEWER CLEANING AND CCTV PROJECT	\$ 11,531.98
06/12/2018	22145	GREAT AMERICA	TELEPHONE LEASE SERVICES	\$ 433.00
06/12/2018	22146	INLAND WATERS	2017 SEWER REHABILITATION PROJECT	\$ 8,744.23
06/12/2018	22147	J & J AUTO TRUCK CENTER	POLICE VEHICLE MAINTENANCE	\$ 96.57
06/12/2018	22148	JANI-KING OF MICHIGAN, INC	JANITORIAL SERVICES - JUNE 2018	\$ 2,161.00
06/12/2018	22149	JASON NAGY	UNIFORM PURCHASE REIMBURSEMENT	\$ 13.88
06/12/2018	22150	KAREN SHEPLER	RECREATION PROGRAM INSTRUCTOR	\$ 525.00
06/12/2018	22151	KENNETH BORYCZ	INSPECTON SERVICES MARCH - MAY 2018	\$ 945.00
06/12/2018	22152	LEGAL SHIELD	PREPAID LEGAL SERVICES	\$ 25.90
06/12/2018	22153	MELANIE SEVALD	RECREATION PROGRAM INSTRUCTOR	\$ 120.00
06/12/2018	22154	NATIONAL EQUIPMENT LEASING CO	FITNESS CENTER EQUIPMENT LEASE	\$ 21,756.97
06/12/2018	22155	NORTHWEST SUBURBAN SWIM LEAGUE	NSSL CLUB DUES AND RIBBONS	\$ 777.20
06/12/2018	22156	NYE UNIFORM	UNIFORM PURCHASES-KOLEZAR	\$ 556.00
06/12/2018	22157	O.P. AQUATICS	POOL MAINTENANCE	\$ 316.50
06/12/2018	22158	OAKLAND COUNTY TREASURER	INVESTMENT DEPOSIT 77305	\$ 40,000.00
06/12/2018	22159	OAKLAND COUNTY TREASURER	SEWERAGE TREATMENT MAY 2018	\$ 47,998.25
06/12/2018	22160	OAKLAND COUNTY TREASURER	ASSESSING SERVICES AGREEMENT	\$ 19,431.63
06/12/2018	22161	SAFEBUILT	CODE ENFORCEMENT SERVICES	\$ 660.00
06/12/2018	22162	SOCRRA	REFUSE COLLECTION CONTRACT	\$ 8,923.00
06/12/2018	22163	SOCWA	WATER PURCHASES MAY 2018	\$ 16,588.65
06/12/2018	22164	UNIFIRST CORPORATION	JANITORIAL SUPPLIES AND MAT RENTAL	\$ 228.03
06/12/2018	22165	V PIZZO ELECTRIC LLC	PARKING LOT LIGHT POLE REFURBISH	\$ 7,500.00
06/12/2018	22166	VICTORIA DICKINSON	RECREATION PROGRAM INSTRUCTOR	\$ 64.00
06/12/2018	22167	W-S CITY OF PLEASANT RIDGE	UTILITIES SERVICES	\$ 2,178.00
06/12/2018	22168	WEX BANK	FUEL PURCHASES	\$ 1,550.29

Total for 6-12-2018

\$ 211,318.80

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
June 19, 2018

PG 3

Check Date	Check	Vendor Name	Description	Amount
06/19/2018	22169	AMERICAN FLO BLASTING	STREETSIGN POLE REFINISHING	\$ 6,305.00
06/19/2018	22170	ANDERSON, ECKSTEIN & WESTRICK	ENGINEERING SERVICES	\$ 9,090.00
06/19/2018	22171	AQUATIC SOURCE	POOL MAINTENANCE AND REPAIRS	\$ 213.50
06/19/2018	22172	BLUE360MEDIA	MOTOR VEHICLE CODE BOOK	\$ 49.25
06/19/2018	22173	HUNT SIGN COMPANY, LTD	STREETSIGN SUPPLIES	\$ 142.50
06/19/2018	22174	LEGAL SHIELD	PREPAID LEGAL SERVICES	\$ 25.90
06/19/2018	22175	MACOMB COMMUNITY COLLEGE	PATROL RIFLE INSTRUCTOR TRAINING	\$ 250.00
06/19/2018	22176	MICHELLE DELACOURT	DESIGN SERVICES	\$ 250.00
06/19/2018	22177	NYE UNIFORM	UNIFORM PURCHASES-NOWAK	\$ 159.50
06/19/2018	22178	O.P. AQUATICS	POOL CHEMICAL AND MAINTENANCE	\$ 494.86
06/19/2018	22179	ON DUTY GEAR, LLC	UNIFORM SUPPLIES-CHAMPINE	\$ 110.00
06/19/2018	22180	PLANTE & MORAN PLLC	ACCOUNTING SERVICES JUNE 2018	\$ 5,403.00
06/19/2018	22181	PRESTISSIMO WINDOW CLEANING CO	RECREATION BUILDING MAINTENANCE	\$ 1,035.00
06/19/2018	22182	SCHEER'S ACE HARDWARE	BUILDING MAINTENANCE	\$ 31.99
06/19/2018	22183	SOCRRA	REFUSE COLLECTION AGREEMENT	\$ 224.46
06/19/2018	22184	UNIFIRST CORPORATION	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 164.05
06/19/2018	22185	BLUE CROSS BLUE SHIELD OF MICHIGAN	HEALTHCARE BENEFITS	\$ 16,959.41
06/19/2018	22186	ESRI	ARCGIS SOFTWARE MAINTENANCE	\$ 400.00
06/19/2018	22187	MUNICIPAL CODE CORPORATION	ANNUAL SUPPORT FEE	\$ 250.00
06/19/2018	22188	UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE BENEFITS	\$ 156.00
06/19/2018	22189	WEB MATTERS BY KRISTIE	MONTHLY WEBSITE HOSTING FEE	\$ 24.95

Total for 6-19-2018

\$ 41,739.37

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
June 27, 2018

PG 4

Check Date	Check	Vendor Name	Description	Amount
06/27/2018	22190	ADVANCED MARKETING PARTNERS, I	SUMMER TAX BILL PROCESSING	\$ 493.00
06/27/2018	22191	ALL GRAPHICS CORP	RECRETION SUMMER PROGRAM SUPPLIES	\$ 962.00
06/27/2018	22192	AMY DREALAN	MILEAGE REIMBURSEMENT	\$ 69.00
06/27/2018	22193	BRILAR	DPW SERVICES - APRIL 2018	\$ 55,359.84
06/27/2018	22194	BSN SPORTS, INC	RECREATION SPORTS SUPPLIES	\$ 75.98
06/27/2018	22195	CITY OF FERNDALE	FIRE SERVICES AGREEMENT - REISSUE # 2173	\$ 21,381.72
06/27/2018	22196	CITY OF PLEASANT RIDGE-PETTY C	PETTY CASH REPLENISHMENT	\$ 65.73
06/27/2018	22197	FERNDALE YOUTH ASSISTANCE	ANNUAL SPONSORSHIP	\$ 1,000.00
06/27/2018	22198	HUNTINGTON WOODS RECREATION	SUMMER STAFF TRAINING	\$ 54.25
06/27/2018	22199	HURON VALLEY GUNS	UNIFORM PURCHASES-RIED	\$ 396.69
06/27/2018	22200	JOHN SIBULA	RECREATION PROGRAM INSTRUCTOR	\$ 180.00
06/27/2018	22201	O.P. AQUATICS	POOL MAINTENANCE SUPPLIES	\$ 577.50
06/27/2018	22202	OAKLAND COUNTY TREASURER	QUATERLY CLEMIS FEES APRIL-JUNE 2018	\$ 2,052.00
06/27/2018	22203	OAKLAND COUNTY TREASURER	ELECTION SERVICES JAN - MAR 2018	\$ 59.68
06/27/2018	22204	PUBLIC AGENCY TRAINING COUNCIL	TRAINING EXPENSE HADFIELD & SHELTON	\$ 650.00
06/27/2018	22205	SCOTT PIETRZAK	MILEAGE EXPENSE	\$ 287.22
06/27/2018	22206	SOCRRA	REFUSE COLLECTION AGREEMENT	\$ 7,754.00
06/27/2018	22207	TOSHIBA FINANCIAL SERVICES	COPIER LEASE SERVICES	\$ 1,143.66
06/27/2018	22208	VARSTY SHOP	SWIM TEAM SUPPLIES #119338	\$ 1,441.75
06/27/2018	22209	VICTORIA DICKINSON	WATER AEROBICS INSTRUCTOR	\$ 1,068.00
06/27/2018	22210	WEX BANK	FUEL PURCHASES	\$ 2,107.25
06/27/2018	22211	WOLVERINE POWER SYSTEMS	GENERATOR MAINTENANCE	\$ 190.00
06/27/2018	22212	VOID CHECK	VOID CHECK	\$ -
06/27/2018	22213	CITY OF FERNDALE	FIRE AGREEMENT PAYMENT	\$ 21,381.72
06/27/2018	22214	CITY OF FERNDALE	DISPATCH SERVICES AGREEMENT	\$ 3,250.00

Total for 6-27-2018

\$ 122,000.99

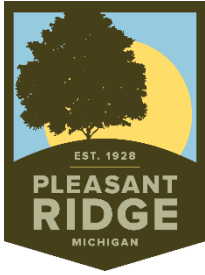
CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
Electronic Payments

PG 5

Check Date	Check	Vendor Name	Description	Amount
06/07/2018	1187	MUNICIPAL EMP.RETIREMENT SYST.	RETIREMENT CONTRIBUTION	\$ 22,335.64
06/11/2018	1188	5TH 3RD	RECREATION, POOL, MEETING SUPPLIES	\$ 19,746.13
06/11/2018	1189	5TH 3RD	RECREATION PROGRAM SUPPLIES	\$ 451.37
06/11/2018	1190	5TH 3RD	ANNUAL SERVICE CHARGES	\$ 250.00
06/11/2018	1191	ADOBE SYSTEMS INC	SOFTWARE MAINTENANCE	\$ 68.88
06/11/2018	1192	AMAZON.COM	VOLUNTEERS DINNER SUPPLIES	\$ 26.09
06/11/2018	1193	AMAZON.COM	OFFICE SUPPLIES	\$ 246.69
06/11/2018	1194	AT&T MOBILITY	WIRELESS SERVICES	\$ 396.41
06/11/2018	1195	BLUMZ BY JR DESIGNS	MEMORIAL DAY SUPPLIES	\$ 98.58
06/11/2018	1196	COMCAST	TELECOMMUNICATION SERVICES	\$ 287.07
06/11/2018	1197	CONSUMERS ENERGY	UTILITIES SERVICES	\$ 986.26
06/11/2018	1198	DTE ENERGY	UTILITIES SERVICES	\$ 1,156.06
06/11/2018	1199	ERADICO SERVICES INC	EXTERMINATION SERVICES	\$ 106.00
06/11/2018	1200	INTERMEDIA.NET INC.	TELEPHONE LEASE SERVICES	\$ 118.86
06/11/2018	1201	LEXISNEXIS	USAGE FEES	\$ 50.00
06/11/2018	1202	POSTMASTER	POSTAGE REPLENISHMENT	\$ 400.00
06/11/2018	1203	QUILL CORPORATION	OFFICE SUPPLIES	\$ 378.21
06/11/2018	1204	ST.OF MICH.-DEPT. OF TREASURY	FOUNDATION AUCTION LIQUOR LICENSE	\$ 50.00
06/11/2018	1205	STAMPS.COM	MONTHLY SERVICE CHARGES	\$ 15.99
06/11/2018	1206	VISTAPRINT	VOLUNTEERS DINNER SUPPLIES	\$ 764.53
06/11/2018	1207	WORDPRESS	WEBSITE SUPPORT SERVICES	\$ 350.00
06/11/2018	1208	WOW! BUSINESS	TELECOMMUNICATION SERVICES	\$ 292.30
06/11/2018	1209	XFER COMMUNICATIONS	NETWORK SUPPORT AND BACKUP SERVICES	\$ 1,079.00

Total for Electronic Pymts

\$ 49,654.07



City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
To: City Commission
Date: July 10, 2018
Re: City Code Amendment Introductions – Disorderly Person Ordinance

Overview

Attached is an ordinance that amends and supplements the City's disorderly person ordinance. The amendments and additions were requested by the Police based on their experience as they work to address the day-to-day issues in the City.

Background

Please refer to the City Attorney's cover letter for background information on the proposed ordinance.

Requested Action

Adopting of the proposed ordinance after the public hearing.



LAW OFFICES

ADKISON, NEED, ALLEN, & RENTROP

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SARAH J. GABIS
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June 7, 2018

City Commission
City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

Re: Ordinance Amendment

Dear Mayor Metzger and Commissioners:

Attached is a proposed Ordinance to amend the City Code of Ordinances. This amendment was initiated by the Police Department's review of Chapter 42, the criminal provisions of our Code. Our office has been working on this with City staff, Chief Nowak, and Sergeant Ried for some time. This draft has also been reviewed by City Prosecutor Gene Lumberg.

These are proposed for these three main reasons. First, there were several areas where the City did not have a local ordinance addressing various misdemeanor offenses. Second, some of the corresponding state statutes have changed or case law required some revision to the current Code language. Finally, the Police Department and our review found some areas where language should be clarified or where other communities have adopted better language.

Even though most of the new items are covered by current state law, and the police department could seek to charge offenders under the state law, there are some significant advantage in adopting a local ordinance. The City receives a percentage of the fines and costs for violations of a local ordinance but not if the offense is charged under state law. Second, the police may request arrest warrants from the local prosecutor for an ordinance violation, as opposed to having to travel to Pontiac to request them from the Oakland County Prosecutor's office. As most of you know, cities can adopt local ordinances for any offenses for which state law provides for misdemeanor penalties. However, felony prosecutions can only be done under state law.

Chief Nowak and Sgt. Reid can address questions on the need for any of these specific items.

The following is a summary of the amendments. The numbering in this memo corresponds to the numbering in the attached. For those sections that are being amended, a marked copy is also attached showing the changes.

- Item 1 adds a definition of “peace officer”, as this term is used within the Code, which includes members of our Police Department, the Oakland County Sheriff’s Department, and the State Police.
- Items 2-4 add language to expand and clarify the sections dealing with interference with police or fire departments including prohibiting making a false statement, refusing to follow a lawful order, the use of forged or altered identifications, or summoning the police or fire department as a prank or otherwise.
- Item 5 clarifies the language dealing with obstruction of any public street, public building, park, etc.
- Item 6 clarifies the voyeurism section against a person looking through windows of properties not their own.
- Item 8 prohibits making a false report to a public official.
- Item 9 prohibits open intoxicants in public places.
- Item 10 prohibits furnishing alcoholic beverages to minors.
- Item 11 prohibits the use of communication services, including telephone or email, for malicious purposes such as threats, false reports, vulgar or offensive language, repetitive calls, or repetitive “hang-ups”.
- Item 12 amends the domestic violence section by making it easier for a police officer to arrest without a warrant an individual alleged to have committed domestic violence, even if the offense was not committed in the presence of the officer. (Generally, with regard to a misdemeanor violation, an officer cannot arrest an individual unless he actually sees the offense or secures a warrant from the prosecutor. This makes this enforcement easier.)
- Item 13 prohibits individuals from being under the influence of drugs or intoxicants in public places and endangering public safety or creating a disturbance.
- Item 14 prohibits urination or defecation in public places.
- Item 15 prohibits jostling, shoving, and crowding without permission in a public

place.

- Item 16 amends the current section dealing with destruction of public property to clarify the language and more clearly define prohibited activities.
- Item 17 prohibits certain tampering with motor vehicles.
- Item 18 prohibits delivering bad checks under \$100 (larger amounts are felonies).
- Item 19 prohibits throwing items such as snowballs, rocks, etc., from a moving vehicle.
- Item 20 prohibits operating motor vehicles, including cars, motorcycles, motorized scooters, etc. on areas not specifically designated for vehicular traffic.
- Item 21 prohibits the discharge of firearms within the City, except for specified authorized individuals on official duty.
- Item 22 prohibits tampering with communications equipment, including antenna, cable, wires, or similar items.
- Items 23 and 24 amend and clarify the provisions prohibiting remaining on school premises without authorization or disturbing school programs.
- Item 25 prohibits interference with school activities by intimidation, force, threats, enticement encouragement, etc.
- Item 26 prohibits carrying any kind of weapon in a public place, except where in a case and not loaded, or as otherwise permitted by state law. The state laws allowing individuals to carry concealed weapons and to open carry override any contrary provision of a local ordinance – but this will address those situations where an individual is not in compliance with those state laws.
- Item 27 adds an extensive section prohibiting excessive noise. There are 12 specific prohibitions including unreasonable use of automobile horns, playing radios or similar devices at excessive volumes audible more than 50 feet away, excessive noise from engines, and intentionally squealing tires. Significantly, item (l) prohibits the operation of residential property maintenance equipment, including lawn mowers, snowblowers, etc., in residential areas other than between the hours of 7:00 a.m. and 10:00 p.m. tires. There is an exception from the noise restrictions for emergency vehicles, or noise generated from an event for which the city has issued a permit.

- Item 28 prohibits the operation of skateboards or similar devices on public property where a prohibition is posted. This is intended on addressing areas such as tennis courts, where their use can significantly damage the surface.
- Item 29 adds a new section to the prostitution language, prohibiting anyone from soliciting another individual to engage in prostitution him related activities.
- Item 30 amends the indecent exposure prohibition to be consistent with state law.
- Item 31 prohibits minors from possession of alcohol.
- Item 32 prohibits anyone, by making a threat, promise, or false statements, to attempt to induce a minor to enter a motor vehicle or conveyance, or private property, without the consent of the parent, except for school personnel or others in the course of their employment.
- Item 33 adds new definitions to the controlled substance prohibitions to be consistent with state law.
- Items 34 and 35 renumber the sections dealing with the possession, sale, and distribution of controlled substances and possession of drug paraphernalia and amend them to be consistent with state law.

Please feel free to contact Chief Nowak or Jim Breuckman with any questions or comments; they can compile them and forward them to me if appropriate for review and comment.

I look forward to discussing these with you.

Very truly yours,

ADKISON, NEED, ALLEN, & RENTROP, PLLC



Gregory K. Need.

/mms
Enc.

City of Pleasant Ridge
Ordinance No. 433

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES,
CHAPTER 42 – PENAL CODE.

THE CITY OF PLEASANT RIDGE ORDAINS:

Section 1.

1. Amend Sec. 1-2. - Definitions and rules of construction, to add the following definition: As used in this Code, the term “peace officer” shall mean any of the following: (a) a sheriff or deputy sheriff of Oakland County; (b) an officer of the Pleasant Ridge Police Department; (c) an officer of the Michigan State Police; or (d) a member of the Pleasant Ridge Fire Department or a fire department of another jurisdiction which is contracted to provide fire services within the City.

The Code of Ordinances will be amended by adding, modifying, or repealing the following Code sections of Chapter 42:

Amend Article I, In General as follows:

2. In Sec. 42-4, Interference with police or fire departments, amend Sec. 4(a) to read as follows: No person shall resist any police or firefighter, any member of the police or fire department, or any person duly empowered with police or firefighting authority while in the discharge or apparent discharge of his duty, including, without limitation (a) spitting or expectorating on such person; (b) willfully refusing to obey a lawful order of a peace officer in the performance of his or her duties; or (c) in any way interfering with or hindering him or her in the discharge of his or her duty.
3. In Sec. 42-4, Interference with police or fire departments, amend Sec. 4(d) to read as follows: No person shall make misrepresentations as to his or her identity, whether by statement, through the use of false, forged or altered identification or the use or presentation of identification of another, with intent to obstruct the due execution of the law, or with the intent to hinder or interrupt any officer in the legal performance of his or her duty, whether such intent be effected or not.
4. In Sec. 42-4, Interference with police or fire departments, add Sec. 4(e) to read as follows: No person shall summon, as a joke or prank or otherwise, without any good reason therefore, by telephone or otherwise, the police or fire department or any public or private ambulance to go to any address where the service called for is not needed.
5. In Sec. 42-6, Loitering, amend Sec. (b)(1) to read as follows: No person shall obstruct the free and uninterrupted passage of vehicular traffic or

pedestrians on any street, roadway, sidewalk, alley way, or in any park, public building or other public place, for any purpose and by any means, including but not limited to collecting in groups thereon, or playing any game thereon, or erecting, placing or maintaining any barrier or object thereon; except such barrier or object may be erected, placed or maintained when necessary for the safety of passersby in connection with the building, erection, modification or demolition of any building or by prior written consent of the police department.

6. In Sec. 42-8, Voyeurism, add a new Sec. 8(b)(2) to read as follows: No person shall look, peer, or peep into or be found loitering around or within view of any window not on his own property, with the intent of watching or looking through such window, without the consent of the owner or without a lawful purpose.
7. Renumber Section 42-10, Violations, as Section 42-14.
8. Add a new Sec. 42-10, False report to public official, to read as follows: It shall be unlawful for any person to make a false report, by telephone or otherwise, to any public official which may reasonably be expected to result in closing of a building or place open to the public, or who knowingly makes a false statement or report to a peace officer.
9. Add a new Sec. 42-11, Open intoxicants, to read as follows: No person shall possess any open intoxicant or consume any alcoholic beverage, beer, liquor or spirits while in or upon a public street, sidewalk or public place where possession and/or consumption is not permitted.
10. Add a new Sec. 42-12, Furnishing alcoholic beverages, to read as follows: No person shall knowingly sell, give or furnish alcoholic beverages, liquor or spirits to any person under the age of twenty-one (21) years or to any drunken, intoxicated or disorderly person. No person less than twenty-one (21) years shall use or possess false identification to purchase any alcoholic beverages, liquor, or spirits. This section shall not prohibit consumption of alcohol for legally protect religious observances or authorized educational activities.
11. Add a new Sec 42-13, Malicious use of communication services, to read as follows: No person shall use any service provided by a communications common carrier and/or internet service provider, with intent to terrorize, frighten, intimidate, threaten, harass, molest, or annoy any other person, or to disturb the peace and quiet of any other person as follows:
 - (a) Threaten physical harm or damage to any person or property in the course of a telephone conversation, e-mail transmission, internet communication, or any other form of electronic communication.

- (b) Falsely and deliberately reporting by telephone, modem, e-mail or facsimile that any person has been injured, has suddenly taken ill, has suffered death, or has been the victim of a crime, or of an accident;
- (c) Deliberately refusing or failing to disengage a connection between a telephone and another telephone or between a telephone and other equipment provided for the transmission of messages by telephone, thereby interfering with any communication service;
- (d) Using any vulgar, indecent, obscene or offensive language or suggesting any lewd or lascivious act in the course of a telephone conversation, e-mail transmission, internet communication, or any other form of electronic communication;
- (e) Repeatedly initiating a telephone call and, without speaking, deliberately hanging up or breaking the telephone connection as or after the telephone is answered;
- (f) Deliberately calling a telephone of another person in a repetitive manner, which causes interruption in telephone service or prevents the person from utilizing his or her telephone service.

Amend Article II, Offenses Against Persons as follows:

- 12. In Sec. 42-38 – Domestic violence, amend subsection 8(a) to read as follows: A peace officer who has reasonable cause to believe that a violation of Section 81 or 81a of Act No. 328 of the Public Acts of 1931, as amended, being Sections 750.81 and 750.81a of the Michigan Compiled Laws, has taken place and that the person who committed or is committing the violation has had a child in common with the victim, has had a dating relationship with the victim, or is a spouse or a former spouse of the victim, or a is residing or has resided in the same household as the victim, may arrest the violator without warrant for that violation, irrespective of whether the violation was committed in the presence of a peace officer. As used in this section, “dating relationship” means frequent, intimate associations primarily characterized by the expectation of affectional involvement. This term does not include a casual relationship or an ordinary fraternization between 2 individuals in a business or social context.
- 13. Add a new Sec. 42-42, Under the influence of drugs or intoxicants, to read as follows: No person shall be under the influence of any narcotic drug or be intoxicated in a public place and either endanger directly the safety of another person or property or act in a manner that causes a public disturbance.

14. Add a new Sec. 42-43, Urination or defecation, to read as follows: No person shall urinate or defecate in a public place, or upon any public or private property, except in a sanitary facility intended for such activities.
15. Add a new Sec. 42-44, Jostling, shoving, and crowding, to read as follows: No person shall be found jostling, shoving, pushing, or roughly crowding people without permission in a public place.

Amend Article III, Offenses Against Property as follows:

16. Amend Sec. 42-71, Destruction of property, to read as follows: No person shall willfully destroy, remove, damage, alter or in any manner deface any public or private property not his own, or any public school building, or any public building, bridge, fire hydrant, alarm box, street light, street sign, traffic control device, railroad sign or signal, parking meter, or shade tree belonging to the City or located in the public places of the City, or mark or post handbills on, or in any manner mar the walls of, any public building, or fence, tree or pole within the City, or damage, destroy, take, or meddle with any property belonging to the City, or remove the same from the building or place where it may be kept, placed, or stored, without proper authority.
17. Add a new Sec. 42-76, Tampering with motor vehicles, to read as follows: No person shall, by any means, including, but not limited to, deflating tires attached to said vehicles, or placing foreign substance in the motor vehicle's fuel tank, disable or attempt to disable, in whole or in part, any motor vehicle owned or operated by another person, without the person's permission.
18. Add a new Sec. 42-77, Bad checks, to read as follows: No person shall make, draw, utter, or deliver with intent to defraud any check, draft or order for the payment of money of one hundred dollars (\$100.00) or less, to apply on account or otherwise, upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivering, that the maker or drawer has not sufficient funds in or credit with such bank or other depository for the payment of such check, draft or order in full upon its presentation.
19. Add a new Sec. 42-78, Throwing items from vehicle, to read as follows: No person shall throw or propel any snowball, rock, missile or object at or from any moving vehicle.
20. Add a new Sec. 42-79, Operation of motor vehicle on sidewalks, walkways, and other areas not specifically designated for vehicular traffic, to read as follows: No person shall operate any motor vehicle, including, but not limited to, automobiles, motorcycles, motorized bikes, snowmobiles, motor scooters, trail bikes, trucks, or tractors, on property owned by another

person, corporation, school, or unit of government, without having first obtained permission by the owner or occupant thereof on any property not specifically designated for use as a roadway, driveway, or parking lot. This prohibition shall include such operation on any sidewalk, walkway, or pedestrian plaza. This prohibition shall not apply to any police, fire, or emergency vehicles on official business.

21. Add a new Sec. 42-80, Discharge of firearms, to read as follows: No person (except for police officers, peace officers and persons in the military service, in pursuit of official duty) shall discharge within the City any firearm or pistol, as those terms are defined in Act 319, Public Acts of 1990, as amended.
22. Add a new Sec. 42-81. - Tampering with communications equipment, to read as follows. No person shall, without the consent of the property owner, willfully tamper with, remove, or injure any antennae, cable, wires, or other equipment used for the distribution to such owner's property of television signals, radio signals, or wireless broadband.

Amend Article IV, Offenses Against Public Peace as follows:

23. Amend Sec. 42-98, School premises-Remaining thereon after ordered to leave, to read as follows: No person shall enter, remain, or be on any public or private school premises after having been forbidden to enter, or ordered or requested to leave the premises by any person lawfully in charge thereof, or by his duly authorized deputy, agent or subordinate.
24. Amend Sec. 42-99, Same--Disturbance of school programs, to read as follows: No person shall knowingly or deliberately, by his or her presence, actions, or language, disrupt the peaceful conduct of any lawful school activity or interfere with or disturb any student, school employee, or other person who is lawfully engaged or participating in such activity, including, but not limited to, interference through operation of a motor vehicle.
25. Add a new Sec. 42-101, Interference with school activities, to read as follows: No person shall cause, or attempt to cause, by intimidation, coercion, force, threat of course, inducement, enticement, invitation, or encouragement, any person to interfere with school activities or business.
26. Add a new Sec. 42-102, Weapons in public places, to read as follows: No person shall carry any form of firearm, replica firearm, BB gun, air gun, bow and arrow, slingshot, crossbow or other dangerous weapons in any public place, subject to the following exceptions:
 - (a) When it is in case and is not loaded;

- (b) When a bow or crossbow is unstrung or encased, or when it is being carried under the direct supervision of authorized public personnel; or
 - (c) Where and as otherwise permitted by State law.
- 27. Add a new Sec. 42-103, Noise, to read as follows: No person shall make or continue any loud noise which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the limits of the City, including but not limited to:
 - (a) Sounding any horn or signal device on any automobile, motorcycle, bus, or other vehicle for reason other than as a signal in response to an imminent danger and implemented as an immediate safety measure, for an unnecessary and reasonable duration, or it is unreasonable loud or harsh;
 - (b) Playing or amplifying any radio, tape or disc player, or any other electronically stored media or musical instrument in such a manner or with such volume so as to produce sound that is clearly audible more than 50 feet from the source that annoys or disturbs the quiet, comfort or repose of persons in any place of business, or any dwelling, hotel or other type of residence, or of any persons in the immediate vicinity;
 - (c) Yelling, shouting, hooting, whistling or singing on a public street or sidewalk at any time or place, including private property, so as to annoy or disturb the quiet, comfort or repose of any persons in any place of business, or any dwelling, hotel or other type of residence, or of any person in the immediate vicinity;
 - (d) Keeping any animal or bird which causes frequent or loud continued noise that disturbs the comfort and repose of any person in the vicinity.
 - (e) Blowing any whistle or siren, except as a warning of danger or upon request and authority of proper City authorities;
 - (f) Discharging the exhaust of any steam engine, stationary internal combustion engine, motor boat or motor vehicle into the open air, except through a muffler or other device which will effectively prevent loud or explosive noises there from;
 - (g) Intentionally squealing the tires of any motor vehicle;
 - (h) Creating loud and excessive noises in connection with the loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers;

- (i) Creating noise with any drum, loudspeaker or other instrument or device to attract attention to any performance, show or sale or display of merchandise;
- (j) Causing any noise to be made so as to unreasonably disturb persons in the immediate vicinity;
- (k) Causing the prolonged idling or operating or excessive racing of any type of engine operating at any location, either on public or private property, that causes unnecessary or excessive noise so as to unreasonably disturb those persons in the immediate vicinity;
- (l) Operating residential property maintenance equipment, including but not limited to power fans, lawn equipment, snow blowers, lawn mowers, or gardening equipment in a residential area other than between the hours of 7:00 a.m. to 10:00 p.m.

This section shall not apply to emergency vehicles, or noise generated from a function or event for which a permit has been obtained from the city.

- 28. Add new Sec. 42-104, Operation of skateboards, to read as follows: When signs are erected giving notice thereof, no person shall operate on public property a skateboard, in-line skates, rollerblades, roller skates, or similar devices. A person's skateboard may be impounded and held as evidence pending prosecution of an alleged offense. For purposes of this section, skateboard is defined as a single platform mounted on wheels, propelled solely by human power and which has no mechanism or other device with which to steer or control the movement or direction of the platform.

Amend Article V, Offenses Against Morals as follows:

- 29. Amend section 42-130, Prostitution, solicitation and illegal acts, to add a new subsection (h) as follows: No person shall solicit or accost any person for the purpose of inducing to commission of any illegal or immoral act.
- 30. Amend Sec. 42-131, Indecent exposure, to read as follows: No person shall engage in any indecent, immoral or obscene conduct or make any immoral exhibition or indecent exposure of his or her person in any public place or on private property that is visible from a public place.

Amend Article VI, Offenses Involving Minors as follows:

- 31. Add a new Sec. 42-161, Minor in possession of alcohol, to read as follows: No person less than 21 years of age shall purchase or attempt to purchase alcoholic liquor, consume or attempt to consume alcoholic liquor, or possess or attempt to possess alcoholic liquor, or have any bodily alcohol content. As used in this section, "any bodily alcohol content" means either of the following:

- (a) An alcohol content of 0.02 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
 - (b) Any presence of alcohol within a person's body resulting from the consumption of alcoholic liquor, other than consumption of alcoholic liquor as a part of a generally recognized religious service or ceremony.
- 32. Add a new Sec. 42-162, Communications to minors, to read as follows: No person shall invite, entice, coax, persuade or induce by threat, promise or false statement, any minor child under the age of seventeen (17) years to enter any motor vehicle or conveyance, or private property or place, except where the parent or guardian of that child has given that person express consent; this section shall not prohibit school personnel, peace officers or public health or social worker personnel from carrying out the normal duties of their employment.

Amend Article VII, Controlled Substances as follows:

- 33. Add a new Sec. 42-283, Definitions, to read as follows: Whenever any words and phrases are used in this Article are not defined, but are defined in Act No. 368 of the Public Acts of 1978, MCLA 333.1101, et. seq., MSA 28.191, et. seq., as amended, any such definition therein shall be deemed to apply to such words and phrases used herein. For purposes of this Article, the following definitions shall apply:
 - (a) "Act" shall mean the Michigan Public Health Code, Act No. 368 of the Public Acts of Michigan of 1978 (MCL 333.1101 et seq., MSA 14.15(1101) et seq.).
 - (b) "Controlled Substance" shall mean any substance as that term is defined in the Act.
 - (c) "Deliver or delivery" shall mean the actual, constructive or attempted transfer from one person to another of a controlled substance, whether or not there is an agency relationship.
 - (d) "Manufacture" shall mean the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, and includes any packaging or repackaging of the substance or labeling or relabeling of its container.
 - (e) "Sale" shall include barter, exchange or gift, or offer therefor, and each such transaction made by any person, principal, proprietor, agent, servant or employee.

34. Renumber Sec. 42-283, Possession, sale, distribution generally, as Sec. 42-284, and amend to read as follows: A person shall not sell, distribute, deliver, manufacture, use, or possess any controlled substance in the City of Pleasant Ridge unless that substance was directly obtained from, and pursuant to, a valid prescription or order of a practitioner while acting in the course of the practitioner's professional practice.
35. Renumber Sec. 42-284, Possession of drug paraphernalia by authorized person, as Sec. 42-285, and amend to read as follows:
- (a) It shall be unlawful for any person to have, possess, sell, offer for sale, dispense or give away any pipe, device or contrivance adapted for the use of smoking or inhaling marijuana (*Cannabis Sativa L.*), hashish or opium.
 - (b) It shall be unlawful for any person to have, possess, sell, offer for sale, dispense or give away any hypodermic syringe, needle or any other instrument or implement for the illegal use of narcotic or dangerous or hallucinatory drugs as defined by the Public Health Code (MCL 333.1101 et seq.), subcutaneous injections or any other manner or method of introduction and which is possessed, sold, offered, dispensed or given away for that purpose.
 - (c) This section does not apply to the following:
 - (1) An object sold or offered for sale to a person licensed under article 15 of the Public Health Code (MCL 333.16101 et seq.) or under the Occupational Code (MCL 339.101 et seq.), or any intern, trainee, apprentice, or assistant in a profession licensed under such article 15 or under the Occupation Code or use in that profession;
 - (2) An object sold or offered for sale to any hospital, sanitarium, clinical laboratory, or other health care institution including a penal, correctional, or juvenile detention facility for use in that institution;
 - (3) An object sold or offered for sale to a dealer in medical, dental, surgical, or pharmaceutical supplies;
 - (4) Equipment, a product, or material which may be used in the preparation or smoking of tobacco or smoking herbs other than a controlled substance;
 - (5) A blender, bowl, container, spoon, or mixing device not specifically designed for a use described in section 7451 of the Public Health Code (MCL 333.7451);

- (6) A hypodermic syringe or needle sold or offered for the purpose of injecting or otherwise treating livestock or other animals; or
- (7) An object sold, offered for sale, or given away by a state or local governmental agency or by a person specifically authorized by a state or local governmental agency to prevent the transmission of infectious agents.

For purposes of this Article, drug paraphernalia means any equipment, product, material, or combination of equipment, products, or materials which is specifically designed for use in planting; propagating, cultivating; growing; harvesting; manufacturing; compounding; converting; producing; processing; preparing; testing; analyzing; packaging; repackaging; storing; containing; concealing; injecting; ingesting; inhaling; or otherwise introducing to the human body a controlled substance; including, but not limited to, all of the following:

- (a) An isomerization device specifically designed for use in increasing the potency of any species of plant which plant is a controlled substance;
- (b) Testing equipment specifically designed for use in identifying or in analyzing the strength, effectiveness, or purity of a controlled substance;
- (c) A weight scale or balance specifically designed for use in weighing or measuring a controlled substance;
- (d) A diluent or adulterant, including, but not limited to, quinine hydrochloride, mannitol, mannite, dextrose, and lactose, specifically designed for use with a controlled substance;
- (e) A separation gin or sifter specifically designed for use in removing twigs and seeds from, or in otherwise cleaning or refining, marijuana;
- (f) An object specifically designed for use in ingesting, inhaling, or otherwise introducing marijuana, cocaine, hashish, or hashish oil into the human body;
- (g) A kit specifically designed for use in planting, propagating, cultivating, growing, or harvesting any species of plant from which is controlled substance can be derived;
- (h) A kit specifically designed for manufacturing, compounding, converting, producing, processing, or preparing controlled substances.

- (i) A device, commonly known as a cocaine kit, that is specifically designed for ingesting, inhaling, or otherwise introducing controlled substances into the human body, and which consists of at least a razor blade and a mirror;
- (j) A device, commonly known as a bullet, that is specifically designed to deliver a measured amount of controlled substances to the user;
- (k) A device, commonly known as a snorter, that is specifically designed to carry a small amount of controlled substances to the user's nose;
- (l) A spoon, with or without a chain attached, that has a small diameter bowl and that is specifically designed for use in ingesting, inhaling, or otherwise introducing controlled substances into the human body.

Section 2. Severability.

Should any provision or part of this Article be declared by any court of competent jurisdiction to be invalid or unenforceable, the same shall not affect the validity or enforceability of the balance of this Article, which shall remain in full force and effect.

Section 3. Repealer.

All other ordinances or parts of ordinances in conflict with this ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 4. Savings clause.

Nothing in this Article shall be construed to affect any suit or proceeding pending in any court or any rights acquired or any liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this Ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 4. Effective Date.

This Ordinance shall become effective fifteen days after enactment and upon publication as provided by law.

Section 5. Adoption.

This Ordinance is hereby declared to have been adopted by the City Commission of the City of Pleasant Ridge at a meeting duly called and held on the ____ day of _____, 2018, and ordered to be given publication in the manner prescribed by law.

James Breuckman, City Manager

Amy M. Drealan, City Clerk

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City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
 To: City Commission
 Date: July 5, 2018
 Re: Chariot Multi-Jurisdictional Transit Circulator

Overview

I have been working with the City of Ferndale on a potential transit circulator service that would operate within Ferndale and Pleasant Ridge. Ferndale is requesting that we re-confirm the funding pledge of \$10,000 for the service that we had made last year when we were working on a previous version of this service. Please note that no money has been spent on this service to-date.

The service would operate from 4pm until midnight, Thursday through Saturday. One shuttle will be running always, with two shuttles running during the 5pm to 10pm peak hours.

The pilot period for this service will run for 7 months, starting in September of this year and continuing through March of 2019. Ferndale is using this service as a way to offset parking disruptions during the construction of their parking deck.

The City of Ferndale has entered into a contractual agreement with Chariot. Pleasant Ridge, if we participate in the service, would not have a contractual agreement with Chariot, rather, we would be paying Ferndale as a service provider to add two stops in Pleasant Ridge on the Chariot route.

Background

The project formerly known as the FabCab that we were working on with Ferndale in the early part of 2017 has seen a rebirth. Ferndale is now partnering with Chariot, a mobility company that is owned by Ford:

<https://www.chariot.com>

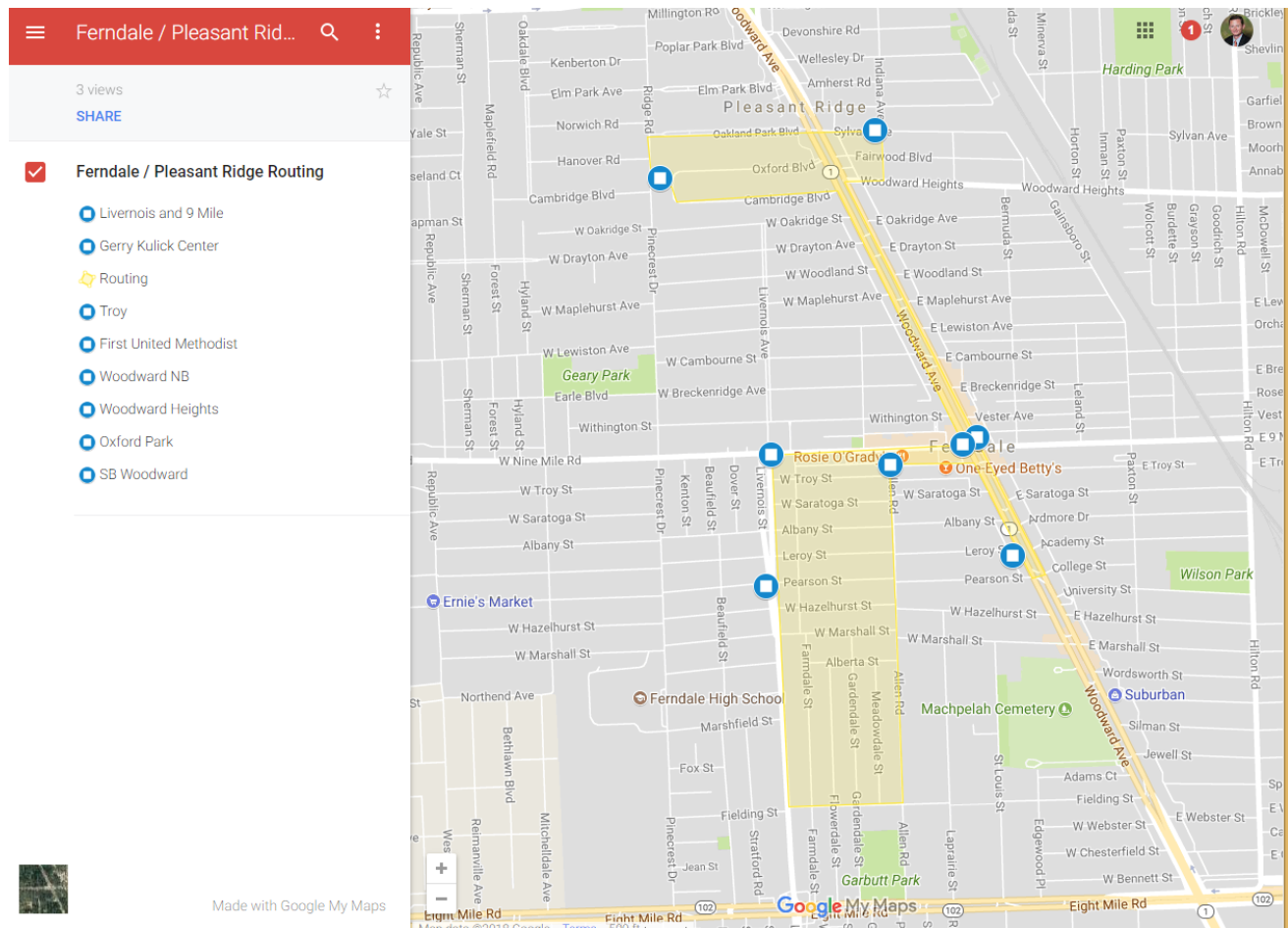
Chariot started in the SF Bay region and has recently begun servicing the Detroit area. They will be the operator for the new weekend shuttle service.

Here are some details about the new service:

- The service will start with Ferndale and PR, with a target start date of September 1 of this year. There will be a 7-month pilot period after which the results will be evaluated and we will decide if we are going to continue the service with or without alterations. This simplifies the start-up process.

- Ferndale is asking that we sustain our prior \$10,000 commitment from the DDA and City to pay for the Pleasant Ridge portion of the service. You'll recall that this \$10,000 was the commitment that we made last year for the FabCab shuttle, which eventually collapsed under the weight of the number of organizations involved.
- The service will be free to use for residents during the 7-month pilot period. The funding model and service fee will be evaluated at the end of the pilot period to determine if there should be a small per-ride fee for the service to replace some or all of the public funding.
- The route is approximately 30 minutes, so it would be a 30-minute headway off-peak, and a 15-minute headway during peak times. These are good headways for a service like this, as by comparison, large transit operations like subways aim for 10-minute headways, so this is quite good headway time for a service of this type.
- There is a chariot app that will allow residents to see the location of shuttles and the approximate time they will arrive at the stop, helping to reduce wait times at the stop by planning what time you leave the house or establishment you are at.
- The PR stops will be on Sylvan, either at Indiana or closer to Woodward, and at or near Hessel Park. These two stops put almost all east side residents within a 5-minute walk of the stop, and most west side residents are within a 10-minute walk of the stop. Refer to the preliminary route map on the following page.
- There is a possibility of the service migrating from fixed route to on-demand in the future. Chariot was set up as a fixed route shuttle service, but they are looking at an on-demand model, or at least a hybrid that brings in on-demand and fixed route elements.
- Finally, there is a possibility that the service will kick-off on Labor Day weekend as an Arts Beats and Eats shuttle like the trolley we used to run, with the regular fixed route service starting the weekend after Labor Day. For reference, we used to pay around \$3,000 for the one-weekend Labor Day trolley alone, while this Chariot partnership would be \$10,000 to access shuttle service for three days every weekend for 7 months, plus the potential for an Arts Beats and Eats shuttle.
- We have also discussed offering charter-style shuttle services for other events around the region during the pilot period. This is something that is still in development, so I don't have any details other than there may be special shuttles to things happening downtown or in Detroit or elsewhere.

Preliminary Route Map



Details of Chariot Service

For more details on the Chariot service, refer to the attached presentation which was developed for Ferndale's City Council when they approved the contract with Chariot at their June meeting.

Requested Action

Staff is requesting that the City Commission consider re-committing our previous \$10,000 funding pledge towards this project. \$5,000 of the requested funding would be provided by the contractual services line items in the General Government (Department 248), Community Development (Department 371), and Recreation (Department 750) departments in the budget.

The DDA will be asked to re-confirm its \$5,000 portion of the pledge at the July 23 meeting, but the \$10,000 pledge is requested at this time to allow planning for this service to move forward with Pleasant Ridge involved.

