

The Crosswell City Council met in Regular Session September 21, 2015, at the Crosswell Community Center, 124 N. Howard Ave., Crosswell, MI. Mayor McMillan called the meeting to order at 7:30 P.M.

Present: Michael McMillan, Mary Willis, John Geiger, Rob Butler, Cindy Fockler  
Administration: City Administrator Sam Moore, City Clerk Suzanne Dobson  
Guests: Denise Slone

I. **PLEDGE OF ALLEGIANCE:**

II. **APPROVAL OF MINUTES** from the Regular Council Meeting of September 8, 2015  
Geiger moved to approve the minutes of September 8, 2015 as presented, second by Butler.  
Motion Carried.

III. **PUBLIC COMMENTS:**

None

IV. **APPROVAL OF AGENDA:**

Remove item b. D.D.A. Temporary Appointment from New Business for further D.D.A. discussion.

Butler moved to approve the agenda as amended, second by Willis. Motion Carried.

V. **CORRESPONDENCE:**

- a. The Senate Update:
- b. D.D.A. Minutes 9-17-2015:
- c. DEQ - SAW Grant:

Fockler moved to receive and file all correspondence, second by Willis. Motion Carried.

VI. **ADMINISTRATOR'S REPORT:**

- Harvest Festival
- Mayor Exchange Day with Sebewaing in the Spring
- Eastern Michigan Bank - would like parcel out on M-90 annexed to Twp.
- SAW Grant - enter into agreement with Engineering firm
- Master Plan - Carlisle/Wortman

VII. **COUNCIL MEMBER REPORT:**

- A. McMillan: No report
- B. Willis: Fireworks Insurance; Gleaners putting in flooring and cabinets at the Community Center.
- C. Geiger: Manhole on Anderson; Road repair on Harrington on east end.
- D. Butler: Homecoming October 2nd; Dirt bikes riding in park
- E. Fockler: Railroad crossings; Updated Project List; Permanent power for festival; Harvest Festival

VIII. **UNFINISHED BUSINESS:**

None

IX. **NEW BUSINESS:**

a. **Proposed Ordinance #167-20 - Zoning Ordinance Penalty:**

Planning/Zoning Commission held a public hearing on September 2, 2015 for the amendment to the Zoning Ordinance of the enforcement and penalties. No comments were received. Planning/Zoning recommends approval of Ordinance #167-20.

Geiger moved to adopt Ordinance #167-20 An Ordinance to amend Section 15.260, Section 16 Enforcement and Penalties, second by Fockler.

Roll Call Vote: Geiger, yes; Fockler, yes; Butler, yes; Willis, yes; McMillan, yes. 5 yeas, 0 nays. Motion Carried.

ORDINANCE NO. 167-20  
ZONING ORDINANCE AMENDMENT  
CITY OF CROSWELL, STATE OF MICHIGAN

AN ORDINANCE TO AMEND THE CITY OF CROSWELL ZONING ORDINANCE NO. 167 ARTICLE 16, ENFORCEMENT AND PENALTIES, SECTION 15.260

THE CITY OF CROSWELL ORDAINS:

**15. 260 ARTICLE 16. ENFORCEMENT AND PENALTIES IS REPEALED AND AMENDED AS FOLLOWS:**

It shall be unlawful to erect, construct, alter, repair, or maintain any building or structure or use any land in violation of any regulation of this Ordinance. Any person, firm, corporation who shall violate any provision of this Ordinance shall be responsible for a Municipal Civil Infraction. An authorized city official may issue a notice of violation or municipal civil infraction citation as authorized under Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended and other applicable laws.

The fines, costs and fees are as follows:

**Notice Violation:** The sanction for a notice violation shall be payable at the Violation Bureau.

- (1) The fine for any notice offense which is a first offense shall be \$50.00.
- (2) The fine for any offense which is a second offense shall be \$100.00.
- (3) The fine for a third or subsequent offense shall be \$500.00

**Municipal Civil Infraction:** The sanction for a municipal civil infraction shall be payable at the Court.

(1) The sanction for a municipal civil infraction fine shall be up to \$500 pursuant to the Court's schedule of fines, plus costs, damages, expenses and other sanctions and injunctive relief, as authorized under the Municipal Civil Infraction Statute, Chapter 87 of Act No. 236 of the Public Acts of 1961, as amended, and other applicable laws.

Nothing in this section shall require a *authorized city official* to first issue a Notice of Violation or Municipal Civil Citation. Nothing in this section shall prevent the enforcing officer or the City Attorney from filing an action in a court of proper jurisdiction for damages or equitable relief as allowed by law.

**Severability**

The provisions of this Ordinance are hereby declared to be severable. If any clause, sentence, paragraph, rule, regulation, section or subsection is declared void or inoperable for any reason by any Court, it shall not affect any other part or portion thereof, other than the part declared void or inoperable.

**Effective Date**

The City of Croswell Clerk shall certify the adoption of this Ordinance and cause the same to be published as required by law; and this Ordinance shall take effect fifteen (15) days after its enactment and upon publication, as required by law and City of Croswell Charter.

**Code of Ordinances**

The provision of this Ordinance shall be included and incorporated in the Code of Ordinances of the City of Croswell, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

CERTIFICATION:

I, Suzanne Dobson, Clerk of the City of Croswell, do hereby certify that Ordinance No. 167-20 was adopted by the City of Croswell Council at a Regular meeting of the City Council held at the Croswell Community Center on the 21st day of September, 2015.

Vote on this ordinance, 5 members being present, was as follows:

AYES: Geiger, Fockler, Butler, Willis, McMillan

NAYS: \_\_\_\_\_

Further certify that said Ordinance No. 167-20 adopted by the City of Croswell Council on the 21st day of September, 2015, was published once in The Jeffersonian, a paper published in Sanilac County and circulated in the City of Croswell, on the 2nd day of October, 2015, this being the first and final day of publication of this ordinance.

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Suzanne Dobson, CMMC  
Croswell City Clerk

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Michael McMillan, Mayor

b. D.D.A. Temporary Appointment:

X. **PUBLIC COMMENTS**

None

XI. **APPROVAL OF ACCOUNTS PAYABLE**

Add Martin Concrete - \$17,860.50 for the sidewalks to the Accounts Payable.

Butler moved to approve the amended bills for the amount of \$338,639.72 and the bills be paid, second by Willis. Motion Carried.

XII. **ADJOURNMENT:**

With no further business Mayor McMillan adjourned the meeting.

Meeting adjourned at 7:55 p.m.

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Suzanne Dobson, CMMC  
Crosswell City Clerk

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Michael McMillan, Mayor