

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

**City Commission Meeting**  
**March 12, 2019**  
**Agenda**

Honorable Mayor, City Commissioners and Residents: This shall serve as your official notification of the Regular City Commission Meeting to be held Tuesday, March 12, 2019, 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:

**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. **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 Regular City Commission Meeting held Tuesday, February 12, 2019.
  - b. Monthly Disbursement Report.
  - c. Certification of delinquent utility bills for collection on the 2019 Summer Tax Roll.
  - d. Request by the Seventh-Day Adventist Church to solicit door-to-door from June 3 – August 11, 2019.
  - e. Establish a public hearing to solicit public comments Ordinance to amend Chapter 42, Offenses and Miscellaneous Provisions, Article IV, Offenses against Public Peace, Section 42-85 Definitions – National Holiday and Section 42-86, Ignition, discharge and use of consumer fireworks.
  - f. Pleasant Ridge Historical Museum Mission Statement.
8. **Pleasant Ridge Garden Club Memorial Park Fountain presentation.**
9. **Establishing a public hearing on Tuesday, April 9, 2019, at 7:30pm to solicit public comments on an ordinance to amend Chapter 42, Offenses and Miscellaneous Provisions, Article I, In General, by the addition of a new Section, Section 42-14, Marihuana Establishments prohibited.**



10. **Marihuana Establishment public input survey.**
11. **Interlocal Agreement between the City of Pleasant Ridge and the City of Ferndale regarding Woodward Heights Boulevard intersection construction.**
12. **City Manager's Report.**
13. **Other Business.**
14. **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

Amy M. Drealan, City Clerk

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From: Amy M. Drealan, City Clerk  
To: Mayor and City Commission  
Date: March 8, 2019  
Re: February 12, 2019 Minutes

The meeting minutes for the February 12, 2019 City Commission Meeting were not provided prior to the meeting for inclusion in the packet. As soon as I receive minutes, I will forward them on.

Please feel free to contact me should you wish to discuss this matter further



February 2019

**ACCOUNTS PAYABLE**

PAYROLL LIABILITIES	\$	7,535.16
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ACCOUNTS PAYABLE	\$	498,203.46
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TAX LIABILITIES	\$	196,378.35
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<b>TOTAL</b>	<b>\$</b>	<b>505,738.62</b>
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**PAYROLL**

February 13, 2019	\$	37,784.19
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February 27, 2019	\$	37,020.64
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<b>TOTAL</b>	<b>\$</b>	<b>74,804.83</b>
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**CHECK REGISTER FOR CITY OF PLEASANT RIDGE**  
**PAYROLL LIABILITIES**  
February 2019

PG 1

Check Date	Check	Vendor Name	Description	Amount
2/13/2019	2308	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 336.40
2/13/2019	2309	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 1,618.03
2/13/2019	2310	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 974.76
2/13/2019	2311	MIFOP	UNION DUES	\$ 188.00
2/13/2019	2312	MISDU	FOC DEDUCTIONS	\$ 224.60
2/13/2019	2313	ALERUS FINANCIAL	RHSP CONTRIBUTIONS	\$ 457.29
2/13/2019	2314	ICMA - VANTANGEPOINT	RETIRMENT CONTRIBUTIONS	\$ 72.08
2/27/2019	2315	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 336.40
2/27/2019	2316	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 1,486.73
2/27/2019	2317	ALERUS FINANCIAL	RETIRMENT CONTRIBUTIONS	\$ 1,099.94
2/27/2019	2318	MISDU	FOC DEDUCTIONS	\$ 224.60
2/27/2019	2319	ALERUS FINANCIAL	RHSP CONTRIBUTIONS	\$ 444.25
2/27/2019	2320	ICMA - VANTANGEPOINT	RETIRMENT CONTRIBUTIONS	\$ 72.08
TOTAL PAYROLL LIABILITIES				<u>\$ 7,535.16</u>



CHECK REGISTER FOR CITY OF PLEASANT RIDGE  
TAX LIABILITIES  
February 2019

Check Date	Check	Vendor Name	Description	Amount
02/12/2019	2629	CITY OF PLEASANT RIDGE-DDA	2018 TAX COLLECTIONS	\$ 2,141.96
02/12/2019	2630	CITY OF PLEASANT RIDGE-TAXES	2018 TAX COLLECTIONS	\$ 78,911.71
02/12/2019	2631	FERNDALE SCHOOL DISTRICT	2018 TAX COLLECTIONS	\$ 33,734.04
02/12/2019	2632	LINDSAY BARBER	2018 TAX OVERPAYMENT	\$ 172.64
02/12/2019	2633	OAKLAND COUNTY TREASURER	2018 TAX COLLECTIONS	\$ 81,418.00

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**CITY OF PLEASANT RIDGE CHECK REGISTER**  
**ACCOUNTS PAYABLE**  
**February 12, 2019**

Check Date	Check	Vendor Name	Description	Amount
02/12/2019	22705	21ST CENTURY MEDIA-MICHIGAN	LEGAL NOTICE PUBLICATION	\$ 85.00
02/12/2019	22706	ADKISON, NEED & ALLEN P.L.L.C.	CITY ATTORNEY SERVICES	\$ 678.50
02/12/2019	22707	BLUE CROSS BLUE SHIELD OF MICHIGAN	HEALTHCARE BENEFITS	\$ 5,770.70
02/12/2019	22708	BRILAR	DPW SERVICES-NOVEMBER 2018	\$ 68,801.81
02/12/2019	22709	BUMPIN BUBBLES	RECREATION PROGRAM 9/7/2019	\$ 142.79
02/12/2019	22710	CASEY SIGN COMPANY	DIRECTIONAL SIGNS	\$ 125.00
02/12/2019	22711	CITY OF FERNDALE	FIRE SERVICES AGREEMENT	\$ 21,381.72
02/12/2019	22712	CITY OF FERNDALE	DISPATCH SERVICES AGREEMENT	\$ 3,250.00
02/12/2019	22713	DAVEY TREE EXPERT COMPANY	TREE MAINTENANCE SERVICES	\$ 4,435.00
02/12/2019	22714	DEBORAH GREEN	MEETING TRANSCRIPTION	\$ 100.00
02/12/2019	22715	DES MOINES STAMP MANUFACTURING	SELF INKING DATE STAMP-PD	\$ 71.00
02/12/2019	22716	DETROIT EDISON COMPANY	STREETLIGHTING-JANUARY 2019	\$ 2,936.21
02/12/2019	22717	FLAME FURNACE	BUILDING MAINTENANCE-COMM CENTER	\$ 519.00
02/12/2019	22718	GREAT AMERICAN FINANCIAL SRVS	TELEPHONE LEASE AGREEMENT	\$ 433.00
02/12/2019	22719	INLAND WATERS	2017 SWERE REHABILITATION PROJECT	\$ 41,751.50
02/12/2019	22720	INTERNATIONAL INSTITUTE OF	MEMBERSHIP DUES-STAMPER	\$ 110.00
02/12/2019	22721	JANI-KING OF MICHIGAN, INC.	JANITORIAL SERVICES	\$ 2,161.00
02/12/2019	22722	KELLEY CARNEY	RECREATION PROGRAM	\$ 225.00
02/12/2019	22723	KENNETH APPLEWHITE	RECREATION PROGRAM	\$ 250.00
02/12/2019	22724	KENNETH BORYCZ	INSPECTION SERVICES	\$ 487.50
02/12/2019	22725	O'REILY AUTO PARTS	POLICE VEHICLE MAINTENANCE	\$ 49.33
02/12/2019	22726	OAKLAND COUNTY TREASURER	GWK CONSTRUCTION BONDS	\$ 102,040.55
02/12/2019	22727	OAKLAND COUNTY TREASURER	ELECTION PROGRAMMING	\$ 306.70
02/12/2019	22728	OAKLAND COUNTY TREASURER	CLEMIS CONNECTIVITY CHARGES	\$ 884.41
02/12/2019	22729	OAKLAND COUNTY TREASURER	SEWERAGE TREATMENT JANUARY 2019	\$ 48,774.68
02/12/2019	22730	OAKLAND SCHOOLS	UTILITY BILL PRINTING AND MAILING	\$ 603.86
02/12/2019	22731	OLIVES BLOOMBOX	RECREATION PROGRAM SUPPLIES	\$ 342.00
02/12/2019	22732	PATRICK THOMPSON DESIGNS, INC.	COMMUNITY CENTER DESIGN SERVICES	\$ 1,990.00
02/12/2019	22733	PLANTE & MORAN PLLC	ACCOUNTING SERVICES	\$ 5,517.00
02/12/2019	22734	SAVANT LEARNING SYSTEMS	VIRTUAL ACADEMY ANNUAL FEE	\$ 621.00
02/12/2019	22735	SCHEER'S ACE HARDWARE	BUILDING MAINTENANCE SUPPLIES	\$ 119.28
02/12/2019	22736	SHAWNIE STAMPER	SUPPLIES REIMBURSEMENT	\$ 260.21
02/12/2019	22737	SIR SPEEDY	PRINTING AND MAILING SUPPLIES	\$ 458.51
02/12/2019	22738	SOCRRA	REFUSE COLLECTION AGREEMENT	\$ 9,184.00
02/12/2019	22739	SOCWA	WATER PURCHASES-JANUARY 2019	\$ 13,431.23
02/12/2019	22740	THE BANK OF NEW YORK	GENERAL OBLIGATION BONDS	\$ 158,762.50
02/12/2019	22741	UNIFIRST CORPORATION	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 230.93
02/12/2019	22742	UNUM LIFE INSURANCE COMPANY	LIFE INSURANCE BENEFITS	\$ 502.54
02/12/2019	22743	VOID CHECK	VOID CHECK	\$ -
02/12/2019	22744	CASEY SIGN COMPANY	COMMUNITY CENTER SIGN INSTALLATION	\$ 410.00



**CHECK REGISTER FOR CITY OF PLEASANT RIDGE**  
**ELECTRONIC PAYMENTS**  
**February 2019**

Check Date	Check	Vendor Name	Description	Amount
02/11/2019	1383	MUNICIPAL EMP.RETIREMENT SYST.	RETIREMENT CONTRIBUTIONS	\$ 26,875.98
02/11/2019	1415	5TH 3RD	RECREATION SUPPLIES	\$ 4,609.78
02/11/2019	1416	ADOBE SYSTEMS INC	SOFTWARE MAINTENANCE	\$ 125.05
02/11/2019	1417	AMAZON.COM	UNIFORM MAINTENANCE SUPPLIES	\$ 204.47
02/11/2019	1418	AT&T MOBILITY	WIRELESS SERVICES	\$ 361.08
02/11/2019	1419	COMCAST	TELECOMMUNICATION SERVICES	\$ 288.05
02/11/2019	1420	CONSUMERS ENERGY	UTILITIES SERVICES	\$ 1,167.14
02/11/2019	1421	DTE ENERGY	UTILITIES SERVICES	\$ 1,606.79
02/11/2019	1422	ERADICO SERVICES INC.	EXTERMINATION SERVICES	\$ 43.00
02/11/2019	1423	INTERMEDIA.NET INC.	TELECOMMUNICATION SERVICES	\$ 105.63
02/11/2019	1424	LEXISNEXIS	POLICE DEPARTMENT SUPPLIES	\$ 50.00
02/11/2019	1425	MSFT	SOFTWARE MAINTENANCE	\$ 363.44
02/11/2019	1426	QUILL CORPORATION	OFFICE SUPPLIES	\$ 510.47
02/11/2019	1427	SAMS CLUB	CITY HALL, POLICE AND REC SUPPLIES	\$ 351.65
02/11/2019	1428	STAMPS.COM	MONTHLY SERVICE CHARGES	\$ 15.99
02/11/2019	1429	STATE OF MICHIGAN	MI DEAL PARTICIPATION COSTS	\$ 180.00
02/11/2019	1430	WOW! BUSINESS	TELECOMMUNICATION SERVICES	\$ 292.17
02/11/2019	1431	XFER COMMUNICATIONS	COMPUTER MAINTENANCE	\$ 1,327.50
02/12/2019	1432	BLUE CROSS BLUE SHIELD OF MICHIGAN	HEALTHCARE BENEFITS	\$ 15,990.29
TOTAL ELECTRONIC PAYMENTS				\$ 54,468.48





## City of Pleasant Ridge

Amy M. Drealan, City Clerk

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From: Amy M. Drealan, City Clerk  
To: Mayor and City Commission  
Date: March 12, 2019  
Re: Delinquent Utility Accounts

Attached is a list of properties that have become delinquent of their utility bill. The Pleasant Ridge City Code states that charges for water service and sewage disposal constitute a lien on the premises where service is provided.

Each year in March, unpaid utility bills are certified to the City Commission. Once the City Commission approves the Special Assessments, the water clerk will mail a notification to each property regarding the potential lien. Property owners then have until May 1st to pay the full past due amounts.

Upon approval, I will include a special assessment of any outstanding balance for these properties on the 2019 summer tax rolls.

Please feel free to contact me should you wish to discuss this matter further.



Account #	Service Address	Customer Name	Calculation Amount
AMHE-000001-0000-01	1 AMHERST RD	AMANDA BERTOLINI	\$158.14
AMHE-000036-0000-01	36 AMHERST RD	PAULA SUCAET	\$1,081.58
AMHE-000052-0000-02	52 AMHERST RD	BETH FAUGHNAN	\$1,155.40
AMHE-000064-0000-01	64 AMHERST RD	JAMES AND MICHELLE COHEN	\$1,238.17
AMHE-000070-0000-02	70 AMHERST RD	HANI AND WALEED SALEM	\$983.99
CAMB-000003-0000-01	3 CAMBRIDGE BLVD	PARITOSH AND LAUREN SHAH	\$1,093.06
CAMB-000111-0000-01	111 CAMBRIDGE BLVD	CHAD AND JENNIFER BURCH	\$1,150.45
CAMB-000153-0000-01	153 CAMBRIDGE BLVD	GEORGE BARRIS	\$202.17
DEVO-000042-0000-01	42 DEVONSHIRE RD	JOHN JENNINGS IV	\$1,119.21
DEVO-000048-0000-01	48 DEVONSHIRE RD	HOWARD AND JUDITH THOMPSON	\$153.26
DEVO-000054-0000-01	54 DEVONSHIRE RD	ROBERT CONTE	\$146.49
DEVO-000067-0000-01	67 DEVONSHIRE RD	EARL AND AGNES STRNAD	\$857.52
ELM -000021-0000-01	21 ELM PARK AVE	GARY AND PATRICIA GATHEN	\$1,249.79
FAIR-000041-0000-01	41 FAIRWOOD BLVD	DONALD AND JOANNE MCGUIRE	\$1,113.50
FAIR-000056-0000-01	56 FAIRWOOD BLVD	JASON PLATZ AND KATE SCHRIDDE	\$941.39
HANO-000029-0000-02	29 HANOVER RD	BRIAN KASTNER	\$75.84
HANO-000039-0000-01	39 HANOVER RD	GARRY BIDOUL	\$5,314.95
KENB-000017-0000-01	17 KENBERTON DR	TRACY USNDEK-MAGIERA	\$443.70
KENS-000063-0000-01	63 KENSINGTON BLVD	JOEL BACOW	\$637.80
KENS-000104-0000-01	104 KENSINGTON BLVD	DENISE CASTON	\$105.09
MAPL-000014-0000-16	14 MAPLEFIELD RD	GEORGETTA INDREICA	\$45.82
MAPL-000071-0000-01	71 MAPLEFIELD RD	MICHELLE FISCHER	\$177.59
MAYW-000012-0000-01	12 MAYWOOD AVE	DAVID A ROBB	\$346.01
MAYW-000021-0000-01	21 MAYWOOD AVE	HAYLEY BIERKLE	\$251.13
MAYW-000044-0000-01	44 MAYWOOD AVE	KEVIN MORRIS	\$576.57
MAYW-000048-0000-01	48 MAYWOOD AVE	CHRISTOPHER GREEN	\$957.06
MILL-000021-0000-01	21 MILLINGTON RD	DANIEL AND NATALIE FUOCO	\$1,143.13
OAKD-000053-0000-01	53 OAKDALE BLVD	GARY SOBEK	\$96.88
OAKD-000090-0000-01	90 OAKDALE BLVD	KEITH AND PAMELA CUNNINGHAM	\$311.96
OAKL-000007-0000-00	7 OAKLAND BLVD	KEITH CUNNINGHAM	\$178.48
OAKL-000036-0000-01	36 OAKLAND BLVD	SEAN STOKES AND BARBARA ROZMAN-STOKES	\$1,580.36
OXFO-000018-0000-01	18 OXFORD BLVD	THOMAS BLOOM	\$1,267.75
POPL-000021-0000-01	21 POPLAR BLVD	MARK AND MANDI MORGAN	\$498.31
RIDG-000036-0000-01	36 RIDGE RD	SHARON ZMICK	\$1,090.10
RIDG-000054-0000-01	54 RIDGE RD	GAIL GERDAN AND GRACE SCHMIDT	\$518.93
SYLV-000006-0000-01	6 SYLVAN AVE	NANETTE MORALES	\$88.54
SYLV-000010-0000-01	10 SYLVAN AVE	MARCIA LEVENSON	\$453.38
WDHT-000011-0000-01	11 WOODWARD HEIGHTS	DOROTHY WARREN	\$974.39
WDHT-000020-0000-01	20 WOODWARD HEIGHTS	PAUL AND SUSAN TAMM	\$659.78
WDHT-000023-0000-01	23 WOODWARD HEIGHTS	LANCE AND ANDREA FARR	\$63.10
WDHT-000028-0000-01	28 WOODWARD HEIGHTS	NICHOLAS STEPANSKI	\$1,290.43
WDHT-000050-0000-01	50 WOODWARD HEIGHTS	MINDY SCHWARTZ	\$1,039.76
WDHT-000070-0000-01	70 WOODWARD HEIGHTS	DANIEL HOWE	\$546.91
WDHT-000073-0000-01	73 WOODWARD HEIGHTS	JOHN AND MARY KENNEDY	\$687.28
WDSO-000007-0000-01	7 WOODSIDE BLVD	SUANNE SHAREF	\$1,345.24
WELL-000074-0000-01	74 WELLESLEY	GERALD AND CYNTHIA STEFFANI	\$414.51
WOOD-023900-0000-10	23900 WOODWARD AVE	MICHIGAN PROPERTY LLC	\$112.67

\$35,937.57





SEVENTH-DAY  
ADVENTIST  
CHURCH

Michigan Conference  
Headquarters



PO Box 24187  
Lansing MI 48909-4187  
5801 W. Michigan Ave.  
Lansing MI 48917-2495

To Whom It May Concern,

I write today regarding evangelistic work that the Family Health and Education Resources ministry of the Seventh-day Adventist Church will soon be conducting in your community. Student literature evangelists will soon be going door-to-door distributing free religious literature, praying with community members, enrolling interested individuals in Bible Studies, and seeking donations to support the program.

The Literature evangelistic program of the Adventist Church has been in existence for well over 100 years and is an important part of the Church's missionary work and evangelism. As student literature evangelists they are following the Great Commission that Christ gave His followers in Matthew 28:18-20.

In order not to disturb the community or be bothersome this program usually runs from 10:00am to 9:00pm, June 3 – August 11, 2019. Further, all our students carry identification recognizing them as part of the Family Health and Education Resources Program. They also carry radios or cell phones to contact their onsite leader who can provide more information while in the field.

Some communities have ordinances governing door-to-door sales, canvassing or solicitations. However, the Supreme Court has protected door-to-door advocacy based upon the free exercise and speech clauses of the First Amendment. The Court has been particularly suspicious of any prior restraint on these activities such as requiring permit or registration process. If your city has an ordinance that it believes applies to our activities, I ask that you contact us as soon as possible so we can discuss this.

We believe our evangelistic activities fall squarely within the protected zone of the First Amendment. Unless we hear differently, we do not plan on applying for any permit or registering prior to beginning our missionary work.

It is our desire to work with local communities to avoid any potential problems. We are happy to provide more specific information regarding the program if you desire.

We look forward to working in your community and with your office as necessary.

**PLEASE FORWARD THIS INFORMATION TO YOUR LOCAL POLICE/SHERIFF DEPARTMENT.**





# City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager  
 To: City Commission  
 Date: March 7, 2019  
 Re: Fireworks Ordinance Amendment Introduction

## Overview

On December 28, 2018 former governor Snyder signed PA 635 of 2019 into law. This act amended the State's fireworks regulations, with the most significant change for local governments being a change in the days that we may limit firework discharge to.

Pleasant Ridge has existing fireworks regulations in Section 42.97 of our Code of Ordinances. With the changes in State law, we can amend our existing standards to adjust when fireworks discharge is permitted. The attached ordinance would amend Section 42.97 to be the most restrictive permitted under current state law.

## Background

The following table summarizes days when fireworks discharge is permitted by our current ordinance, and when they may be limited per PA 635. Note that the dates in the table are based on the 2019 calendar.

Holiday	Current Ordinance		New State Law	
	Days Allowed	Time Allowed	Days Allowed	Time Allowed
<b>New Year's Day</b>	December 31 - January 2	8 am – 1 am	December 31 January 1	11 am – Midnight Midnight – 1 am
<b>MLK Day</b>	January 20 - January 22	8 am – 12 am	Not allowed	
<b>Washington's Birthday</b>	February 17 - February 19	8 am – 12 am	Not allowed	
<b>Memorial Day</b>	May 26 - May 28	8 am – 12 am	May 26 – May 27	11 am – 11:45 pm
<b>Independence Day</b>	July 3 – July 5	8 am – 12 am	June 29 – July 4 + July 5 (if Fri. or Sat.)	11 am – 11:45 pm
<b>Labor Day</b>	September 1 – September 3	8 am – 12 am	September 1 – September 2	11 am – 11:45 pm
<b>Columbus Day</b>	October 13 – October 15	8 am – 12 am	Not allowed	
<b>Veterans Day</b>	November 10 – November 12	8 am – 12 am	Not allowed	
<b>Thanksgiving Day</b>	November 27 - November 29	8 am – 12 am	Not allowed	
<b>Christmas Day</b>	December 24 – December 26	8 am – 12 am	Not allowed	



## **Requested Action**

City Commission scheduling of a public hearing for April 9 on the attached ordinance amendment to Section 42.97 of the City Code of Ordinances.



City of Pleasant Ridge  
Ordinance No. \_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES,  
CHAPTER 42 – OFFENSES AND MISCELLANEOUS PROVISIONS

THE CITY OF PLEASANT RIDGE ORDAINS:

**Section 1.**

Sec. 42-97. - Fireworks is amended to read as follows:

1. The definition of “National holiday” in subsection 42.97(b) is hereby deleted.
2. Section 42.97(c) is amended to read in its entirety as follows:
  - (c) *Ignition, discharge and use of consumer fireworks.* No person shall ignite, discharge or use consumer fireworks in the city; except on the following days and times:
    1. Between 11:00 a.m. on December 31 and 1:00 a.m. on the immediately following January 1.
    2. Between 11:00 a.m. and 11:45 p.m. on the following days: the Saturday and Sunday immediately preceding Memorial Day, June 29, June 30, July 1, July 2, July 3, July 4, July 5 (only if that date is a Friday or a Saturday), and the Saturday and Sunday immediately preceding Labor Day.
3. Section 42.97(d) is amended to read in its entirety as follows:
  - (d) *Violations, fines and penalties.* A violation of any provision of this section is a civil infraction, punishable by a fine of \$1,000. Of that fine, \$500 shall be remitted to the city police department.

**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 5. Effective Date.**

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

**Section 6. 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 \_\_\_\_\_, 2019, and ordered to be given publication in the manner prescribed by law.

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James Breuckman, City Manager

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Amy M. Drealan, City Clerk



Act No. 635  
Public Acts of 2018  
Approved by the Governor  
December 28, 2018  
Filed with the Secretary of State  
December 28, 2018  
EFFECTIVE DATE: December 28, 2018

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2018**

Introduced by Reps. Chirkun and Yaroch

# **ENROLLED HOUSE BILL No. 5940**

AN ACT to amend 2011 PA 256, entitled “An act to revise, consolidate, and codify the laws relating to certain fireworks; to regulate the purchase, possession, sale, and use of certain fireworks; to establish a fireworks safety fund; to establish a fireworks safety fee; to provide for the transfer and expenditure of funds; to prescribe the powers and duties of certain state agencies; to provide for penalties and remedies; and to repeal acts and parts of acts,” by amending section 7 (MCL 28.457), as amended by 2013 PA 65.

*The People of the State of Michigan enact:*

Sec. 7. (1) Except as provided in this act, a local unit of government shall not enact or enforce an ordinance, code, or regulation pertaining to or in any manner regulating the sale, display, storage, transportation, or distribution of fireworks regulated under this act.

(2) A local unit of government may enact an ordinance regulating the ignition, discharge, and use of consumer fireworks, including, but not limited to, an ordinance prescribing the hours of the day or night during which a person may ignite, discharge, or use consumer fireworks. If a local unit of government enacts an ordinance under this subsection, the ordinance shall not regulate the ignition, discharge, or use of consumer fireworks on the following days after 11 a.m.:

- (a) December 31 until 1 a.m. on January 1.
- (b) The Saturday and Sunday immediately preceding Memorial Day until 11:45 p.m. on each of those days.
- (c) June 29 to July 4 until 11:45 p.m. on each of those days.
- (d) July 5, if that date is a Friday or Saturday, until 11:45 p.m.
- (e) The Saturday and Sunday immediately preceding Labor Day until 11:45 p.m. on each of those days.

(3) An ordinance under subsection (2) shall impose a civil fine of \$1,000.00 for each violation of the ordinance and no other fine or sanction. The ordinance must provide for the remittance of \$500.00 of the fine collected under the ordinance to the local law enforcement agency responsible for enforcing the ordinance.

(4) Beginning August 1, 2019, a local unit of government with a population of 100,000 or more or a local unit of government located in a county with a population of 750,000 or more may enact or enforce an ordinance that regulates the use of a temporary structure. An ordinance established under this subsection may include, but is not limited to, a restriction on the number of permits issued for a temporary structure, regulation of the distance required between 2 or more temporary structures, or a zoning ordinance that regulates the use of a temporary structure. An ordinance established under this subsection may not prohibit the temporary storage, transportation, or distribution of fireworks by a consumer fireworks certificate holder at a retail location that is a permanent building or structure. As used in this subsection, “temporary structure” means a movable structure that is used in the sale, display, storage, transportation, or distribution of fireworks, including, but not limited to, a tent or a stand.



Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 99th Legislature are enacted into law:

(a) House Bill No. 5939.

(b) House Bill No. 5941.

This act is ordered to take immediate effect.



-----  
Clerk of the House of Representatives



-----  
Secretary of the Senate

Approved .....

-----  
Governor





RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS  
BUREAU OF FIRE SERVICES  
JULIE SECONTINE  
STATE FIRE MARSHAL

SHELLY EDGERTON  
DIRECTOR

## Frequently Asked Questions Fireworks General

### 1. Question: What types of fireworks are legal in the State of Michigan?

**Answer:** Effective January 1, 2012, the Michigan Fireworks Safety Act, PA 256 of 2011 allows the sale and use of consumer fireworks [Examples of legal fireworks](#).

- a) Consumer fireworks, referred to as 1.4G would include: roman candles, bottle rockets and other items that leave the ground. For reference, please see American Pyrotechnics Association (APA) standard 87.1, 2001 Edition: [APA Standard](#).
- b) Novelty items such as sparklers, snakes, snaps and poppers remain legal for sale and use. Novelty fireworks are not regulated under the Michigan Fireworks Safety Act.
- c) Low Impact Fireworks such as ground sparkling devices, ground based or handheld sparklers also remain legal for sale and use in Michigan. Per PA 256 of 2011, [Section 28.456](#) requires a low impact registration be filed with the Bureau of Fire Services. To register for low impact fireworks please see the [fireworks low impact registration](#) link.
- d) Display fireworks, typically referred to as 1.3G, are large and explosive items typically used for public display and are locally permitted for use by professionals. They are not regulated by the Department of Licensing and Regulatory Affairs (LARA).

### 2. Question: Who may not buy or use consumer fireworks?

**Answer:** According to the Michigan Fireworks Safety Act PA 256 of 2011, [Section 28.462](#):

- a) Prohibits the sale of consumer fireworks to a minor (anyone under the age of 18).
- b) Prohibits the use of consumer fireworks by anyone who is under the influence of drugs or alcohol.
- c) Fireworks may not be used on public, school, or private property of another person unless express permission is obtained to use the fireworks on that property.



**3. Question: How long is the consumer fireworks certificate valid for?**

**Answer:** A consumer fireworks certificate is valid from the date of issuance through April 30th of the following year. A retailer must apply annually and meet all statutory requirements. Guidelines for application process can be found at the BFS Fireworks Program home page at: 2017 Fireworks Guidelines.

**4. Question: What is a fireworks safety fee and how is it collected?**

**Answer:** Per PA 256 of 2011, Section 28.460 the fireworks safety fee is a 6% safety fee collected by the retailer at the time of sales in addition to the 6% sales tax on both consumer and low-impact fireworks. Fire safety fees must be paid to the Bureau of Fire Services and sales tax must be paid to the Department of Treasury.

- a) Fireworks safety fees are due no later than 20 days after the end of every preceding month. Payments for fireworks safety fees can be submitted online.
- b) If you are not selling fireworks every month you are still **required** to submit a fireworks safety fee monthly report that indicates zero sales.
- c) Applications will be denied if all sales reports from the previous year have not been submitted. This requirement starts during the month of issuance of the certificate and continues until April 30 of the following year or until you have submitted a Cancellation Request from your Fireworks Account.
- d) After the cancellation request is submitted online, safety fee reporting is no longer required beginning the following month. **Note:** *Reversal of the cancellation is not permitted*; a new application must be made if you want to sell at the same location again.

**5. Question: What if I only want to sell novelty fireworks like sparklers, snakes, snaps and poppers?**

**Answer:** PA 256 of 2011 doesn't apply to novelties. Novelty fireworks may be sold without being registered or obtaining a certificate.

**6. Question: What if I only want to sell low impact fireworks like sparkling wheel devices and ground sparkling devices?**

**Answer:** Per PA 256 of 2011, Section 28.456, the act requires that any retailer selling low-impact fireworks in the State of Michigan:

- a) Register online each calendar year not less than ten days before the low-impact fireworks are sold.
- b) The low impact retailer must collect the 6% fireworks safety fee and remit those fees to the Bureau of Fire Services 20 days after the end of each month.



- c) After registration if you are not selling low impact fireworks every month you are still **required** to submit a fireworks safety fee monthly report that indicates zero sales.
- d) This requirement is valid starting during the month of registry and ending on December 31 of the same year.
- e) In order to sell low impact fireworks the following year, the retailer must Re-register.

**7. Question: I have a display fireworks business; do I have to apply for a fireworks certificate with the Bureau of Fire Services?**

**Answer:** No. All permits issued for the discharge of display fireworks are obtained from the local unit of government, jurisdiction or municipality where the fireworks are being displayed. Fees, if any, charged for these permits are retained by that local jurisdiction.

**8. Question: Where does the city, township or village obtain display fireworks permit forms?**

**Answer:** The application for a Display Permit is posted on the [Fireworks Program home page](#).

**9. Question: What do I need to do if I want a display permit for my township?**

**Answer:** The permit is approved and issued via the local unit of government, jurisdiction or municipality where the application is being submitted.

**10. Question: Where can I find more detailed information about fireworks products and safety?**

**Answer:** Please visit the following websites:

[Consumer Product Safety Commission](#)  
[APA Standard 87-01](#)

**11. Question: Who do I contact if I have more questions?**

**Answer:**

- a) You may refer to the Bureau of Fire Services website at [www.michigan.gov/bfs](http://www.michigan.gov/bfs) for information related to fireworks.
- b) You may call the Bureau of Fire Services at 517-241-8847 or 517-373-7441 or by facsimile at 517-332-1427.
- c) You may email [fireworks@michigan.gov](mailto:fireworks@michigan.gov). **Note:** Email is the preferred method of contact during the fireworks season (April – September) due to the high demand on staff. Emails will be responded to promptly within one business day.





# City of Pleasant Ridge

Amy M. Drealan, City Clerk

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From: Amy M. Drealan, City Clerk  
To: Mayor and City Commission  
Date: March 8, 2019  
Re: Pleasant Ridge Historical Museum Mission Statement

## Overview

Over the past several months, the Historical Commission has been working on a mission statement related to the museum.

## Background

While attending a program called “Taming the Chaos” sponsored by the Michigan Historical Society Historical Commissioner Chairman Lauran Howard learned that they suggest it is a good practice for all museums, no matter how small, to have a mission statement that defines and limits what is kept in the museum collection.

The Historic Commission formed a subcommittee consisting of John Wright, Amber Herrick, Erik Krogol and myself. The subcommittee developed language which was then edited by the commission as a whole last year. The Commission waited until the first meeting of 2019 to include our new members to again edit and vote upon the proposal. This language passed the historical commission unanimously at their regular meeting held Wednesday, January 9, 2019.

The proposed mission statement as recommended by the Historical Commission reads:

***“The museum exists to preserve and exhibit information and items of historic value relating to the homes, residents and city of Pleasant Ridge.”***

## Requested Action

City Commission approval of the Pleasant Ridge Historical Museum Mission Statement as recommended by the Historical Commission.





## City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager  
To: City Commission  
Date: March 7, 2019  
Re: Garden Club Memorial Park Fountain Replacement

### Overview

The Garden Club has adopted replacing the Memorial Park fountain as a priority project. Robert Campbell, immediate past president of the Garden Club will attend the meeting on March 12 to update the Commission on the project and to request your permission for them to remove the existing fountain and replace it. The Garden Club is not asking the City for funding assistance for this project.

### Background

At right is a photograph of the fountain the Garden Club would like to install in the park. On the following page is a rendering of the proposed fountain in situ.

As described by Robert Campbell, the new fountain would bring all of the mechanical and electrical equipment above ground in a new pedestal base that the fountain will sit on. This will eliminate the problems with the mechanical and electrical components of the fountain being in a below ground pit which caused many of the issues we experienced with the existing fountain.

The new fountain will also be more easily winterized and should be easier to maintain and more durable than the existing fountain which has been so problematic.



### Requested Action

City Commission approval of the Garden Club project to replace the existing fountain with that shown above.



### AGUAFINA OPTION 3

FORMAL GRANITE FOUNTAIN WITHOUT  
POOL SURROUND

RESULTS IN LARGER PLANTING AREA AROUND FOUNTAIN







# City of Pleasant Ridge

James Breuckman, City Manager

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From: Jim Breuckman, City Manager  
To: City Commission  
Date: March 7, 2019  
Re: Recreational Marihuana Establishment Opt-Out Ordinance

## Overview

The City Commission passed a motion directing Staff to prepare an ordinance to opt-out of allowing recreational marihuana establishments in the City at the February meeting. That ordinance is attached. The City can choose to opt-in at any future date by adopting an ordinance that would repeal the attached and establish licensing and regulations for recreational marihuana establishments, ideally once many or all of the unresolved questions in the State Act are addressed through additional legislation or court decisions.

## Background

All background information on the Act and issues surrounding the issue that we have reviewed and discussed in prior meetings is available for review on the City website at:

[https://cityofpleasantridge.org/lsvr\\_document/recreational-marihuana-establishments/](https://cityofpleasantridge.org/lsvr_document/recreational-marihuana-establishments/)

## Requested Action

City Commission approval of a motion scheduling a public hearing for the attached ordinance for the April 9, 2019 meeting.



City of Pleasant Ridge  
Ordinance No. \_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF PLEASANT RIDGE CODE OF ORDINANCES,  
CHAPTER 42 – OFFENSES AND MISCELLANEOUS PROVISIONS

THE CITY OF PLEASANT RIDGE ORDAINS:

**Section 1. Intent and Purpose**

The purpose of this ordinance is to prohibit marihuana establishments within the City of Pleasant Ridge pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018.

**Section 2. Amendment**

The Code of Ordinances shall be amended by adding to Chapter 42, Article I, “In General”, a new Sec. 42-14 to read as follows:

**ARTICLE I. - IN GENERAL**

**Sec. 42-14. – Marijuana establishments prohibited.**

- (a) *Definitions.* Words used herein shall have the definitions as provided in the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, et seq., as may be amended.
- (b) *Prohibition.* The City of Pleasant Ridge hereby prohibits all marihuana establishments within the boundaries of the City pursuant to the Michigan Regulation and Taxation of Marihuana Act, Initiated Law 1 of 2018, MCL 333.27951, et seq., as may be amended.
- (c) *Penalties.* A person who violates this section shall be responsible for a municipal civil infraction, punishable as provided in Chapter 1, Sec. 1-7 of the Code of Ordinances, with a maximum fine of \$500.00.

**Section 3. 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 4. 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 5. 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 6. Effective Date.**

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

**Section 7. 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 \_\_\_\_\_, 2019, and ordered to be given publication in the manner prescribed by law.

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James Breuckman, City Manager

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Amy M. Drealan, City Clerk





# City of Pleasant Ridge

James Breuckman, City Manager

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From: Jim Breuckman, City Manager  
To: City Commission  
Date: March 7, 2019  
Re: Recreational Marihuana Public Input Survey Instrument

## Overview

The City Commission passed a motion directing Staff to begin the process of gathering public input about the potential to allow recreational marihuana establishments in the City. Staff is proposing to begin by conducting a community survey, which is attached on the following page.

## Public Notice Methods

There are three potential methods by which we may publicize the survey:

1. *Online outreach through our digital and social media channels.*

This is a given and will be used as part of any publicity strategy.

2. *Publish a notice in the Ridger with a link to the online survey and instructions on how to obtain a paper copy.*

This option will not cost the City anything extra, but there is a chance that some residents would not see the notice in the Ridger or don't read the Ridger. It also ties us to the Ridger's schedule, and with the next edition of the Ridger being well into design already we may have to wait until the summer edition of the Ridger comes out in late June to publicize the survey.

3. *Mail a postcard about the survey to every house with a link to the online survey and instructions on how to obtain a paper copy.*

This method would likely produce the highest recognition of the survey but comes at additional cost to produce and mail the postcard (likely about \$750 - \$1,000). We can produce and mail the postcard at any time, so this method does not tie us to a particular schedule like the Ridger option would.

## Requested Action

City Commission input on the survey instrument, method of publicizing the survey, and schedule for release.



# Recreational Marihuana Survey

## Introduction and Overview of the Issue

Recreational marihuana is now legal in Michigan for personal use through public initiated law 1 of 2018, the [Michigan Regulation and Taxation of Marihuana Act](#).

The recent voter enacted law legalized the use of recreational marihuana for adults 21 and older, and it also allows local communities to choose whether to allow or prohibit marihuana businesses. The purpose of this survey is to gather public input on whether Pleasant Ridge should allow marihuana businesses or not.

The State of Michigan is still developing licensing regulations for marihuana businesses, and there are several uncertainties in the law itself about the degree to which local communities can apply local zoning or design standards to marihuana businesses. This means that we are unsure what restrictions we could place on marihuana businesses if we allow them, until these questions are resolved through clarifying legislation enacted at the State level, or through the courts.

For more details, please see the marihuana background documents at the following link to the Pleasant Ridge website - [https://cityofpleasantridge.org/lsvr\\_document/recreational-marihuana-establishments/](https://cityofpleasantridge.org/lsvr_document/recreational-marihuana-establishments/)

## Summary of the law's key provisions:

- Persons 21 and older may possess, use, purchase, transport, or process marihuana for personal use.
- Individuals may legally grow up to 12 marihuana plants for personal use.
- A range of marihuana businesses are identified that may be allowed in a community. (See Question 3 below for details on the types of businesses)
- Some marihuana businesses will generate additional tax revenue, although the amount is uncertain. The law establishes that only retailers and micro businesses will generate money for the municipality in which they are located.
- There are many uncertainties in the law. Even after the State issues its licensing regulations, there will likely be additional legislation and/or litigation needed to clarify gray areas.

## Other considerations:

- While this is not a provision of the Michigan law, it is important to note that marihuana is still illegal at the Federal level.
- A positive impact of allowing recreational marihuana establishments is that retailers and microbusinesses (the types of businesses that sell directly to the public) will generate additional revenue for the City. However, we have no good estimate of how much tax revenue they may generate. Comparisons from other states are difficult because the percentage of excise tax that is applied to retail marihuana sales and the formula used to distribute revenue back to Cities is different in each state.



- We have no experience or basis of knowledge on how these businesses will operate and what kind of off-site impacts they may generate. We are also unsure as to our local regulatory power over the location, design, and operation of these uses because of uncertainties in the state law, so we cannot reliably estimate the impact of these uses and how much local control we will have over their operation.

At the February 7, 2019 meeting, the City Commission voted to begin public discussion on the issue. The Commission also voted to proceed with developing an ordinance to opt out of allowing marihuana businesses during the public input process and while the State develops its licensing process and regulations. The City can decide to opt-in and allow marihuana businesses at any time in the future should we so choose, and once we have more information.

## Survey

1. If you were in favor of legalizing recreational marihuana, please indicate why (select all that apply):
  - a. To allow personal recreational use
  - b. To decriminalize/eliminate the risk of arrest and incarceration for possession of small quantities of marihuana
  - c. To allow marihuana businesses to locate in Pleasant Ridge
  - d. Potential tax revenue for Pleasant Ridge
  - e. Other (please specify) \_\_\_\_\_
  - f. I was not in favor of legalizing recreational marihuana
2. Are you in favor of allowing recreational marihuana businesses to operate in Pleasant Ridge?
  - a. Yes, allow them now
  - b. Maybe allow them in the future once we know more about the impact of these businesses and our ability to regulate them
  - c. No, never allow them in Pleasant Ridge

If you answered yes or maybe in the future, please proceed to questions 3-5. If you answered no, you may skip the remaining questions and proceed to the end of the survey.

3. Understanding that state law may not allow the City to choose which kinds of marihuana businesses we allow, which types of marihuana businesses would you find appropriate in Pleasant Ridge?
  - a. Grower (*cultivates and sells to other marihuana businesses*)
  - b. Safety Compliance Facility (*tests and certifies marihuana potency and purity*)
  - c. Processor (*buys from growers, processes or packages, and sells to other marihuana businesses*)
  - d. Microbusiness (*a person licensed to grow up to 150 plants and to sell to the public*)
  - e. Retailer
  - f. Secure Transporter (*person licensed to transport marihuana between businesses*)



4. If the City allows marihuana businesses, how many should we allow to locate here?
  - a. 1
  - b. 2
  - c. 3
  - d. 4 or more
  
5. Understanding that we may not be able to limit where marihuana businesses may locate, what do you think are appropriate locations for marihuana businesses in Pleasant Ridge? (select all that apply)
  - a. Woodward corridor
  - b. Iron Ridge district (the area on the east side of the train tracks)
  - c. Other (please specify): \_\_\_\_\_

**Thank you for completing the survey. Your input on this topic is very valuable.**

Finally, in case you are wondering why marihuana is spelled with an “h” instead of a “j” it is because we are being consistent with the spelling used in State law. For an explanation of why it is spelled with an “h” in State law, please see this link: <https://www.michigan.gov/marijuana/0,9306,7-386-89869-484710--00.html>





## City of Pleasant Ridge

James Breuckman, City Manager

---

From: Jim Breuckman, City Manager  
To: City Commission  
Date: March 7, 2019  
Re: Woodward Heights – Bermuda (S) Intersection Reconstruction Interlocal Agreement

### Overview

The City of Ferndale is reconstructing Woodward Heights from the Pleasant Ridge/Ferndale boundary east into Hazel Park this year. The boundary between Ferndale and Pleasant Ridge is in the middle of the intersection at Bermuda by the party store. The attached interlocal agreement would provide for Ferndale reconstructing the entire intersection, and for us to reimburse them for \$13,885, our proportional share of the cost.

### Background

The concrete pavement in the Woodward Heights/Bermuda intersection is in rather poor shape and needs reconstruction. Further, Ferndale will be reconstructing their half of the intersection with asphalt pavement. We have been working with Ferndale staff to incorporate the reconstruction of the entire intersection in their project, including the construction of a corner bump out on the south side of the intersection to provide traffic calming and increased pedestrian safety at this intersection. The bump out will also help highlight the transition into a residential area along Woodward Heights.

Our \$13,885 cost for this project can be funded out of funds already budgeted for street maintenance in Fund 203, Major Streets, and Fund 218, Infrastructure Improvements so there is no budget adjustments necessary for this project.

The interlocal agreement including a complete plan set and cost breakdown is attached to this memo, along with a detail showing the intersection at greater scale for legibility.

### Requested Action

City Commission approval of the attached interlocal agreement for the reconstruction of our portion of the Woodward Heights/Bermuda (S) intersection.



#81

POST, FLEXIBLE DELINEATOR, MODIFIED, TYPICAL

#503

#515

R.O.W. LINE

00+00  
22

01+00

10'

10'

2'

SIGN, TYPE IIIB - 18 SFT (2 x W11-2)  
SIGN, TYPE IIIB - 9 SFT (2 x W16-7p)  
POST, STEEL, 3 LB - 15 FT

IUDA

SANT RIDGE  
ERNDAL

#504  
#510



## **COST-SHARING AGREEMENT REGARDING WOODWARD HEIGHTS RESURFACING 2019 PROJECT**

This Cost-Sharing Agreement (the "Agreement") is made and entered into on \_\_\_\_\_, 2019 by and between the City of Ferndale ("Ferndale") and the City of Pleasant Ridge ("Pleasant Ridge"), collectively referred to as "Local Communities".

The Michigan Constitution of 1963, Article 7, § 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, being MCL 124.501 et seq., permits a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately; and

The Local Communities have determined this Woodward Heights Resurfacing Project will further the public health, safety, and welfare, and promote efficient and effectiveness transportation within the Local Communities.

**NOW THEREFORE**, based on the mutual consideration and covenants stated below, the Local Communities agree as follows:

1. Authorization for Improvements. The Local Communities authorize and agree to participate in the Woodward Heights Resurfacing Project as described in the attached plan sheets. **(Exhibit 1)**

The project shall be designed and constructed in accordance with the standards in the American Association of State Highway and Transportation Officials (AASHTO).

2. Reimbursement/Payment. The City of Pleasant Ridge shall reimburse Ferndale for the construction costs and shall make payment to Ferndale for the actual work costs undertaken in each of the Local Communities respective jurisdictions. **(Exhibit 2)**

3. No Waiver of Governmental Immunity. No provision of this Agreement is intended, nor shall any provision of this Agreement be construed, as a waiver of any governmental immunity as provided under law.

4. Agency. The Local Communities agree that at all times and for all purposes under the terms of this Agreement, no liability, right or benefit arising out of any agency relationship, either express or implied, shall arise or accrue as a result of this Agreement, except as provided in this Agreement. Ferndale shall have all necessary authority for coordinating the installation and construction improvements set forth in **(Exhibit 1)**.

5. Liability and Insurance. The Local Communities shall each be solely responsible for the acts and omissions of their own employees, and agents. The Local Communities shall be responsible for maintaining liability insurance covering its respective activities as they relate to



this Agreement.

6. Entire Agreement. This Agreement sets forth the entire agreement between the Local Communities and supersedes any prior understandings.

7. Severability. If a Court of competent jurisdiction finds any provisions of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of this Agreement shall remain in full force.

8. Governing Law. This Agreement shall be governed by Michigan law. Except as otherwise required by law or court rule, any action brought to enforce, interpret or decide any claim arising under this Agreement shall be brought in the Oakland County Circuit Court.

9. Amendment. The Agreement may be amended only upon written agreement authorized by the governing bodies of the Local Communities.

10. No Implied Waiver. Absent a written waiver, no failure or delay by a party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either party shall subsequently affect its rights to require strict performance of this Agreement.

11. Notices. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid to the Local Communities.

12. Assignment and Subletting. This Agreement may not be assigned nor may duties or obligations hereunder be delegated without the prior written agreement of the Local Communities.

13. Interpretation of Agreement. This is a negotiated Agreement. Should any part of this Agreement be in dispute, the Agreement shall not be construed more favorably for one party over any other, and the doctrine of construction against the drafter shall not apply.

14. No Third-Party Beneficiaries. The Local Communities do not intend to confer third party beneficiary status on any non-party to this Agreement.

15. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, and such counterparts when taken together shall constitute one and the same instrument.



**City of Ferndale**

By: \_\_\_\_\_  
Dave Coulter, Mayor

By: \_\_\_\_\_  
Marne McGrath, Clerk

Date: \_\_\_\_\_

**City of Pleasant Ridge**

By: \_\_\_\_\_  
Mayor

By: \_\_\_\_\_  
Clerk

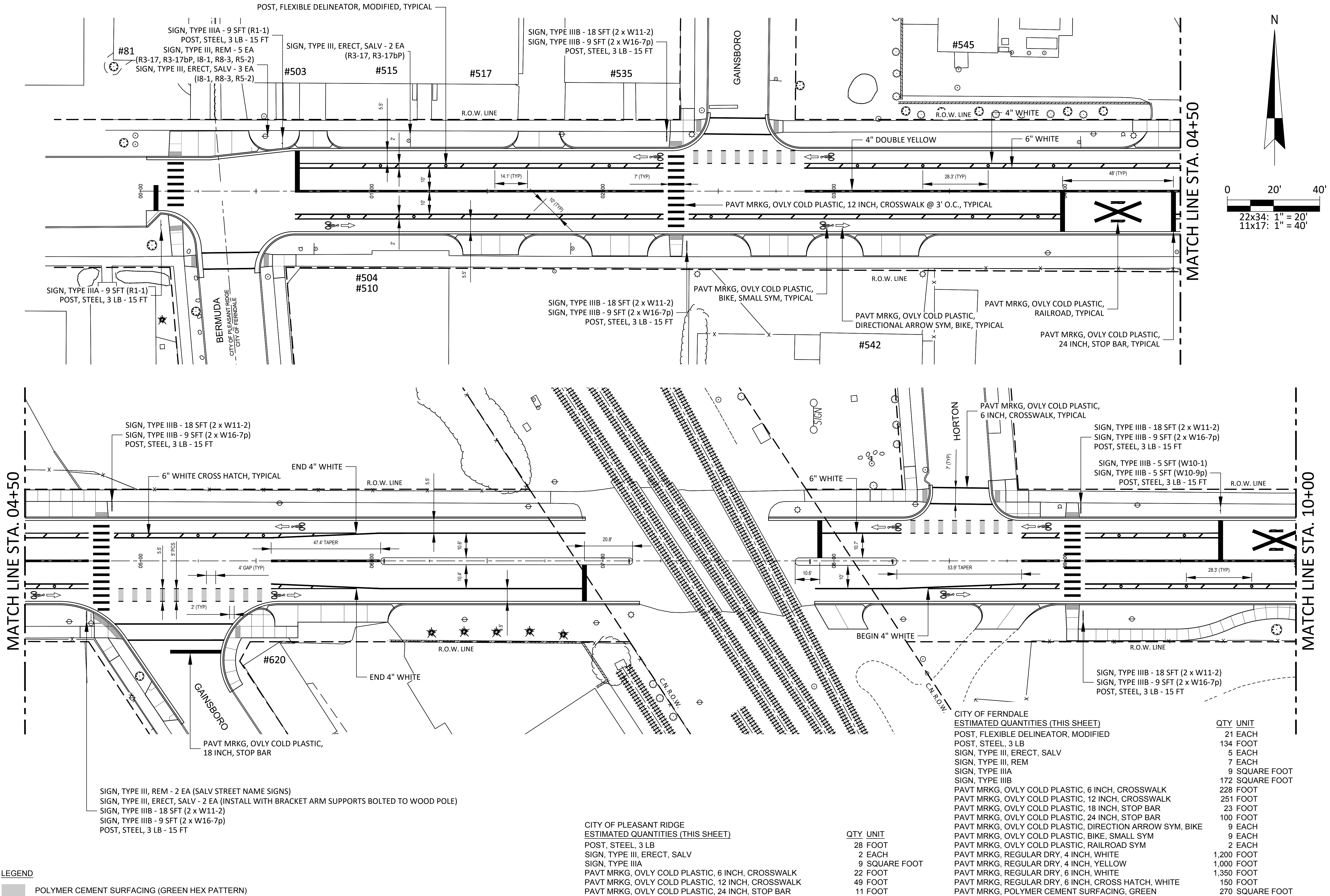
Date: \_\_\_\_\_



# Exhibit 1



H:\14\14700\14787 Ferndale Transportation Projects\14787 28 Woodward Heights Resurfacing (Bermuda to Pilgrim) 2019\Drawing Files\06 Pavement Markings.dwg



giffels  
webster

Engineers  
Surveyors  
Planners  
Landscape Architects

1025 East Maple Road  
Suite 100  
Birmingham, MI 48009  
p (248) 852-3100  
f (313) 962-5068  
www.giffelswebster.com

Executive:	S.A.R.
Manager:	J.R.W.
Designer:	J.P.K.
Quality Control:	J.R.W.



Know what's below.  
Call before you dig.

DATE:	ISSUE:
01.07.19	per MDOT

Developed For:  
**CITY OF FERNDAL**  
  
300 EAST NINE MILE  
FERNDAL, MI 48220  
(248)546-2519

## PAVEMENT MARKINGS (P.O.B. - 10+00)

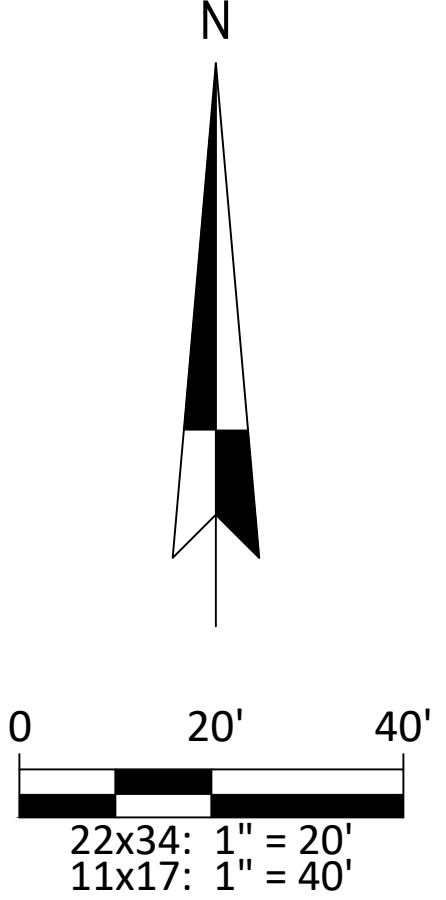
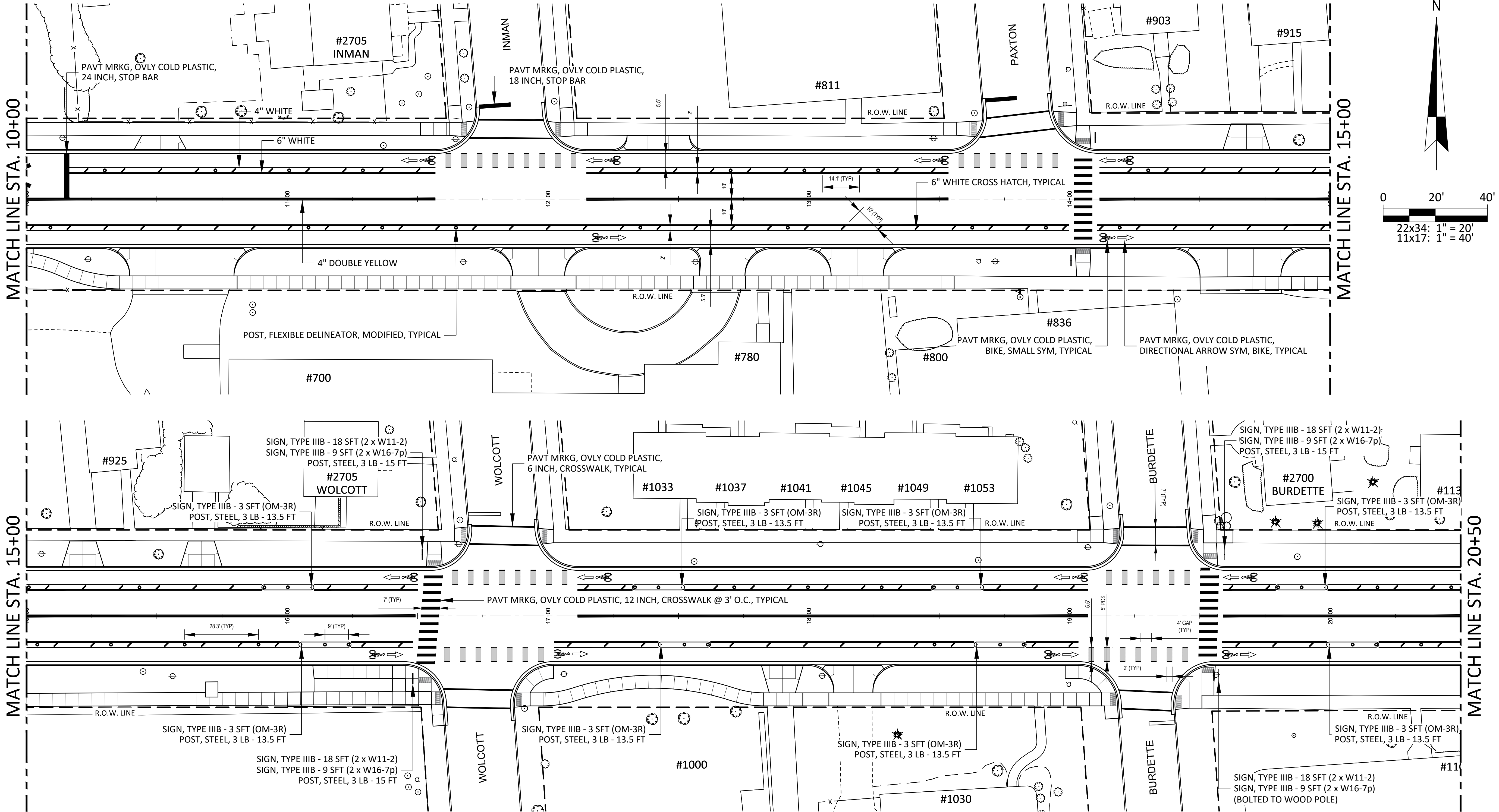
WOODWARD HEIGHTS  
RESURFACING  
  
CITY OF FERNDAL  
OAKLAND COUNTY  
MICHIGAN

Date:	11.30.2018
Scale:	AS SHOWN
Sheet:	62 of 72
Project:	14787.28

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H:\14\14700\14787 ferndale transportation projects\14787.28 woodward heights resurfacing (bermuda to pilgrim) 2019\drawing files\06 Pavement Markings.dwg



LEGEND	
	POLYMER CEMENT SURFACING (GREEN HEX PATTERN)

ESTIMATED QUANTITIES (THIS SHEET)	
POST HOLE THROUGH CONC FOR STEEL POST	8 EACH
POST, FLEXIBLE DELINEATOR, MODIFIED	46 EACH
POST, STEEL, 3 LB	155 FOOT
SIGN, TYPE IIIB	132 SQUARE FOOT
PAVT MRKG, OVLY COLD PLASTIC, 6 INCH, CROSSWALK	300 FOOT
PAVT MRKG, OVLY COLD PLASTIC, 12 INCH, CROSSWALK	242 FOOT
PAVT MRKG, OVLY COLD PLASTIC, 18 INCH, STOP BAR	24 FOOT
PAVT MRKG, OVLY COLD PLASTIC, 24 INCH, STOP BAR	17 FOOT
PAVT MRKG, OVLY COLD PLASTIC, DIRECTION ARROW SYM, BIKE	14 EACH
PAVT MRKG, OVLY COLD PLASTIC, BIKE, SMALL SYM	14 EACH
PAVT MRKG, REGULAR DRY, 4 INCH, WHITE	1,800 FOOT
PAVT MRKG, REGULAR DRY, 4 INCH, YELLOW	1,650 FOOT
PAVT MRKG, REGULAR DRY, 6 INCH, WHITE	1,600 FOOT
PAVT MRKG, REGULAR DRY, 6 INCH, CROSS HATCH, WHITE	225 FOOT
PAVT MRKG, POLYMER CEMENT SURFACING, GREEN	460 SQUARE FOOT



Engineers  
Surveyors  
Planners  
Landscape Architects

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Birmingham, MI 48009  
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www.giffelswebster.com

Executive:	S.A.R.
Manager:	J.R.W.
Designer:	J.P.K.
Quality Control:	J.R.W.



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## PAVEMENT MARKINGS (10+00 - 20+50)

WOODWARD HEIGHTS  
RESURFACING  
  
CITY OF FERNDALE  
OAKLAND COUNTY  
MICHIGAN

Date:	11.30.2018
Scale:	AS SHOWN
Sheet:	63 of 72
Project:	14787.28

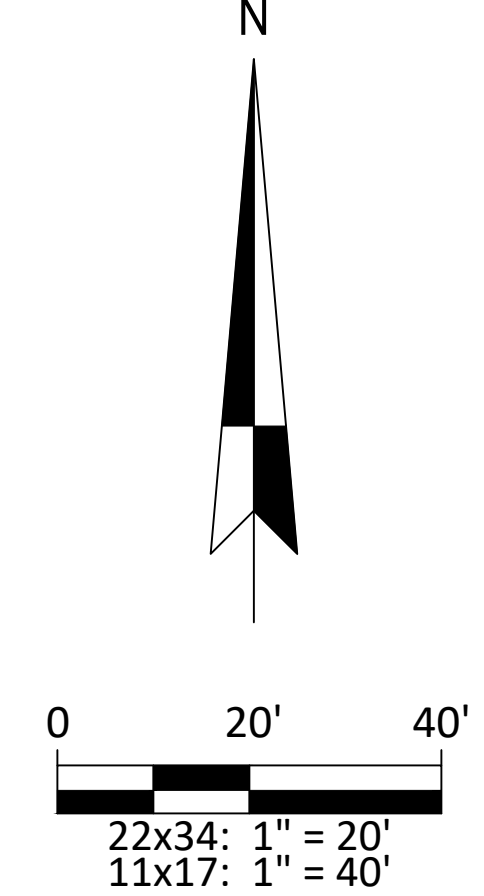
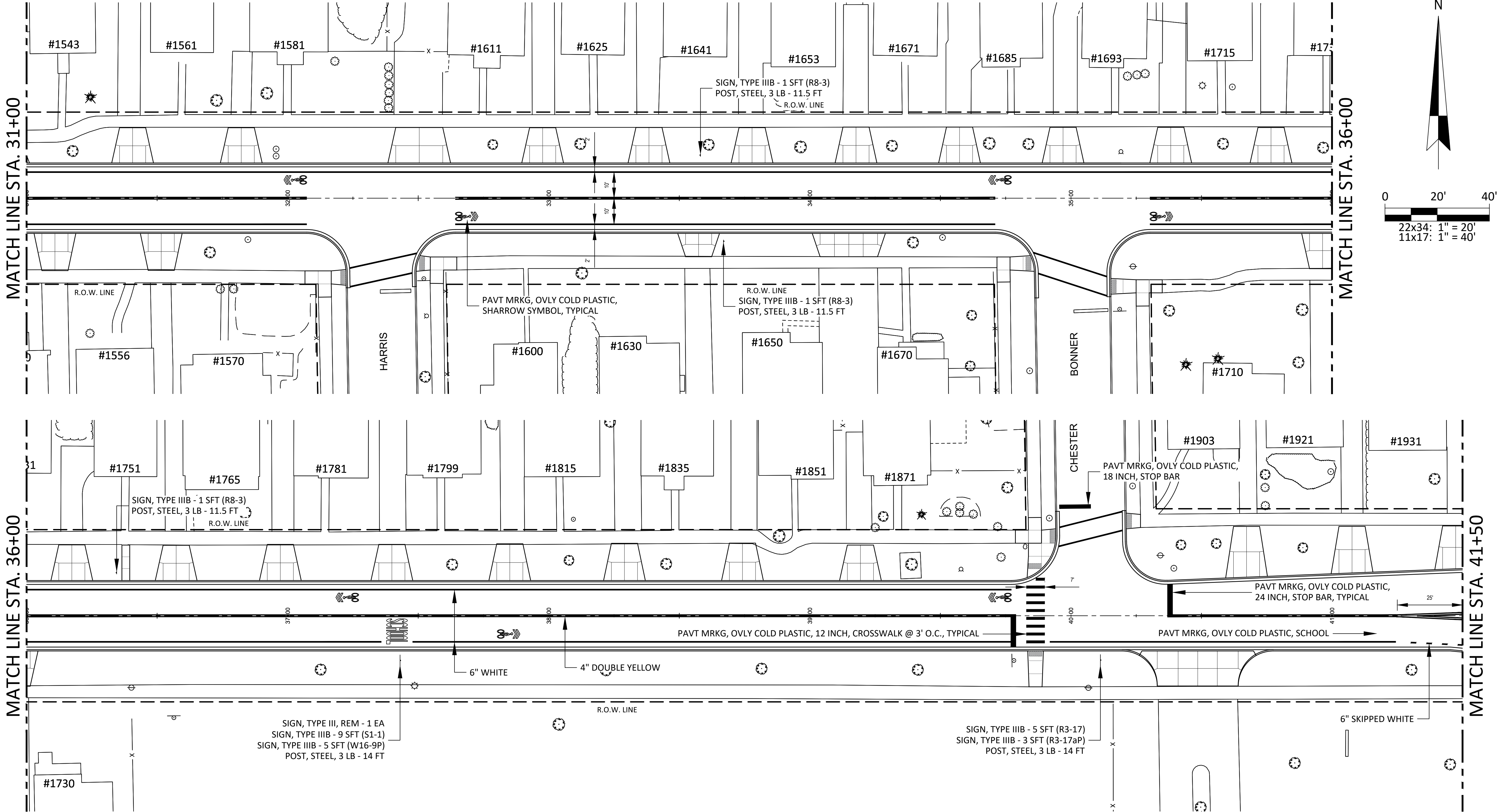
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PAVT MRKG, OVLY COLD PLASTIC, LT TURN ARROW SYM	3 EACH
PAVT MRKG, OVLY COLD PLASTIC, THRU AND RT TURN ARROW SYM	2 EACH
PAVT MRKG, OVLY COLD PLASTIC, SHARROW SYMBOL	3 EACH
PAVT MRKG, REGULAR DRY, 4 INCH, WHITE	850 FOOT
PAVT MRKG, REGULAR DRY, 4 INCH, YELLOW	1,700 FOOT
PAVT MRKG, REGULAR DRY, 6 INCH, WHITE	1,450 FOOT
PAVT MRKG, REGULAR DRY, 6 INCH, CROSS HATCH, WHITE	85 FOOT
PAVT MRKG, POLYMER CEMENT SURFACING, GREEN	970 SQUARE FOOT
PAVT MRKG, POLYMER CEMENT SURFACING, BRICK RED	2,500 SQUARE FOOT



H:\14\14700\14787 Ferndale Transportation Projects\14787 28 Woodward Heights Resurfacing (Bermuda to Pilgrim) 2019\Drawing Files\06 Pavement Markings.dwg



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**PAVEMENT  
MARKINGS**  
(31+00 - 41+50)

**WOODWARD HEIGHTS  
RESURFACING**  
  
CITY OF FERNDAL  
OAKLAND COUNTY  
MICHIGAN

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**ESTIMATED QUANTITIES (THIS SHEET)**

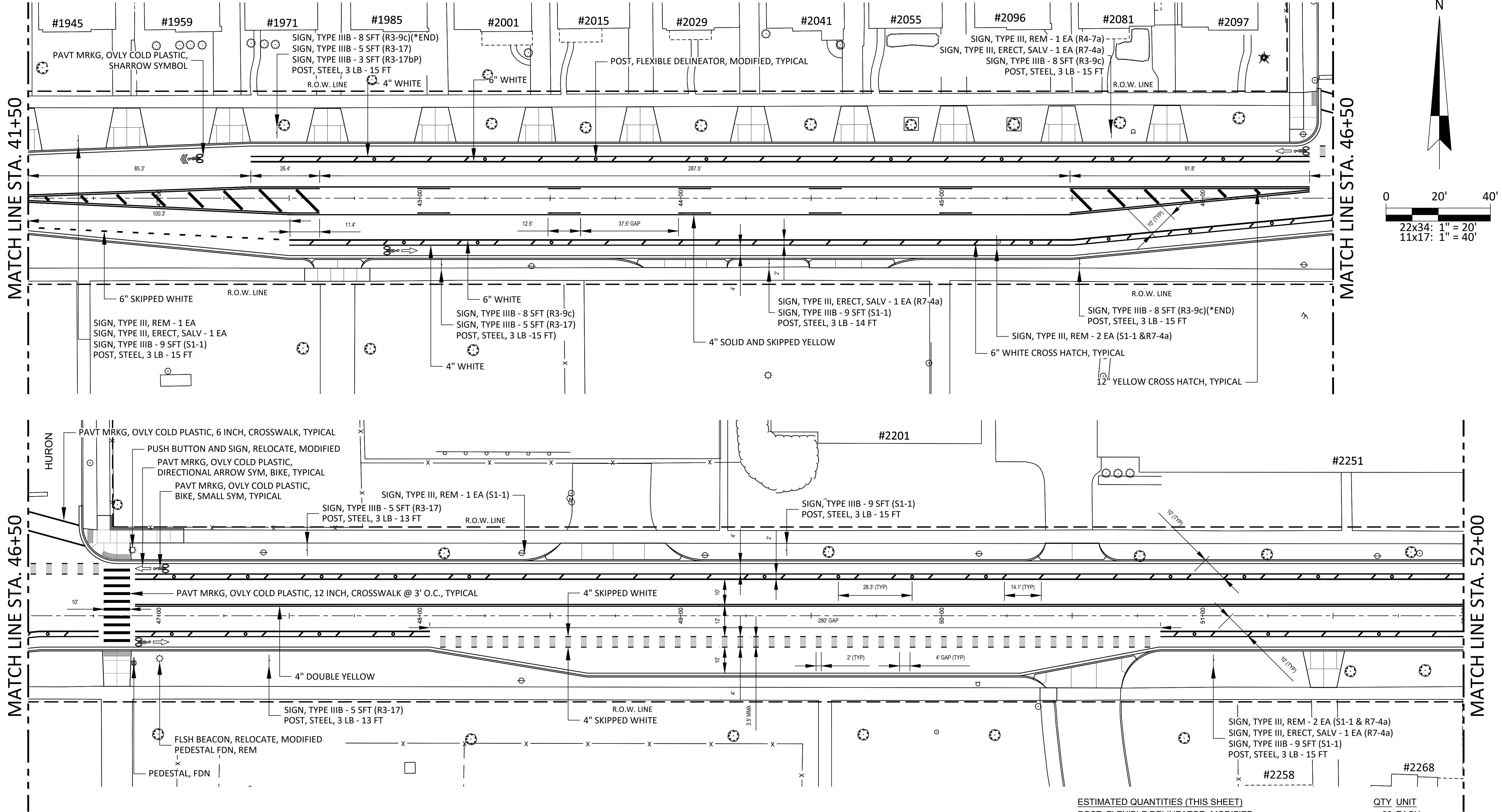
POST, STEEL, 3 LB  
SIGN, TYPE III, REM  
SIGN, TYPE III  
PAVT MRKG, OVLY COLD PLASTIC, 6 INCH, CROSSWALK  
PAVT MRKG, OVLY COLD PLASTIC, 18 INCH, STOP BAR  
PAVT MRKG, OVLY COLD PLASTIC, 24 INCH, STOP BAR  
PAVT MRKG, OVLY COLD PLASTIC, SCHOOL  
PAVT MRKG, OVLY COLD PLASTIC, SHARROW SYMBOL  
PAVT MRKG, REGULAR DRY, 4 INCH, YELLOW  
PAVT MRKG, REGULAR DRY, 6 INCH, WHITE

**QTY UNIT**

63 FOOT  
1 EACH  
25 SQUARE FOOT  
160 FOOT  
12 FOOT  
23 FOOT  
1 EACH  
7 EACH  
1,800 FOOT  
1,800 FOOT



H:\14\14700\14787 Ferndale Transportation Projects\14787 28 Woodward Heights Resurfacing (Bermuda to Pilgrim) 2019\Drawing Files\06 Pavement Markings.dwg



LEGEND

POLYMER CEMENT SURFACING (GREEN HEX PATTERN)

ESTIMATED QUANTITIES (THIS SHEET)	
POST, FLEXIBLE DELINEATOR, MODIFIED	36 EACH
POST, STEEL, 3 LB	145 EACH
SIGN, TYPE III, ERECT, SALV	4 EACH
SIGN, TYPE III, REM	10 EACH
SIGN, TYPE IIIB	91 EACH
PAVT MRKG, OVLY COLD PLASTIC, 6 INCH, CROSSWALK	50 FOOT
PAVT MRKG, OVLY COLD PLASTIC, 12 INCH, CROSSWALK	100 FOOT
PAVT MRKG, OVLY COLD PLASTIC, DIRECTION ARROW SYM, BIKE	4 EACH
PAVT MRKG, OVLY COLD PLASTIC, BIKE, SMALL SYM	4 EACH
PAVT MRKG, OVLY COLD PLASTIC, SHARROW SYMBOL	1 EACH
PAVT MRKG, REGULAR DRY, 4 INCH, WHITE	1,750 FOOT
PAVT MRKG, REGULAR DRY, 4 INCH, YELLOW	2,525 FOOT
PAVT MRKG, REGULAR DRY, 6 INCH, WHITE	1,600 FOOT
PAVT MRKG, REGULAR DRY, 6 INCH, CROSS HATCH, WHITE	220 FOOT
PAVT MRKG, REGULAR DRY, 12 INCH, CROSS HATCH, YELLOW	100 FOOT
PAVT MRKG, POLYMER CEMENT SURFACING, GREEN	325 SQUARE FOOT
PEDESTAL, FDN	1 EACH
PEDESTAL, FDN, REM	1 EACH
FLSH BEACON, RELOCATE, MODIFIED	1 EACH
PUSHBUTTON AND SIGN, RELOCATE, MODIFIED	1 EACH

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PAVEMENT  
MARKINGS  
(41+50 - 52+00)

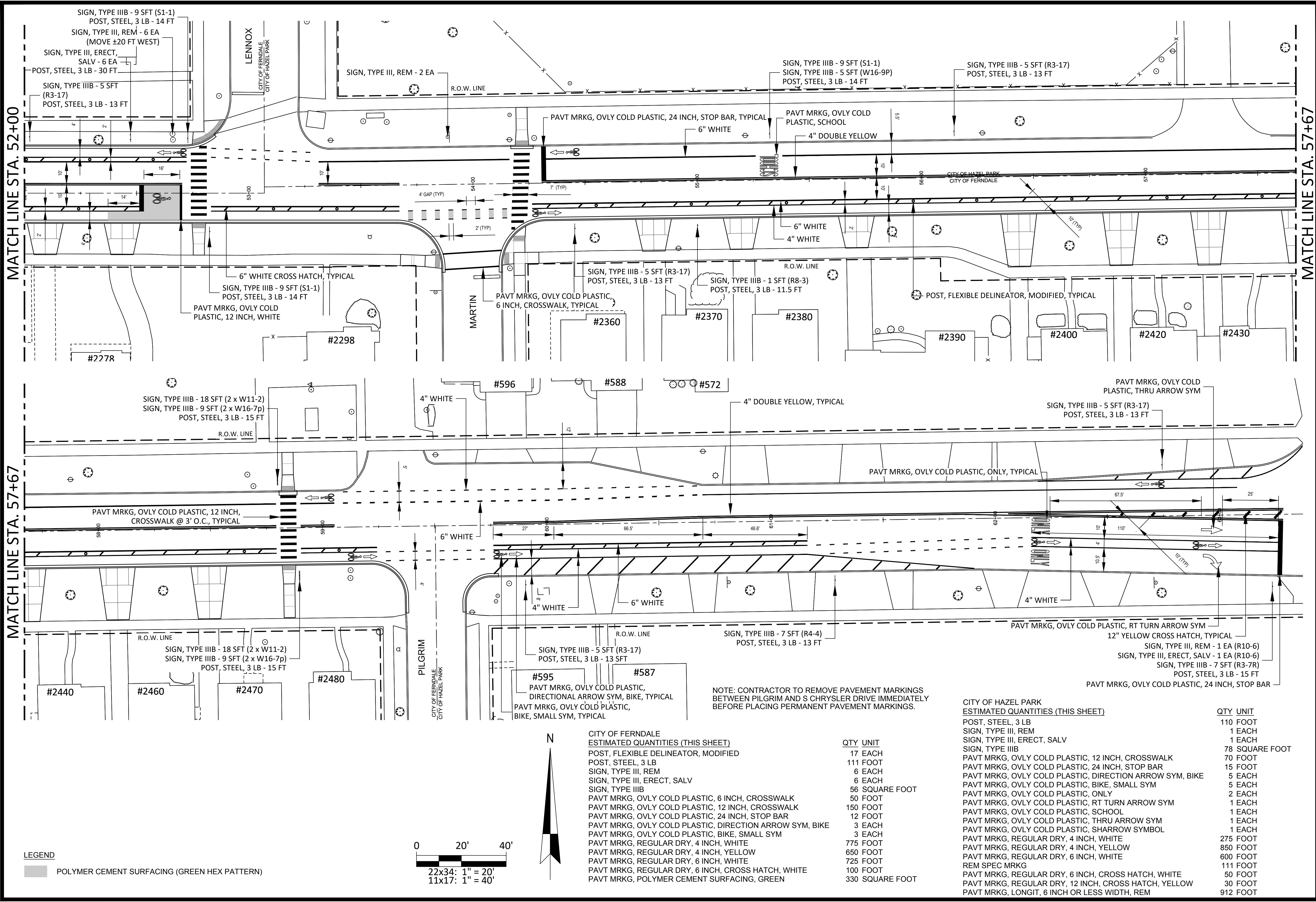
WOODWARD HEIGHTS  
RESURFACING  
  
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## PAVEMENT MARKINGS (52+00 - P.O.E.)

WOODWARD HEIGHTS  
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CITY OF FERNDALE  
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# Exhibit 2



Woodward Heights - Road Project Costs

<b>Ferndale Contribution</b>	<b>Category</b>	<b>Amount</b>			
Ferndale	Construction	\$2,254,245		<b>Total Construction</b>	<b>\$2,313,960</b>
	Engineering	\$311,693		<b>Total Engineering</b>	<b>\$320,650</b>
		<b>\$2,565,938</b>		<b>Total Project Cost</b>	<b>\$2,634,610</b>
<b>Hazel Park Contribution</b>	<b>Category</b>	<b>Amount</b>			
Hazel Park	Construction	\$47,641			
	Engineering	\$7,146			
		<b>\$54,787</b>			
<b>Pleasant Ridge Contribution</b>	<b>Category</b>	<b>Amount</b>			
Pleasant Ridge	Construction	\$12,074			
	Engineering	\$1,811			
		<b>\$13,885</b>			
<b>Total Funds</b>	<b>Funding</b>	<b>Amount</b>			
Ferndale	City Funds	\$1,870,730			
	STP Funds	\$542,538			
	TAP Funds	\$152,670			
Hazel Park	City Funds	\$54,787			
Pleasant Ridge	City Funds	\$13,885			
		<b>\$2,634,610</b>			